Journal of the Senate

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CONTENTS

Bills on Special Orders 930
Bills on Third Reading 915
Call to Order 764
Co-Introducers 933
House Messages, Final Action 930
House Messages, Returning 795, 872, 916
Motions 930
Recognition of President 793
Recognition of President Pro Tempore 792
Remarks 792, 793
Resolutions 764
Special Guests 792, 793, 795
Special Order Calendar 765, 832, 879, 925
Special Presentation 792, 793
Special Recognition 765, 771, 776, 792, 793, 795
Unveiling of Portrait 793

CALL TO ORDER

The Senate was called to order by President Passidomo at 9:00 a.m. A quorum present—39:

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

PRAYER

The following prayer was offered by Pastor Gary Austin, Faith Fellowship Church, Crawfordville, an employee of the Office of the Sergeant at Arms:

Dear Heavenly Father and our Lord God of all creation, I want to thank you, first of all, for who you are. You are an awesome God who cares for your children and directs the paths of those who put their trust in you and follow your commandments. I ask that you put your hand of mercy upon all who are sitting here today, watching via live stream, or replay.

Today, as we give special honor to our Pro Tempore, Senator Baxley, may you bless him as he sets his sights on new endeavors as well as spending more time with his wife, Ginette, and his family. May you touch this dear brother and give him strength and renewed courage as he continues to run the race set before him. I want to thank you, Lord, for allowing our paths to cross in this special place for these many years. I have enjoyed our conversations and am blessed by encouragement I have received from my brother.

Lord, I want to pray again for the many individuals who worked and are still working together, who made it possible to get to this 58th day of session. The finish line is a mere two days away. May you give us all the needed strength to cross the finish line together. Put your hands upon our Senators today as they continue to make the hard decisions in this chamber for those they represent in their districts and across Florida. It is an awesome task and responsibility, but you placed each one in the seats they occupy to debate and pass the bills that will eventually impact all Floridians if signed into law. Give each one wisdom today as they navigate through today's calendar of events.

Again, we want to thank you for those who gave their lives in order for us to enjoy the freedoms we have in the United States of America. May we never forget their sacrifice by continuing to do our part as citizens and leaders to try to make our nation better through the avenues and gifts you've given to each one of us. I pray that you protect those still serving in our armed forces and the many first responders who continue to put their lives on the line that we may live as peacefully as possible.

Lord, I want to thank you for the many opportunities you've given me while working here in the Florida Senate. May I be a light and an encouragement to all my Senate family and friends. Thank you for the opportunity to give the opening prayer this morning on this special day for Senator Baxley and his family. It is in your name I pray. Amen.

PLEDGE

Senate Pages, William Luthin of Gulf Breeze; Mary Ryan Mitchell of Quincy, daughter of Senate employee Bettsy Mitchell; and Valerie Valderrama of Fort Lauderdale, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Martin—

By Senator Martin—

SR 1804—A resolution recognizing January 23, 2024, as "Florida Gulf Coast University Day" in Florida.

WHEREAS, in May 1991, then-Governor Lawton Chiles signed into law a bill passed by the Florida Legislature authorizing the creation of Florida's tenth public university, Florida Gulf Coast University (FGCU), to provide higher education opportunities and workforce development in the previously underserved region of southwest Florida, and

WHEREAS, FGCU opened its doors to 2,584 students on August 25, 1997, and held its first commencement in May 1998 with 81 graduates, and

WHEREAS, FGCU has been led by five outstanding and dynamic presidents: Roy E. McTarnaghan, William C. Merwin, Wilson G. Bradshaw, Michael V. Martin, and Aysegul Timur, and

WHEREAS, with the leadership and vision of President Timur and the FGCU Board of Trustees, FGCU students will be encouraged to embrace an entrepreneurial spirit, and graduates will be well prepared for productive lives as civically engaged and environmentally conscious citizens with successful careers, and

WHEREAS, FGCU's top priority is the realization of its Excellence in Student Success strategy to provide students a comparative advantage as they enter the workforce, with early identification of career paths

and the opportunity for all students to have meaningful work experiences before graduation, including internships, micro-credentials, and digital badges, and with a strong focus on relevant programs led by accomplished faculty and supported by dedicated staff to build tomorrow's workforce by graduating students who have in-demand expertise and transferable skills, and

WHEREAS, FGCU has strategically grown into a regional university of more than 16,000 students and today offers 64 undergraduate, 26 graduate, and 7 doctoral programs and 17 academic certificates, and

WHEREAS, FGCU's many pathways to student success have led it to achieve national prominence in student service learning as one of the only public institutions of higher education to make service learning a graduation requirement for all undergraduate students, with more than 4 million hours contributed to the southwest Florida community since 1997, and

WHEREAS, with restored or preserved nature making up half of its 800 acres, the FGCU campus is a living laboratory for innovative and interdisciplinary learning, offering students diverse opportunities to participate in meaningful research led by their professors, and

WHEREAS, in 2022, FGCU established The Water School, located in the midst of Florida's complex freshwater and saltwater systems, uniquely positioning it to explore water-based issues, including the health of waterways that impact surrounding ecosystems, regional and state economies, and the people who rely on water for life and leisure, and making FGCU a catalyst for change in the community and throughout the world, and

WHEREAS, FGCU continues to work collaboratively with the State University System to meet regional and statewide workforce needs by graduating career-ready students from the Marieb College School of Nursing in six program areas, with a nearly 100 percent graduate employment rate and excellent first-time passage rates on required nursing licensure examinations, and

WHEREAS, FGCU has more than 43,000 graduates, 70 percent of whom are working in their respective fields of study, with 2,000 businesses started in southwest Florida and more than 20 chapters of the FGCU Alumni Association throughout the United States, and

WHEREAS, FGCU strives to bring diversification of the economy to the region it serves through innovation in agribusiness, construction management, and environmental engineering, and

WHEREAS, FGCU serves in and engages with its surrounding community, offering a wealth of enrichment opportunities, including visual arts, music, theater, and public radio and television, and

WHEREAS, FGCU's athletic teams continue to be a growing source of pride for their loyal fans, with nine programs having earned a top-25 national ranking in their respective sports, and student-athletes continuing to demonstrate their academic strengths, and

WHEREAS, the collegiate experience continues to enrich the lives of FGCU students as they transition from high school to college to career while serving the surrounding community through "Turning Ideas into Impact" and the university's longstanding commitment to service, NOW, THEREFORE,

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

That January 23, 2024, is recognized as "Florida Gulf Coast University Day" in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Aysegul Timur, Ph.D., President of Florida Gulf Coast University, as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

SPECIAL RECOGNITION

Senator Martin recognized Florida Gulf Coast University's President, Aysegul Timur, and Trustees Richard Eide, Jr., and Joseph Fogg III, who were present in the gallery in support of SR 1804.

At the request of Senator Gruters—

By Senator Gruters—

SR 1830—A resolution celebrating the Cardinal Mooney Catholic High School Cougars' 2023 Class 1S state football championship.

WHEREAS, talent, skill, and commitment combined with exemplary teamwork to produce a winning football season for the Cardinal Mooney Catholic High School Cougars, who won the Florida High School Athletic Association Class 1S state championship on December 8, 2023, and

WHEREAS, the victory was especially noteworthy, given that Cardinal Mooney players, fans, and alumni of the Sarasota high school had not celebrated a state football title win in more than 50 years, and

WHEREAS, the grand finale of the Cougars' successful 2023 season took place at Bragg Memorial Stadium in Tallahassee in a title game against Ocala's Trinity Catholic High School, with Cardinal Mooney winning 31-27 in a contest that was not decided until the final minutes of the game, and

WHEREAS, under the guidance and leadership of Head Coach Jared Clark, who is an alumnus of Cardinal Mooney High, the Cougars performed as true champions, finishing the 2023 season with a record of 12 wins and 2 losses, and

WHEREAS, in particular, the members of the team's senior class played a significant role in the Cougars' football success on both offense and defense, and but all of the players on this state championship team will look back on their athletic accomplishment with pride for years to come, NOW, THEREFORE,

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

That the Senate celebrates the Cardinal Mooney Catholic High School Cougars' 2023 Class 1S state football championship.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Cardinal Mooney Principal Ben Hopper, Cougars Head Coach Jared Clark and the team as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

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

SPECIAL ORDER CALENDAR

SB 7070—A bill to be entitled An act relating to sickle cell disease research and treatment education; creating s. 381.814, F.S.; creating the Sickle Cell Disease Research and Treatment Grant Program within the Department of Health; defining terms; providing purposes of the program and its long-term goals; requiring the Office of Minority Health and Health Equity within the department to use funds appropriated to the program to award grants to community-based sickle cell disease medical treatment and research centers operating in this state; specifying the types of projects that may be funded under the program; limiting the percentage of grant funding which may be used for administrative expenses; authorizing certain appropriated funds to be carried over for a specified timeframe; specifying duties of the department; requiring the department to submit an annual report to the Governor and the Legislature; specifying requirements for the report; authorizing the department to adopt rules; amending s. 383.147, F.S.; revising sickle cell disease and sickle cell trait screening requirements; requiring screening providers to notify a newborn's parent or guardian,

rather than the newborn's primary care physician, of certain information; providing for the ability of the parent or guardian of a newborn to opt out of the newborn's inclusion in the sickle cell registry; specifying the manner in which a parent or guardian may opt out; requiring the department to notify the parent or guardian of the ability to opt out before including the newborn in the registry; authorizing certain persons other than newborns who have been identified as having sickle cell disease or carrying the sickle cell trait to choose to be included in the department's sickle cell registry; creating s. 456.0311, F.S.; requiring the applicable licensing boards for specified health care professions to require a 2-hour continuing education course on sickle cell disease care management as part of every second biennial licensure or certification renewal; specifying requirements for the course; specifying the procedure for licensees and certificateholders to submit confirmation of completing the course; authorizing the applicable boards to approve additional equivalent courses to satisfy the requirement; authorizing the applicable boards to include the course hours in the total hours of continuing education required for the applicable profession, with an exception; authorizing health care practitioners holding two or more licenses or certificates subject to the course requirement to show proof of completion of one course to satisfy the requirement for all such licenses or certificates; providing for disciplinary action; authorizing the applicable boards to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7070**, pursuant to Rule 3.11(3), there being no objection, **HB 7085** was withdrawn from the Committee on Appropriations.

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

HB 7085—A bill to be entitled An act relating to sickle cell disease; creating s. 381.814, F.S.; creating the Sickle Cell Disease Research and Treatment Grant Program within the Department of Health for a specified purpose; specifying the types of projects that are eligible for grant funding; authorizing the department to adopt rules; providing for the carryforward for a limited period of any unexpended balance of an appropriation for the program; amending s. 383.147, F.S.; revising sickle cell disease and sickle cell trait screening requirements; requiring screening providers to notify a newborn's parent or guardian, rather than the newborn's primary care physician, of certain information; authorizing certain persons other than newborns who have been identified as having sickle cell disease or carrying a sickle cell trait to choose to be included in the registry; providing an effective date.

—a companion measure, was substituted for **SB 7070** and read the second time by title.

On motion by Senator Rouson, by two-thirds vote, **HB 7085** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 396—A bill to be entitled An act relating to Holocaust Remembrance Day; creating s. 683.196, F.S.; requiring the Governor to annually proclaim a specified day as "Holocaust Remembrance Day"; authorizing "Holocaust Remembrance Day" to be observed in this state's public schools and be observed by public exercise as the Governor may designate; providing construction; authorizing specified instruction; providing an effective date.

—was read the second time by title. On motion by Senator Berman, by two-thirds vote, **CS for SB 396** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for SB 408—A bill to be entitled An act relating to the Florida Veterans' History Program; creating s. 265.8021, F.S.; defining the term "veteran"; creating the Florida Veterans' History Program within the Division of Arts and Culture of the Department of State as a Florida Folklife Program; providing the program's purpose; authorizing the division to request assistance from the Department of Veterans' Affairs; requiring the division's folklorists to seek out and identify certain veterans; authorizing the division or a folklorist to interview such veterans or invite them to submit written or electronic accounts of their experiences; authorizing the division to contract with a third-party vendor for a specified purpose; authorizing the division to adopt rules; providing an appropriation and authorizing a position; providing an effective date.

—was read the second time by title.

Senator Burgess moved the following amendment which was adopted:

Amendment 1 (133770) (with title amendment)—Delete lines 26-50 and insert:

(2) The Major John Leroy Haynes Florida Veterans' History Program is created within the Division of Arts and Culture as a Florida Folklife Program to collect and preserve the stories and experiences of Florida's veterans and the State of Florida's military contributions throughout the nation's history. The division may request assistance with the program from the Department of Veterans' Affairs.

(3) In order to collect and preserve the stories and experiences of Florida's veterans and the State of Florida's military contributions throughout the nation's history, the division's folklorists shall seek out and identify those veterans who are willing to share their experiences. The division or a folklorist may interview veterans or invite veterans to submit written or electronic accounts of their experiences for inclusion in the program.

(4) As provided in s. 265.802, the division may contract with a third-party vendor to fulfill its responsibilities under subsection (3).

(5) The division may adopt rules to implement the program.

Section 2. *For the 2024-2025 fiscal year, the sum of $91,207 in recurring funds from the General Revenue Fund is appropriated to the Division of Arts and Culture of the Department of State, and one full-time equivalent position with associated salary rate of 68,771 is authorized, to implement and administer the Major John Leroy Haynes Florida Veterans' History Program as created by*

And the title is amended as follows:

Delete line 4 and insert: "veteran"; creating the Major John Leroy Haynes Florida Veterans' History

Pending further consideration of **CS for SB 408**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1329** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for HB 1329—A bill to be entitled An act relating to veterans; creating s. 265.8021, F.S.; defining the term "veteran"; creating the Florida Veterans' History Program within the Division of Arts and Culture of the Department of State as a Florida Folklife Program; providing the program's purpose; authorizing the division to request assistance from the Department of Veterans' Affairs; requiring the division's folklorists to seek out and identify certain veterans; authorizing the division or a folklorist to interview such veterans or invite them to submit written or electronic accounts of their experiences; authorizing the division to contract with a third-party vendor for a specified purpose; authorizing the division to adopt rules; amending s. 295.21, F.S.; revising the purpose of Florida Is For Veterans, Inc.; revising the duties of the corporation to require that it conduct specified activities directed toward its target market; defining the term "target market"; deleting obsolete language; providing that the President of the Senate and the Speaker of the House of Representatives may each appoint only one member from his or her chamber to the corporation's board of directors; making technical changes; amending s. 295.22, F.S.; defining terms; revising the purpose of the Veterans Employment and Training Services Program; revising the functions that Florida Is For Veterans, Inc., must perform in administering a specified program; authorizing the program to prioritize grant funds; revising the uses of specified grant funds; authorizing a business to receive certain other grant funds in addition to specified grant funds; authorizing the use of grant funds to provide for a specified educational stipend; requiring the corporation and the University of Florida to enter into a grant agreement before certain funds are expended; requiring the corporation to determine the amount of the stipend; providing that specified training must occur for a specified duration; authorizing the corporation to provide certain assistance to state agencies and entities, to provide a website that has relevant hyperlinks, and to collaborate with specified state agencies and other entities for specified purposes;; conforming provisions to changes made by the act; making technical changes; creating s. 295.25, F.S.; prohibiting the Department of State from charging veterans who reside in this state fees for the filing of specified documents; amending s. 379.353, F.S.; providing free hunting, freshwater fishing, and saltwater fishing licenses to certain disabled veterans; providing that such licenses expire after a certain period of time; requiring such licenses to be reissued in specified circumstances; amending s. 381.78, F.S.; revising the membership, appointment, and meetings of the advisory council on brain and spinal cord injuries; amending s. 1003.42, F.S.; requiring instruction on the history and importance of Veterans' Day and Memorial Day; requiring certain instruction to consist of two 45-minute lessons that occur within a certain timeframe; amending s. 288.0001, F.S.; conforming a cross-reference; reenacting ss. 379.3581(2)(b) and 379.401(2)(b) and (3)(b), F.S., relating to special authorization hunting licenses and the suspension and forfeiture of licenses and permits, respectively, to incorporate the amendment made to s. 379.353, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 408** and read the second time by title.

Senator Collins moved the following amendment which was adopted:

Amendment 1 (402874) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 265.8021, Florida Statutes, is created to read:

265.8021 Major John Leroy Haynes Florida Veterans' History Program.—

(1) As used in this section, the term "veteran" has the same meaning as in s. 1.01(14).

(2) The Major John Leroy Haynes Florida Veterans' History Program is created within the Division of Arts and Culture as a Florida Folklife Program to collect and preserve the stories and experiences of Florida's veterans and the State of Florida's military contributions throughout the nation's history. The division may request assistance with the program from the Department of Veterans' Affairs.

(3) In order to collect and preserve the stories and experiences of Florida's veterans and the State of Florida's military contributions throughout the nation's history, the division's folklorists shall seek out and identify those veterans who are willing to share their experiences. The division or a folklorist may interview veterans or invite veterans to submit written or electronic accounts of their experiences for inclusion in the program.

(4) As provided in s. 265.802, the division may contract with a third-party vendor to fulfill its responsibilities under subsection (3).

(5) The division may adopt rules to implement the program.

Section 2. Subsection (2), paragraph (a) of subsection (3), and paragraph (a) of subsection (4) of section 295.21, Florida Statutes, are amended to read:

295.21 Florida Is For Veterans, Inc.—

(2) PURPOSE.—The purpose of the corporation is to *serve as the state's initial point of military transition assistance dedicated to promoting* ~~promote~~ Florida as a veteran-friendly state *helping* ~~that seeks~~ to provide veterans and their spouses with employment opportunities and *promoting* ~~that promotes~~ the hiring of veterans and their spouses by the business community. The corporation shall encourage retired and recently separated military personnel to remain in *this* ~~the~~ state or to make *this* ~~the~~ state their permanent residence. The corporation shall promote the value of military skill sets to businesses in *this* ~~the~~ state, assist in tailoring the training of veterans and their spouses to match the needs of the employment marketplace, and enhance the entrepreneurial skills of veterans and their spouses.

(3) DUTIES.—The corporation shall:

(a) Conduct *marketing, awareness, and outreach activities directed toward its target market. As used in this section, the term "target market" means servicemembers of the United States Armed Forces who have 24 months or less until discharge, veterans with 36 months or less since discharge, and members of the Florida National Guard or reserves. The term includes spouses of such individuals, and surviving spouses of such individuals who have not remarried* ~~research to identify the target market and the educational and employment needs of those in the target market. The corporation shall contract with at least one entity pursuant to the competitive bidding requirements in s. 287.057 and the provisions of s. 295.187 to perform the research. Such entity must have experience conducting market research on the veteran demographic. The corporation shall seek input from the Florida Tourism Industry Marketing Corporation on the scope, process, and focus of such research~~.

(4) GOVERNANCE.—

(a) The corporation shall be governed by *an 11-member* ~~a nine-member~~ board of directors. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall each appoint three members to the board. *The appointments made by the President of the Senate and the Speaker of the House of Representatives may not be from the body over which he or she presides.* In making appointments, the Governor, the President of the Senate, and the Speaker of the House of Representatives must consider representation by active or retired military personnel and their spouses, representing a range of ages and persons with expertise in business, education, marketing, and information management. *Additionally, the President of the Senate and the Speaker of the House of Representatives shall each appoint one member from the body over which he or she presides to serve on the board as ex officio, nonvoting members.*

Section 3. Section 295.22, Florida Statutes, is amended to read:

295.22 Veterans Employment and Training Services Program.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds that the state has a compelling interest in ensuring that each veteran or his or her spouse who is a resident of *this* ~~the~~ state finds employment that meets his or her professional goals and receives the training or education necessary to meet those goals. The Legislature also finds that connecting dedicated, well-trained veterans with businesses that need a dedicated, well-trained workforce is of paramount importance. The Legislature recognizes that veterans or their spouses may not currently have the skills to meet the workforce needs of Florida employers and may require assistance in obtaining additional workforce training or in transitioning their skills to meet the demands of the marketplace. It is the intent of the Legislature that the Veterans Employment and Training Services Program coordinate and meet the needs of veterans and their spouses and the business community to enhance the economy of this state.

(2) *DEFINITIONS.—For the purposes of this section, the term:*

(a) "Secondary industry business" is a business that the state has an additional interest in supporting and for which veterans and their spouses may have directly transferable skills. Such businesses are in the fields of health care, agriculture, commercial construction, education, law enforcement, and public service.

(b) "Servicemember" means any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces.

(c) "Target industry business" is a business as defined in s. 288.005.

(d) "Target market" means servicemembers of the United States Armed Forces who have 24 months or less until discharge, veterans with 36 months or less since discharge, and members of the Florida National Guard or reserves. The term includes spouses of such individuals, and surviving spouses of such individuals who have not remarried.

(3) CREATION.—The Veterans Employment and Training Services Program is created within the Department of Veterans' Affairs to assist in *connecting servicemembers,* ~~linking~~ veterans*,* or their spouses *who are in the target market* ~~in search of employment~~ with businesses seeking to hire dedicated, well-trained workers *and with opportunities for entrepreneurship education, training, and resources*. The purpose of the program is to meet the workforce demands of businesses in *this* ~~the~~ state by facilitating access to training and education in high-demand fields for *such individuals and to inspire the growth and development of veteran-owned small businesses* ~~veterans or their spouses~~.

(4)~~(3)~~ ADMINISTRATION.—Florida Is For Veterans, Inc., shall administer the Veterans Employment and Training Services Program and perform all of the following functions:

(a) Conduct marketing and recruiting efforts directed at *individuals within the target market* ~~veterans or their spouses~~ who reside in or ~~who~~ have an interest in relocating to this state and who are seeking employment. Marketing must include information related to how ~~a veteran's~~ military experience can be valuable to a *target industry or secondary industry* business. Such efforts may include attending ~~veteran~~ job fairs and events, hosting events for *servicemembers,* veterans*,* and their spouses or the business community, and using digital and social media and direct mail campaigns. The corporation shall also include such marketing as part of its main marketing campaign.

(b) Assist *individuals in the target market* ~~veterans or their spouses~~ who reside in or relocate to this state and who are seeking employment *with target industry or secondary industry businesses*. The corporation shall offer skills assessments to *such individuals* ~~veterans or their spouses~~ and assist them in establishing employment goals and applying for and achieving gainful employment.

1. Assessment may include skill match information, skill gap analysis, résumé creation, translation of military skills into civilian workforce skills, and translation of military achievements and experience into generally understood civilian workforce skills.

2. Assistance may include providing the *servicemember,* veteran*,* or his or her spouse with information on current workforce demand by industry or geographic region, creating employment goals, and aiding or teaching general knowledge related to completing applications. ~~The corporation may provide information related to industry certifications approved by the Department of Education under s. 1008.44 as well as information related to earning academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military under s. 1004.096.~~

3. ~~The corporation shall encourage veterans or their spouses to register with the state's job bank system and may refer veterans to local one-stop career centers for further services. The corporation shall provide each veteran with information about state workforce programs and shall consolidate information about all available resources on one website that, if possible, includes a hyperlink to each resource's website and contact information, if available.~~

~~4.~~ Assessment and assistance may be in person or by electronic means, as determined by the corporation to be most efficient and best meet the needs of veterans or their spouses.

(c) Assist Florida *target industry and secondary industry* businesses in recruiting and hiring *individuals in the target market* ~~veterans and veterans' spouses~~. The corporation shall provide services to Florida businesses to meet their hiring needs by connecting businesses with suitable ~~veteran~~ applicants for employment. Suitable applicants include veterans or veterans' spouses who have appropriate job skills or may need additional training to meet the specific needs of a business. The corporation shall also provide information about the state and federal benefits of hiring veterans.

(d) Create a grant program to provide funding to assist *individuals in the target market* ~~veterans~~ in meeting the workforce-skill needs of *target industry and secondary industry* businesses seeking to hire, promote, or generally improve specialized skills of veterans, establish criteria for approval of requests for funding, and maximize the use of funding for this program. Grant funds may be used only in the absence of available veteran-specific federally funded programs. Grants may fund specialized training specific to a particular business.

1. *The program may prioritize* ~~If~~ grant funds *to be* ~~are~~ used to provide a ~~technical~~ certificate, a *license* ~~licensure~~, or *nondegree training from the Master Credentials List pursuant to s. 445.004(4)(h); any federally created certifications or licenses; and any skills-based industry certifications or licenses deemed relevant or necessary by the corporation.* ~~a degree,~~ Funds may be allocated only upon a review that includes, but is not limited to, documentation of accreditation and licensure. ~~Instruction funded through the program terminates when participants demonstrate competence at the level specified in the request but may not exceed 12 months. Preference shall be given to target industry businesses, as defined in s. 288.005, and to businesses in the defense supply, cloud virtualization, health care, or commercial aviation manufacturing industries.~~

2. Costs and expenditures *are* ~~shall be~~ limited to $8,000 per ~~veteran~~ trainee. Qualified businesses must cover the entire cost for all of the training provided before receiving reimbursement from the corporation equal to 50 percent of the cost to train a veteran who is a permanent, full-time employee. Eligible costs and expenditures include*, but are not limited to*:

a. Tuition and fees.

b. Books and classroom materials.

c. Rental fees for facilities.

3. Before funds are allocated for a request pursuant to this section, the corporation shall prepare a grant agreement between the business requesting funds and the corporation. Such agreement must include, but need not be limited to:

a. Identification of the personnel necessary to conduct the instructional program, instructional program description, and any vendors used to conduct the instructional program.

b. Identification of the estimated duration of the instructional program.

c. Identification of all direct, training-related costs.

d. Identification of special program requirements that are not otherwise addressed in the agreement.

e. Permission to access aggregate information specific to the wages and performance of participants upon the completion of instruction for evaluation purposes. The agreement must specify that any evaluation published subsequent to the instruction may not identify the employer or any individual participant.

4. A business may receive a grant under *any state program* ~~the Quick Response Training Program created under s. 288.047~~ and a grant under this section for the same veteran trainee.

(e) Contract with one or more entities to administer an entrepreneur initiative program for *individuals in the target market* ~~veterans~~ in this state which connects business leaders in the state with *such individuals* ~~veterans~~ seeking to become entrepreneurs.

1. The corporation shall award each contract in accordance with the competitive bidding requirements in s. 287.057 to one or more public or private entities that:

a. Demonstrate the ability to implement the program and the commitment of resources, including financial resources, to such programs.

b. Have a demonstrated experience working with veteran entrepreneurs.

c. As determined by the corporation, have been recognized for their performance in assisting entrepreneurs to launch successful businesses in *this* ~~the~~ state.

2. Each contract must include performance metrics, including a focus on employment and business creation. The entity may also work with a university or college offering related programs to refer *individuals in the target market* ~~veterans~~ or to provide services. The entrepreneur initiative program may include activities and assistance such as peer-to-peer learning sessions, mentoring, technical assistance, business roundtables, networking opportunities, support of student organizations, speaker series, or other tools within a virtual environment.

(f) *Administer a* ~~As the state's principal assistance organization under the United States Department of Defense's~~ SkillBridge *initiative* ~~program~~ for *target industry and secondary industry* ~~qualified~~ businesses in this state and for *eligible individuals in the target market* ~~transitioning servicemembers~~ who reside in, or who wish to reside in, this state. *In administering the initiative*, the corporation shall:

1. Establish and maintain, as applicable, its certification for the SkillBridge *initiative* ~~program~~ or any other similar workforce training and transition programs established by the United States Department of Defense;

2. Educate businesses, business associations, and *eligible individuals in the target market* ~~transitioning servicemembers~~ on the SkillBridge *initiative* ~~program~~ and its benefits, and educate military command and personnel within the state on the opportunities available to *eligible individuals in the target market* ~~transitioning servicemembers through the SkillBridge program~~;

3. Assist businesses in obtaining approval for skilled workforce training curricula under the SkillBridge *initiative* ~~program~~, including, but not limited to, apprenticeships, internships, or fellowships; and

4. Match *eligible individuals in the target market* ~~transitioning servicemembers who are deemed eligible for SkillBridge participation by their military command~~ with training opportunities offered by the corporation or participating businesses, with the intent of having *them* ~~transitioning servicemembers~~ achieve gainful employment in this state upon completion of their SkillBridge training.

~~(g) Assist veterans and their spouses in accessing training, education, and employment in health care professions.~~

~~(h) Coordinate with the Office of Veteran Licensure Services within the Department of Health to assist veterans and their spouses in obtaining licensure pursuant to s. 456.024.~~

(5) COLLABORATION.—

(a) The corporation may assist state agencies and entities with recruiting veteran talent into their workforces.

(b) The corporation is encouraged to, and may collaborate with state agencies and other entities in efforts to, maximize access to and provide information on one website that, if possible, includes hyperlinks to the websites of and contact information, if available, for state agencies and other entities that maintain benefits, services, training, education, and other resources that are available to veterans and their spouses.

(c) The corporation may collaborate with other state agencies and entities for outreach, information exchange, marketing, and referrals regarding programs and initiatives that include, but are not limited to, the program created by this section and those within any of the following:

1. The Department of Veterans' Affairs:

a. Access to benefits and assistance programs.

b. Hope Navigators Program.

2. The Department of Commerce:

a. The Disabled Veteran Outreach Program and local veteran employment representatives.

b. CareerSource Florida, Inc., and local workforce boards employment and recruitment services.

c. The Quick-Response Training Program.

d. Efforts of the Florida Defense Support Task Force created under s. 288.987, the Florida Small Business Development Center Network, and the direct support organization established in s. 288.012(6).

3. The Department of Business and Professional Regulation, reciprocity and the availability of certain license and fee waivers.

4. The Department of Education:

a. CAPE industry certifications under s. 1008.44.

b. Information related to earning postsecondary credit at public postsecondary educational institutions for college-level training and education acquired in the military under s. 1004.096.

5. The Department of Health:

a. The Office of Veteran Licensure Services.

b. The Florida Veterans Application for Licensure Online Response expedited licensing.

6. The Office of Reimagining Education and Career Help.

Section 4. Subsection (1) of section 379.353, Florida Statutes, is amended to read:

379.353 Recreational licenses and permits; exemptions from fees and requirements.—

(1) *The commission shall issue without fee* hunting, freshwater fishing, and saltwater fishing licenses and permits ~~shall be issued without fee~~ to any resident who is certified or determined *to be*:

(a) ~~To be~~ Totally and permanently disabled for purposes of workers' compensation under chapter 440 as verified by an order of a judge of compensation claims or written confirmation by the carrier providing workers' compensation benefits, or to be totally and permanently disabled by the Railroad Retirement Board, by the United States Department of Veterans Affairs or its predecessor, or by any branch of the United States Armed Forces, or who holds a valid identification card issued under ~~the provisions of~~ s. 295.17, upon proof of *such certification or determination* ~~same~~. Any license issued under this paragraph after January 1, 1997, expires after 5 years and must be reissued, upon request, every 5 years thereafter.

(b) ~~To be~~ Disabled by the United States Social Security Administration, upon proof of *such certification or determination* ~~same~~. Any license issued under this paragraph after October 1, 1999, expires after 2 years and must be reissued, upon proof of certification of disability, every 2 years thereafter.

(c) A disabled veteran of the United States Armed Forces who was honorably discharged upon separation from service and who is certified by the United States Department of Veterans Affairs or its predecessor or by any branch of the United States Armed Forces as having a service-connected disability percentage rating of 50 percent or greater, upon proof of such certification or determination. Any license issued under this paragraph after July 1, 2024, expires after 5 years and must be reissued, upon request, every 5 years thereafter.

A disability license issued after July 1, 1997, and before July 1, 2000, retains the rights vested thereunder until the license has expired.

Section 5. Subsection (1) of section 381.78, Florida Statutes, is amended to read:

381.78 Advisory council on brain and spinal cord injuries.—

(1) There is created within the department *an 18-member* ~~a 16-member~~ advisory council on brain and spinal cord injuries. The council shall be composed of a minimum of four individuals who have brain injuries or are family members of individuals who have brain injuries, a minimum of four individuals who have spinal cord injuries or are family members of individuals who have spinal cord injuries, and a minimum of two individuals who represent the special needs of children who have brain or spinal cord injuries. The balance of the council members shall be physicians, other allied health professionals, administrators of brain and spinal cord injury programs, and representatives from support groups that have expertise in areas related to the rehabilitation of individuals who have brain or spinal cord injuries. *Additionally, the council must include two veterans who have or have had a traumatic brain injury, chronic traumatic encephalopathy, or subconcussive impacts due to military service, or include the family members of such veterans.*

Section 6. Paragraph (u) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(u)*1.* In order to encourage patriotism, the sacrifices that ~~veterans and~~ Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day~~, Veterans' Day, and Memorial Day~~. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

2. The history and importance of Veterans' Day and Memorial Day. Such instruction may include two 45-minute lessons that occur on or before the respective holidays.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (u).

Section 7. Paragraph (c) of subsection (2) of section 288.0001, Florida Statutes, is amended to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(2) The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:

(c) By January 1, 2016, and every 3 years thereafter, an analysis of the following:

1. The tax exemption for semiconductor, defense, or space technology sales established under s. 212.08(5)(j).

2. The Military Base Protection Program established under s. 288.980.

3. The Quick Response Training Program established under s. 288.047.

4. The Incumbent Worker Training Program established under s. 445.003.

5. The direct-support organization and international trade and business development programs established or funded under s. 288.012 or s. 288.826.

6. The program established under *s. 295.22(3)* ~~s. 295.22(2)~~.

Section 8. For the purpose of incorporating the amendment made by this act to section 379.353, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 379.3581, Florida Statutes, is reenacted to read:

379.3581 Hunter safety course; requirements; penalty.—

(2)

(b) A person born on or after June 1, 1975, who has not successfully completed a hunter safety course may apply to the commission for a special authorization to hunt under supervision. The special authorization for supervised hunting shall be designated on any license or permit required under this chapter for a person to take game or fur-bearing animals. A person issued a license with a special authorization to hunt under supervision must hunt under the supervision of, and in the presence of, a person 21 years of age or older who is licensed to hunt pursuant to s. 379.354 or who is exempt from licensing requirements or eligible for a free license pursuant to s. 379.353.

Section 9. For the purpose of incorporating the amendment made by this act to section 379.353, Florida Statutes, in references thereto, paragraph (b) of subsection (2) and paragraph (b) of subsection (3) of section 379.401, Florida Statutes, are reenacted to read:

379.401 Penalties and violations; civil penalties for noncriminal infractions; criminal penalties; suspension and forfeiture of licenses and permits.—

(2) LEVEL TWO VIOLATIONS.—

(b)1. A person who commits a Level Two violation but who has not been convicted of a Level Two or higher violation within the past 3 years commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

2. Unless the stricter penalties in subparagraph 3. or subparagraph 4. apply, a person who commits a Level Two violation within 3 years after a previous conviction for a Level Two or higher violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, with a minimum mandatory fine of $250.

3. Unless the stricter penalties in subparagraph 4. apply, a person who commits a Level Two violation within 5 years after two previous convictions for a Level Two or higher violation, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, with a minimum mandatory fine of $500 and a suspension of any recreational license or permit issued under s. 379.354 for 1 year. Such suspension shall include the suspension of the privilege to obtain such license or permit and the suspension of the ability to exercise any privilege granted under any exemption in s. 379.353.

4. A person who commits a Level Two violation within 10 years after three previous convictions for a Level Two or higher violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, with a minimum mandatory fine of $750 and a suspension of any recreational license or permit issued under s. 379.354 for 3 years. Such suspension shall include the suspension of the privilege to obtain such license or permit and the suspension of the ability to exercise any privilege granted under s. 379.353. If the recreational license or permit being suspended was an annual license or permit, any privileges under ss. 379.353 and 379.354 may not be acquired for a 3-year period following the date of the violation.

(3) LEVEL THREE VIOLATIONS.—

(b)1. A person who commits a Level Three violation but who has not been convicted of a Level Three or higher violation within the past 10 years commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

2. A person who commits a Level Three violation within 10 years after a previous conviction for a Level Three or higher violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, with a minimum mandatory fine of $750 and a suspension of any recreational license or permit issued under s. 379.354 for the remainder of the period for which the license or permit was issued up to 3 years. Such suspension shall include the suspension of the privilege to obtain such license or permit and the ability to exercise any privilege granted under s. 379.353. If the recreational license or permit being suspended was an annual license or permit, any privileges under ss. 379.353 and 379.354 may not be acquired for a 3-year period following the date of the violation.

3. A person who commits a violation of s. 379.354(17) shall receive a mandatory fine of $1,000. Any privileges under ss. 379.353 and 379.354 may not be acquired for a 5-year period following the date of the violation.

Section 10. *For the 2024-2025 fiscal year, the sum of $91,207 in recurring funds from the General Revenue Fund is appropriated to the Division of Arts and Culture of the Department of State, and one full-time equivalent position with associated salary rate of 68,771 is authorized, to implement and administer the Major John Leroy Haynes Florida Veterans' History Program as created by this act.*

Section 11. This act shall take effect July 1, 2024.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to veterans; creating s. 265.8021, F.S.; defining the term "veteran"; creating the Major John Leroy Haynes Florida Veterans' History Program within the Division of Arts and Culture of the Department of State as a Florida Folklife Program; providing the program's purpose; authorizing the division to request assistance from the Department of Veterans' Affairs; requiring the division's folklorists to seek out and identify certain veterans; authorizing the division or a folklorist to interview such veterans or invite them to submit written or electronic accounts of their experiences; authorizing the division to contract with a third-party vendor for a specified purpose; authorizing the division to adopt rules; amending s. 295.21, F.S.; revising the purpose of Florida Is For Veterans, Inc.; revising the duties of the corporation to require that it conduct specified activities directed toward its target market; defining the term "target market"; revising the number of members on the corporation's board of directors; deleting obsolete language; specifying that certain appointments made by the President of the Senate and the Speaker of the House of Representatives may not be from their respective chambers; providing that the President of the Senate and the Speaker of the House of Representatives shall each appoint one member from his or her chamber to serve as ex officio, nonvoting members of the corporation's board of directors; making technical changes; amending s. 295.22, F.S.; defining terms; revising the purpose of the Veterans Employment and Training Services Program; revising the functions that Florida Is For Veterans, Inc., must perform in administering a specified program; authorizing the program to prioritize grant funds; revising the uses of specified grant funds; authorizing a business to receive certain other grant funds in addition to specified grant funds; authorizing the corporation to provide certain assistance to state agencies and entities, to provide a website that has relevant hyperlinks, and to collaborate with specified state agencies and other entities for specified purposes; conforming provisions to changes made by the act; making technical changes; amending s. 379.353, F.S.; providing free hunting, freshwater fishing, and saltwater fishing licenses to certain disabled veterans; providing that specified licenses issued to such veterans expire periodically and must be reissued upon request after such time period; amending s. 381.78, F.S.; revising the membership of the advisory council on brain and spinal cord injuries; amending s. 1003.42, F.S.; requiring instruction on the history and importance of Veterans' Day and Memorial Day; amending s. 288.0001, F.S.; conforming a cross-reference; reenacting ss. 379.3581(2)(b) and 379.401(2)(b) and (3)(b), F.S., relating to special authorization hunting licenses and the suspension and forfeiture of licenses and permits, respectively, to incorporate the amendment made to s. 379.353, F.S., in references thereto; providing an appropriation and authorizing a position; providing an effective date.

On motion by Senator Burgess, by two-thirds vote, **CS for CS for HB 1329**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Broxson

SPECIAL RECOGNITION

Senator Burgess recognized Major General James Hartsell, the Executive Director of the Florida Department of Veterans Affairs, and Bob Asztalos, the Deputy Executive Director of the Florida Department of Veterans Affairs, along with their team, who were present in the gallery; and honored the memory of the late Major John Haynes, an outstanding military veteran from Florida.

SB 590—A bill to be entitled An act relating to the Music-based Supplemental Content to Accelerate Learner Engagement and Success Pilot Program; creating s. 1003.482, F.S.; creating the pilot program within the Department of Education; providing the purpose of the pilot program; providing requirements for the pilot program; providing eligibility; authorizing district school superintendents to contact the department for their district to participate in the pilot program; providing funding requirements, subject to legislative appropriation; requiring participating school districts to maintain eligibility; requiring the College of Education at the University of Florida to evaluate the pilot program's effectiveness and annually share its findings with the Department of Education and the Legislature; requiring the college to submit a final report to specified entities by a specified date; providing for expiration of the pilot program; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 590**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 537** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for HB 537—A bill to be entitled An act relating to student achievement; amending s. 1002.394, F.S.; conforming provisions to changes made by the act; amending s. 1003.4282, F.S.; deleting provisions providing for the award of a certificate of completion to certain students; conforming provisions to changes made by the act; amending ss. 1003.433 and 1007.263, F.S.; conforming provisions to changes made by the act; creating s. 1003.482, F.S.; creating the Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program within the Department of Education; providing the purpose of the pilot program; providing requirements for the pilot program; providing eligibility; authorizing district school superintendents to contact the department for their district to participate in the pilot program; providing funding requirements, subject to legislative appropriation; requiring participating school districts to maintain eligibility; requiring the College of Education at the University of Florida to evaluate the pilot program's effectiveness and annually share its findings with the department and the Legislature; requiring the college to submit a final report to specified entities by a specified date; providing for expiration of the pilot program; providing an effective date.

—a companion measure, was substituted for **SB 590** and read the second time by title.

Senator Burgess moved the following amendment:

Amendment 1 (766044) (with title amendment)—Delete lines 30-152 and insert:

Section 1. Paragraph (c) of subsection (5) and paragraph (a) of subsection (8) of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.—

(5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

(c) A student who earns the required 24 credits, or the required 18 credits under s. 1002.3105(5), but fails to pass the assessments required under s. 1008.22(3) or achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education, *which must clearly state that the certificate of completion is not a standard high school diploma. A student who is awarded a certificate of completion must be informed of secondary and postsecondary educational opportunities that are available to an individual who has not received a standard high school diploma*. ~~However,~~ A student who is otherwise entitled to a certificate of completion may elect to remain in high school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies.

(8) STUDENTS WITH DISABILITIES.—~~Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability.~~

(a) A parent of the student with a disability shall, in collaboration with the individual education plan (IEP) team during the transition planning process pursuant to s. 1003.5716, declare an intent for the student to graduate from high school with either a standard high school diploma or a certificate of completion. A student with a disability who does not satisfy the standard high school diploma requirements pursuant to this section shall be awarded a certificate of completion. *A student who is awarded a certificate of completion must be informed of secondary and postsecondary educational opportunities that are available to an individual who has not received a standard high school diploma.*

(b) The following options, in addition to the other options specified in this section, may be used to satisfy the standard high school diploma requirements, as specified in the student's individual education plan:

1. For a student with a disability for whom the IEP team has determined that the Florida Alternate Assessment is the most appropriate measure of the student's skills:

a. A combination of course substitutions, assessments, industry certifications, other acceleration options, or occupational completion points appropriate to the student's unique skills and abilities that meet the criteria established by State Board of Education rule.

b. A portfolio of quantifiable evidence that documents a student's mastery of academic standards through rigorous metrics established by State Board of Education rule. A portfolio may include, but is not limited to, documentation of work experience, internships, community service, and postsecondary credit.

2. For a student with a disability for whom the IEP team has determined that mastery of academic and employment competencies is the most appropriate way for a student to demonstrate his or her skills:

a. Documented completion of the minimum high school graduation requirements, including the number of course credits prescribed by rules of the State Board of Education.

b. Documented achievement of all annual goals and short-term objectives for academic and employment competencies, industry certifications, and occupational completion points specified in the student's transition plan. The documentation must be verified by the IEP team.

c. Documented successful employment for the number of hours per week specified in the student's transition plan, for the equivalent of 1 semester, and payment of a minimum wage in compliance with the requirements of the federal Fair Labor Standards Act.

d. Documented mastery of the academic and employment competencies, industry certifications, and occupational completion points specified in the student's transition plan. The documentation must be verified by the IEP team, the employer, and the teacher. The transition plan must be developed and signed by the student, parent, teacher, and employer before placement in employment and must identify the following:

(I) The expected academic and employment competencies, industry certifications, and occupational completion points;

(II) The criteria for determining and certifying mastery of the competencies;

(III) The work schedule and the minimum number of hours to be worked per week; and

(IV) A description of the supervision to be provided by the school district.

3. Any change to the high school graduation option specified in the student's IEP must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided in s. 1003.572.

(c) A student with a disability who meets the standard high school diploma requirements in this section may defer the receipt of a standard high school diploma if the student:

1. Has an individual education plan that prescribes special education, transition planning, transition services, or related services through age 21; and

2. Is enrolled in accelerated college credit instruction pursuant to s. 1007.27, industry certification courses that lead to college credit, an early college program, courses necessary to satisfy the Scholar designation requirements, or a structured work-study, internship, or preapprenticeship program.

(d) A student with a disability who receives a certificate of completion and has an individual education plan that prescribes special education, transition planning, transition services, or related services through 21 years of age may continue to receive the specified instruction and services.

(e) Any waiver of the statewide, standardized assessment requirements by the individual education plan team, pursuant to s. 1008.22(3)(d), must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided for in s. 1003.572.

The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to implement this subsection, including rules that establish the minimum requirements for students described in this subsection to

earn a standard high school diploma. ~~The State Board of Education shall adopt emergency rules pursuant to ss. 120.536(1) and 120.54.~~

And the title is amended as follows:

Delete lines 3-9 and insert: 1003.4282, F.S.; adding required notifications to students who receive the award of a certificate of completion; conforming provisions to changes made by the act; deleting obsolete provisions; creating s. 1003.482, F.S.; creating the

Senator Burgess moved the following substitute amendment which was adopted:

Substitute Amendment 2 (319730) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 1003.482, Florida Statutes, is created to read:

1003.482 mSCALES Pilot Program.—

(1)(a) The Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program is created within the Department of Education. The purpose of the pilot program is to assist districts in adopting music-based supplemental materials that support STEM courses for middle school students.

(b) The music-based supplemental materials must be used by teachers who are certified to teach mathematics pursuant to s. 1012.55(1)(c). The supplemental materials must be used at a minimum twice per week to supplement mathematics instruction.

(c) Classes that use the supplemental materials are subject to the class size requirements of s. 1003.03.

(d) The school districts in Alachua, Marion, and Miami-Dade Counties are eligible to participate in the pilot program. District school superintendents may contact the Department of Education, in a format prescribed by the department, for their district to participate in the pilot program. Subject to legislative appropriation, the department may approve a school district to participate in the pilot program if sufficient funding is available.

(e) Participating school districts shall receive $6 per student. Eligible middle schools must be in the same attendance zone as an elementary school that participated in the Early Childhood Music Education Incentive Program.

(f) To maintain eligibility for the pilot program, a participating school district must annually certify to the department, in a format prescribed by the department, that each participating middle school within the district meets the requirements of paragraphs (b) and (c).

(2)(a) The College of Education at the University of Florida shall continuously evaluate the program's effectiveness. The College of Education must annually share the findings of its evaluations with the department and the Legislature.

(b) The College of Education at the University of Florida shall prepare a comprehensive final report of the program's overall effectiveness. The report must be presented, no later than October 1, 2026, to the department, the Legislature, and the Florida Center for Partnerships in Arts-Integrated Teaching.

(3) This section expires June 30, 2026.

Section 2. This act shall take effect July 1, 2024.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to student achievement; creating s. 1003.482, F.S.; creating the Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program within the Department of Education; providing the purpose of the pilot program; providing requirements for the pilot program; providing eligibility; authorizing district school superintendents to contact the department for their district to participate in the pilot program; providing funding requirements, subject to legislative appropriation; requiring participating school districts to maintain eligibility; requiring the College of Education at the University of Florida to evaluate the pilot program's effectiveness and annually share its findings with the department and the Legislature; requiring the college to submit a final report to specified entities by a specified date; providing for expiration of the pilot program; providing an effective date.

On motion by Senator Burgess, by two-thirds vote, **CS for CS for HB 537**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Broxson

CS for SB 814—A bill to be entitled An act relating to real property ownership; amending s. 692.201, F.S.; defining terms; revising the definition of the term "foreign principal"; amending s. 692.202, F.S.; revising the ownership interest that a foreign principal may have in agricultural land; requiring certain foreign principals to register the ownership of a controlling interest in agricultural land owned before a certain date; requiring foreign principals to divest themselves of the controlling interest in agricultural land within a certain timeframe; specifying an exception for certain residential development; deleting a requirement for a buyer purchasing an interest in agricultural land to provide a signed affidavit; authorizing criminal penalties for certain sales and purchases of controlling interests in agricultural land; making technical changes; amending s. 692.203, F.S.; revising the ownership interest that a foreign principal may have in real property on or near military installations or critical infrastructure facilities; requiring certain foreign principals to register the ownership of a controlling interest in real property on or near military installations or critical infrastructure facilities owned before a certain date; requiring foreign principals to divest themselves of the controlling interest in certain real property within a certain timeframe; specifying an exception for certain residential development; authorizing criminal penalties for certain sales and purchases of controlling interests in real property on or near military installations or critical infrastructure facilities; making technical changes; amending s. 692.204, F.S.; revising the ownership interest that certain persons or entities associated with the People's Republic of China may have in real property; requiring such persons or entities to register the ownership of a controlling interest in real property owned before a certain date; requiring the persons or entities associated with the People's Republic of China to divest themselves of the controlling interest in certain real property they own within a certain timeframe; specifying an exception for certain residential development; authorizing criminal penalties for certain sales and purchases of controlling interests in real property by certain business entities associated with the People's Republic of China; creating s. 704.09, F.S.; authorizing an owner of real property to create an easement, servitude, or other interest in the owner's real property; providing that such easement, servitude, or other interest is valid; providing an exception; providing legislative intent; providing a directive to the Division of Law Revision; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 814**, pursuant to Rule 3.11(3), there being no objection, **HB 799** was withdrawn from the Committee on Rules.

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

HB 799—A bill to be entitled An act relating to easements affecting real property owned by the same owner; creating s. 704.09, F.S.; authorizing an owner of real property to create an easement, servitude, or other interest in the owner's real property and providing that such easement, servitude, or other interest is valid; providing an exception; providing legislative intent; providing a directive to the Division of Law Revision; providing an effective date.

—a companion measure, was substituted for **CS for SB 814** and read the second time by title.

On motion by Senator Yarborough, by two-thirds vote, **HB 799** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—34

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

Nays—5

Davis	Jones	Thompson
Garcia	Pizzo	

Vote after roll call:

Yea—Broxson

CS for CS for SB 888—A bill to be entitled An act relating to property rights; creating s. 82.036, F.S.; providing legislative findings; authorizing property owners or their authorized agents to request assistance from the sheriff from where the property is located for the immediate removal of unauthorized occupants from a residential dwelling under certain conditions; requiring such owners or agents to submit a specified completed and verified complaint; specifying requirements for the complaint; providing requirements for the sheriff; authorizing a sheriff to arrest an unauthorized occupant for legal cause; providing that sheriffs are entitled to a specified fee for service of such notice; authorizing the owner or agent to request that the sheriff stand by while the owner or agent takes possession of the property; authorizing the sheriff to charge a reasonable hourly rate; providing that the sheriff is not liable to any party for loss, destruction, or damage; providing that the property owner or agent is not liable to any party for the loss or destruction of, or damage to, personal property unless it was wrongfully removed; providing civil remedies; providing construction; amending s. 806.13, F.S.; prohibiting unlawfully detaining, or occupying or trespassing upon, a residential dwelling intentionally and causing a specified amount of damage; providing criminal penalties; amending s. 817.03, F.S.; providing criminal penalties for any person who knowingly and willfully presents a false document purporting to be a valid lease agreement, deed, or other instrument conveying real property rights; creating s. 817.0311, F.S.; prohibiting listing or advertising for sale, or renting or leasing, residential real property under certain circumstances; providing criminal penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 888**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 621** was withdrawn from the Committee on Rules.

On motion by Senator Perry—

CS for CS for HB 621—A bill to be entitled An act relating to property rights; creating s. 82.036, F.S.; providing legislative findings; authorizing property owners or their authorized agents to request assistance from the sheriff from where the property is located for the immediate removal of unauthorized occupants from a residential dwelling under certain conditions; requiring such owners or agents to submit a specified completed and verified complaint; specifying requirements for the complaint; providing requirements for the sheriff; authorizing a sheriff to arrest an unauthorized occupant for legal cause; providing that sheriffs are entitled to a specified fee for service of such notice; authorizing the owner or agent to request that the sheriff stand by while the owner or agent takes possession of the property; authorizing the sheriff to charge a reasonable hourly rate; providing that the sheriff is not liable to any party for loss, destruction, or damage; providing that the property owner or agent is not liable to any party for the loss or destruction of, or damage to, personal property unless it was wrongfully removed; providing civil remedies; providing construction; amending s. 806.13, F.S.; prohibiting unlawfully detaining, or occupying or trespassing upon, a residential dwelling intentionally and causing a specified amount of damage; providing criminal penalties; amending s. 817.03, F.S.; providing criminal penalties for any person who knowingly and willfully presents a false document purporting to be a valid lease agreement, deed, or other instrument conveying real property rights; creating s. 817.0311, F.S.; prohibiting listing or advertising for sale, or renting or leasing, residential real property under certain circumstances; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 888** and read the second time by title.

On motion by Senator Perry, by two-thirds vote, **CS for CS for HB 621** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Broxson

CS for CS for CS for SB 966—A bill to be entitled An act relating to builder warranties; creating s. 553.837, F.S.; defining terms; requiring a builder to provide certain warranties for a newly constructed home for a specified period; requiring the builder to comply with the warranty requirement even if the newly constructed home is sold or transferred; requiring the builder to remedy at the builder's expense certain defects and work damaged; requiring the builder to restore any work damaged in certain circumstances; authorizing a builder to purchase a warranty from a home warranty association under certain circumstances; providing construction; authorizing a builder to provide a warranty that is broader in scope or longer in duration if certain criteria are met; providing that enforcement of the act is limited to a private civil cause of action; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 966**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 623** was withdrawn from the Committee on Rules.

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

CS for CS for HB 623—A bill to be entitled An act relating to home warranty transfers; amending s. 634.312, F.S.; limiting application of provisions relating to home warranty contract assignments; amending s. 634.331, F.S.; making technical changes; conforming provisions to changes made by the act; creating part IV of ch. 634, F.S., entitled "Miscellaneous Provisions"; creating s. 634.601, F.S., providing definitions; creating s. 634.602, F.S.; providing requirements for express written warranties and home warranties transferred to subsequent home purchasers; providing construction; creating s. 634.603, F.S.; defining an unfair method of competition and unfair or deceptive act or practice; providing for application; renaming ch. 634, F.S.; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 966** and read the second time by title.

Senator Burgess moved the following amendment which was adopted:

Amendment 1 (615874) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 553.837, Florida Statutes, is created to read:

553.837 Mandatory builder warranty.—

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

(a) "Builder" has the same meaning as in s. 553.993.

(b) "Material violation" has the same meaning as in s. 553.84.

(c) "Newly constructed home" means any residential real property or manufactured building, modular building, or factory-built building as defined in s. 553.36 which is a single-family dwelling, duplex, triplex, or quadruplex that has not been previously occupied.

(2) A builder shall warrant a newly constructed home for all construction defects of equipment, material, or workmanship furnished by the builder or any subcontractor or supplier resulting in a material violation of the Florida Building Code pursuant to this part, for a period of 1 year after the date of original conveyance of title to the initial owner or after the date of initial occupancy of the dwelling, whichever occurs first. Defects with respect to appliances or equipment that are covered under a manufacturer warranty do not fall within the scope of the required warranty under this subsection.

(a) This subsection may not be construed to require the builder's warranty to cover any of the following:

1. Normal wear and tear of the newly constructed home.

2. Normal house settling within generally acceptable trade practices.

3. Any object or part of a newly constructed home that contains a defect that is caused by any work performed or material supplied incident to construction, modification, or repair performed by the initial purchaser, a subsequent purchaser, or anyone acting on his or her behalf, other than the builder or its employees, agents, or contractors.

4. Any loss or damage to the newly constructed home, whether caused by the initial purchaser, a subsequent purchaser, a third party, or an act of God over which the builder has no control, such as a natural disaster or a fire caused by lightning.

(b) The builder shall remedy, at the builder's expense, any defects that are covered under this subsection and shall restore any work damaged in fulfilling the terms and conditions of the warranty. A builder may purchase a warranty from a home warranty association provided for under chapter 634 to cover the warranties required in this section.

(c) A builder shall comply with the requirement to warrant a newly constructed home, whether pursuant to the statutory warranty under this subsection or a builder's express written warranty as provided in subsection (3), for the full 1-year period required under this subsection even if the newly constructed home is sold or transferred and is no longer owned by the initial owner.

(3) Notwithstanding any other provision in this section, the terms and conditions of an express written warranty that is provided by a builder to the initial owner of a newly constructed home supersede any provisions in this section if the express written warranty contains provisions with respect to any of the following:

(a) The scope, coverage, and duration of the express written warranty is the same or greater than that required in subsection (2).

(b) The express written warranty automatically transfers to a new owner during at least the initial year of the warranty as provided in paragraph (2)(c).

(c) If the builder provides an express written warranty that is longer than that required under subsection (2), the express written warranty must state:

1. That the builder is providing a warranty that is longer than required under subsection (2) and the length of time for which the warranty is granted.

2. Whether the warranty is transferable for a duration beyond the 1 year required under paragraph (2)(c) and any terms under which the warranty may be transferred.

(4) Enforcement of this section is limited to a private civil cause of action by a purchaser against any builder that fails to comply with this section. This section may not be construed to extend the statute of repose beyond that provided by law.

Section 2. This act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to builder warranties; creating s. 553.837, F.S.; defining terms; requiring a builder to provide certain warranties for a newly constructed home for a specified period; providing that certain defects are not covered by such warranties; providing construction; requiring the builder to remedy, at the builder's expense, certain defects and restore work damaged; providing that a builder may purchase a warranty from a certain home warranty association to cover specified warranties; requiring the builder to comply with the warranty requirement for a newly constructed home for a specified period even if it is sold or transferred; providing that certain express warranties supersede certain provisions under certain circumstances; specifying requirements for certain express warranties; providing that enforcement is limited to a private cause of action brought by a purchaser against the noncompliant builder; providing construction; providing an effective date.

On motion by Senator Burgess, by two-thirds vote, **CS for CS for HB 623**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Broxson

SPECIAL RECOGNITION

Senator Burgess recognized staff of the Committee on Banking and Insurance, James Knudson, Staff Director, and Jacqueline Moody, Attorney, for their work on CS for CS for CS for SB 966, related to Builder Warranties, who were present in the chamber.

CS for SB 1044—A bill to be entitled An act relating to school chaplains; creating s. 1012.461, F.S.; authorizing school districts and charter schools to adopt a policy to allow volunteer school chaplains; establishing the requirements for such policy; requiring district school boards and charter school governing boards to assign specified duties to such volunteer school chaplains; requiring volunteer school chaplains to meet certain background screening requirements; requiring school districts that adopt volunteer school chaplain policies to publish certain information on their websites; amending s. 1012.465, F.S.; providing background screening requirements for volunteer school chaplains; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1044**, pursuant to Rule 3.11(3), there being no objection, **HB 931** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

HB 931—A bill to be entitled An act relating to school chaplains; creating s. 1012.461, F.S.; authorizing school districts and charter schools to adopt a policy to allow volunteer school chaplains; establishing the requirements for such policy; requiring district school boards and charter school governing boards to assign specified duties to such volunteer school chaplains; requiring volunteer school chaplains to meet certain background screening requirements; requiring school districts and charter schools to publish specified information under certain circumstances; amending s. 1012.465, F.S.; providing background screening requirements for volunteer school chaplains; providing an effective date.

—a companion measure, was substituted for **CS for SB 1044** and read the second time by title.

Pursuant to Rule 4.19, **HB 931** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1366—A bill to be entitled An act relating to the My Safe Florida Condominium Pilot Program; creating s. 215.5587, F.S.; establishing the My Safe Florida Condominium Pilot Program within the Department of Financial Services; providing legislative intent; defining terms; providing that the unit owners of certain condominium parcels are eligible to participate in the pilot program; providing requirements for associations to apply for a certain inspection; authorizing the president of the association to submit an inspection application; providing requirements for associations to apply for a certain grant; requiring the president of the association to submit a grant application; authorizing a unit owner to participate in the pilot program under certain circumstances; providing voting requirements; requiring that licensed inspectors be used for a specified purpose; requiring the department to contract with specified entities for certain inspections; providing requirements for such entities; authorizing the department to conduct criminal record checks of certain inspectors; requiring inspectors to submit fingerprints and processing fees to the department; providing requirements for hurricane mitigation inspectors and inspections; requiring that applications for inspections and grants include specified statements; authorizing an association to receive an inspection without applying for a mitigation grant; providing mitigation grants for a specified purpose; providing requirements for an association receiving a mitigation grant; authorizing an association to select its own contractors if each contractor meets certain requirements; requiring the department to electronically verify a contractor's state license; requiring the association to complete construction to receive the final grant award; requiring the association to make the property available for final inspection once the project is completed; requiring that such construction be completed and that the association submit a request for a final inspection within a specified timeframe; requiring that mitigation grants be matched by the association; providing a maximum state contribution based on the General Appropriations Act; providing requirements for mitigation projects; providing the manner in which mitigation grants may be used; requiring the department to develop a specified process that ensures the most efficient means to collect and verify inspection and grant applications; authorizing the department to direct hurricane mitigation inspectors to collect and verify certain information; authorizing the department to contract for certain services; providing requirements for such contracts; requiring the department to implement a quality assurance and reinspection program; requiring the department to submit to the Legislature an annual report containing specified information; authorizing the department to request additional information from an applicant; providing that an application is deemed withdrawn under certain circumstances; requiring the department to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1366**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1029** was withdrawn from the Committee on Appropriations.

On motion by Senator DiCeglie—

CS for CS for CS for HB 1029—A bill to be entitled An act relating to the My Safe Florida Condominium Pilot Program; creating s. 215.5587, F.S.; establishing the My Safe Florida Condominium Pilot Program within the Department of Financial Services; providing legislative intent; providing definitions; providing requirements for associations and unit owners to participate in the pilot program; providing voting requirements; requiring the department to contract with specified entities for certain inspections; providing requirements for such entities; authorizing the department to conduct criminal record checks of certain inspectors; requiring inspectors to submit a full set of fingerprints to the department or other authorized entities; providing requirements for state and federal fingerprint processing; providing requirements for hurricane mitigation inspectors and inspections; requiring applications for inspections and grants to include specified statements; authorizing an association to receive an inspection without applying for a mitigation grant; providing mitigation grants for a specified purpose; providing requirements for an association receiving a mitigation grant; authorizing an association to select is own contractors if such contractors meet certain requirements; requiring the department to electronically verify a contractor's state license; requiring construction to be completed and the association to submit a request for a final inspection within a specified time period; providing requirements for funding grant projects; requiring mitigation grants to be matched by the association; providing maximum state contributions; authorizing associations to receive grant funds for multiple projects; prohibiting the department from accepting grant applications or maintaining a waiting list under certain circumstances, unless otherwise expressly authorized by the Legislature; providing requirements for mitigation projects; providing how mitigation grants may be used; requiring the department to develop a specified process to ensure efficiency; authorizing the department to contract for certain services; providing requirements for such contracts; requiring the department to implement a quality assurance and reinspection program; requiring the department to submit to the Legislature an annual report with specified information; authorizing the department to request additional information from an applicant; providing that an application is deemed withdrawn under certain circumstances; requiring the department to adopt specified rules; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1366** and read the second time by title.

On motion by Senator DiCeglie, by two-thirds vote, **CS for CS for CS for HB 1029** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Broxson

CS for SB 1154—A bill to be entitled An act relating to probation and community control violations; amending s. 921.0024, F.S.; revising the sentencing score sheet to reflect the absence of community sanction points assessed in certain circumstances; amending s. 948.06, F.S.; revising sanctions for probation violations; providing for hearings within a specified time period for low-risk probation or community control violations; providing for the release of offenders in certain circumstances if a hearing is not held; providing for nonmonetary conditions of release; making technical changes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1154**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1241** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Simon—

CS for CS for HB 1241—A bill to be entitled An act relating to probation and community control violations; amending s. 921.0024, F.S.; revising the sentencing score sheet to reflect the absence of community sanction points assessed in certain circumstances; amending s. 948.06, F.S.; revising sanctions for probation violations; providing for hearings within a specified time period for low-risk probation or community control violations; providing for the release of probationers in certain circumstances if a hearing is not held; providing for nonmonetary conditions of release; making technical changes; providing an effective date.

—a companion measure, was substituted for **CS for SB 1154** and read the second time by title.

On motion by Senator Simon, by two-thirds vote, **CS for CS for HB 1241** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Broxson

CS for 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 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; providing applicability; 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 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"; 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. 553.899, F.S.; revising applicability; amending s. 718.103, F.S.; revising and defining terms; amending s. 718.104, F.S.; revising what must be included in a declaration; 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; requiring the association to provide the division with a statement indicating specific information within a specified timeframe after receiving the structural integrity reserve study; 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 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. 718.202, F.S.; authorizing the director of the Division of Florida Condominiums, Timeshares, and Mobile Homes to accept certain assurances in lieu of a specified percentage of the sale price; authorizing a developer to deliver a surety bond or an irrevocable letter of credit in an amount equivalent to a certain percentage of the sale price; conforming provisions to changes made by the act; making technical changes; 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; creating s. 718.407, F.S.; providing that a condominium may be created within a portion of a building or within a multiple parcel building; providing for the common elements of such condominium; providing requirements for the declaration of condominium and other recorded instruments; authorizing an association to inspect and copy certain books and records and to receive an annual budget; requiring that a specified statement be included in a contract for the sale of a unit of the condominium; providing that a multiple parcel building is not a subdivision of land if the land is not subdivided; 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; authorizing the division to issue citations and adopt rules for such issuance; requiring the division to provide division-approved providers with the template certificate for issuance directly to the association; 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; authorizing the division to access the association's website to investigate complaints made regarding access to official records on the association's website and to develop rules for such access; 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; providing applicability; 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 ss. 718.503 and 718.504, F.S.; requiring certain persons to provide specified disclosures to purchasers under certain circumstances; making technical changes; providing for retroactive applicability; 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 for retroactive applicability; requiring the division to create a database on its website of the associations that have reported the completion of their structural integrity reserve study by a specified date; providing an appropriation; providing construction; requiring the Florida Building Commission to perform a study on standards to prevent water intrusion through the tracks of sliding glass doors; requiring the commission to provide a written report of such a study to the Governor and Legislature by a specified date; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1178**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1021** was withdrawn from the Committee on Rules.

On motion by Senator Bradley—

CS for CS for CS for HB 1021—A bill to be entitled An act relating to community associations; amending s. 468.4334, F.S.; requiring community association managers and community association management firms to return official records of an association within a specified time

after termination of a contract; requiring notices of termination of certain contractual agreements to be sent in a specified manner; authorizing community association managers and community association management firms to retain, for a specified timeframe, records necessary to complete an ending financial statement or report; relieving community association managers and community association management firms from certain responsibilities and liability under certain circumstances; providing a rebuttable presumption regarding noncompliance; providing penalties for the failure to timely return official records; providing an exception for certain time periods for timeshare plans; creating s. 468.4335, F.S.; requiring community association managers and community association management firms to disclose 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 bids for goods or services under certain circumstances; providing requirements for an association to approve any activity and contracts that are a conflict of interest; providing that a conflict of interest in a contract which has been previously disclosed must to be noticed and voted on upon its renewal, but not during the term of the contract; authorizing certain contracts to be canceled, subject to certain requirements; specifying liability and nonliability of the association upon cancellation of such a contract; authorizing an association to cancel a contract if certain conflicts were not disclosed; specifying liability and nonliability of the association upon cancellation of a contract; defining the term "relative"; reenacting and 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 community association firms; amending s. 553.899, F.S.; exempting certain four-family dwellings from requiring a milestone inspection and milestone inspection report; amending s. 718.103, F.S.; revising and providing definitions; amending s. 718.104, F.S.; providing requirements for the declaration of specified condominiums; requiring declarations to specify the entity responsible for the installation, maintenance, repair, or replacement of hurricane protection; amending s. 718.111, F.S.; providing criminal penalties for any officer, director, or manager of an association who unlawfully solicits, offers to accept, or accepts a kickback; requiring such officers, directors, or managers to be removed from office and a vacancy declared; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to monitor an association's compliance with certain provisions, and issue fines and penalties if necessary, upon receipt of a complaint; revising the list of records that constitute the official records of an association; providing requirements relating to e-mail addresses and facsimile numbers of unit owners; requiring an association to redact certain personal information in certain documents; providing an exception to liability for the release of certain information; 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 and criminal penalties; requiring certain persons to be removed from office and a vacancy declared under certain circumstances; defining the term "repeatedly"; requiring copies of certain building permits be posted on an association's website or application; modifying the method of delivery of certain financial reports to unit owners; revising circumstances under which an association may prepare certain reports; revising criminal penalties for persons who unlawfully use a debit card issued in the name of an association; requiring certain persons to be removed from office and a vacancy declared under certain circumstances; defining the term "lawful obligation of the association"; revising the threshold for associations that must post certain documents on its website or through an application; amending s. 718.112, F.S.; requiring the boards of certain associations to meet at least once every quarter; requiring the meeting agenda to include an opportunity for members to ask questions of the board a certain number of times a year; providing that the right to attend meetings includes the right to ask questions relating to certain topics; revising requirements regarding notice of such meetings; requiring a director to complete an educational requirement within a specified time period before or after election or appointment to the board; providing requirements for the educational curriculum; providing transitional provisions; requiring a director to complete a certain amount of continuing education each year relating to changes in the law; requiring the secretary of the association to maintain certain information for inspection for a specified number of years; authorizing members of an association to pause the contribution to reserves or reduce reserves under certain circumstances and for a limited time; authorizing the board to expend reserve account funds to make the condominium building and structures habitable; requiring an association to distribute or deliver copies of a structural integrity reserve study to unit owners within a specified timeframe; specifying the manner of distribution or delivery; requiring an association to provide a specified statement to the division within a specified timeframe; revising the circumstances under which a director or an officer must be removed from office after being charged by information or indictment of certain crimes; 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; amending s. 718.113, F.S.; providing applicability; specifying that certain actions are not material alterations or substantial additions; authorizing the boards of residential and mixed-use condominiums to install or require 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; requiring the board to provide, in various manners, to the unit owners a copy of the recorded certificate; providing that the validity or enforceability of a vote is not affected if the board fails to take certain actions; 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 the removal or reinstallation of hurricane protection, including exterior windows, doors, or apertures; prohibiting the association from charging certain expenses to unit owners; requiring reimbursement or a credit toward future assessments to the unit owner in certain circumstances; authorizing the association to collect certain charges and specifying that such charges are enforceable as assessments under certain circumstances; 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 certain unit owners to 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. 718.124, F.S.; providing the statute of limitations and repose for certain actions; amending s. 718.1224, F.S.; revising legislative findings and intent; revising the definition of the term "governmental entity"; prohibiting an association from filing strategic lawsuits, taking certain actions against unit owners, and expending funds to support certain actions; amending s. 718.128, F.S.; providing that a unit owner may consent to electronic voting electronically; providing that a board must honor a unit owner's request to vote electronically until the owner opts out; amending s. 718.202, F.S.; providing sales and reservation deposit requirements for nonresidential condominiums; amending s. 718.301, F.S.; requiring developers to deliver a structural integrity reserve report 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; revising a cross-reference; amending s. 718.303, F.S.; requiring an association to provide certain notice to a unit owner by a specified time before an election; creating s. 718.407, F.S.; authorizing a condominium to be created within a portion of a building or within a multiple parcel building; specifying that the common elements are only those portions of the building submitted to the condominium form of ownership; providing requirements for the declaration of such condominiums and other certain recorded instruments; providing for the apportionment of expenses for such condominiums; authorizing the association to inspect and copy certain books and records; requiring a specified disclosure summary for contracts of sale for a unit in certain condominiums; providing that the creation of a multiple parcel building is not a subdivision of the land; amending s. 718.501, F.S.; revising circumstances under which the division has jurisdiction to investigate and enforce complaints relating to certain matters; requiring that the division provide official records, without charge, to a unit owner denied access; authorizing the division to issue certain citations; requiring the division to provide a division-approved training provider with the template for the certificate issued to certain directors of a board of administration; requiring that the division refer suspected criminal acts to the appropriate law enforcement authority; authorizing certain division

officials to attend association meetings; authorizing the division to request access to an association's website or application to investigate complaints under certain circumstances; requiring the division to include certain information in its annual report to the Governor and Legislature after a specified date; specifying requirements for the annual certification; authorizing the division to adopt rules; providing applicability; amending s. 718.5011, F.S.; providing that the secretary of the Department of Business and Professional Regulation, rather than the Governor, appoints the condominium ombudsman; amending s. 718.503, F.S.; requiring nondeveloper unit owners to include an annual financial statement and annual budget in information provided to a prospective purchaser; revising information that must be included in contracts for the resale of a residential unit; requiring certain disclosures be made if a unit is located in a specified type of condominium; amending s. 718.504, F.S.; requiring certain information provided to prospective purchasers to state whether the condominium is created within a portion of a building or within a multiple parcel building; amending s. 719.106, F.S.; requiring an association to distribute or deliver copies of a structural integrity reserve study to unit owners within a specified timeframe; specifying the manner of distribution or delivery; requiring an association to provide a specified statement to the division within a specified timeframe; amending s. 719.129, F.S.; providing that a unit owner may consent electronically to electronic voting; amending s. 719.301, F.S.; requiring developers to deliver a structural integrity reserve study to a cooperative association upon relinquishing control of association property; 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; requiring the division to create a database on its website with certain information by a date certain; providing appropriations; providing construction and retroactive application; requiring the Florida Building Commission to perform a study for specified purposes; requiring the commission to submit a report of its recommendations to the Governor and Legislature by a date certain; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1178** and read the second time by title.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for CS for HB 1021** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for CS for SB 1226—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; revising the list of areas of program responsibility within the Department of Transportation**;** deleting the requirement that the secretary of the department appoint the department's inspector general and that he or she be directly responsible to the secretary; amending s. 311.101, F.S.; requiring that a specified amount of recurring funds from the State Transportation Trust Fund be made available for the Intermodal Logistics Center Infrastructure Support Program; requiring the department to include specified projects in its tentative work program; amending s. 334.046, F.S.; revising provisions relating to the department's mission, goals, and objectives; creating s. 334.61, F.S.; requiring governmental entities that propose certain projects to conduct a traffic study; requiring the governmental entity to give notice to property owners, impacted municipalities, and counties affected by such projects within a specified timeframe; providing notice requirements; requiring such governmental entities to hold a public meeting, with a specified period of prior notice, before completion of the design phase of such projects; providing requirements for such public meetings; requiring such governmental entities to review and take into consideration comments and alternatives presented in public meetings in the final project design; amending s. 338.231, F.S.; revising the length of time before which an inactive prepaid toll account becomes unclaimed property; amending s. 338.26, F.S.; revising the date by which fees generated from tolls deposited into the State Transportation Trust Fund must be used to reimburse a local governmental entity for certain costs of operating a specified fire station; providing that a specified interlocal agreement related to the Alligator Alley toll road controls the use of certain State Transportation Trust Fund moneys until the local governmental entity and the department enter into a new agreement or agree to extend the existing agreement; specifying the amount of reimbursement for the 2024-2025 fiscal year; requiring the local governmental entity, by a specified date and at specified intervals thereafter, to provide a maintenance and operations comprehensive plan to the department; providing requirements for the comprehensive plan; requiring the local governmental entity and the department to review and adopt the comprehensive plan as part of the interlocal agreement; requiring the department, in accordance with certain projections, to include the corresponding funding needs in the department's work program; requiring that ownership and title of certain equipment purchased with state funds and used at a specified fire station during the term of the interlocal agreement transfer to the state at the end of the term of the agreement; amending s. 339.08, F.S.; prohibiting the department from expending state funds to support a project or program of specified entities; requiring the department to withhold state funds until such entities are in compliance with a specified provision; amending s. 339.0803, F.S.; prioritizing availability of certain revenues deposited into the State Transportation Trust Fund for payments under service contracts with the Florida Department of Transportation Financing Corporation to fund arterial highway projects; providing that two or more such projects may be treated as a single project for certain purposes; amending s. 339.0809, F.S.; specifying availability of funds appropriated for payments under a service contract with the corporation; authorizing the department to enter into service contracts to finance certain projects; providing requirements for annual service contract payments; requiring the department, before execution of a service contract, to ensure that annual payments are programmed for the life of the contract and to ensure that they remain programmed until fully paid; amending s. 339.2818, F.S.; authorizing, subject to appropriation, a local government within a specified area to compete for funding using specified criteria on specified roads; providing an exception; amending s. 341.051, F.S.; providing voting and meeting notice requirements for specified public transit projects; providing meeting notice requirements for discussion of specified actions by a public transit provider; requiring that certain unallocated funds for the New Starts Transit Program be reallocated for the purpose of the Strategic Intermodal System; providing for expiration of the reallocation; prohibiting, as a condition of receiving state funds, public transit provider from expending such funds for specified marketing or advertising activities; requiring the department to incorporate certain guidelines in the public transportation grant agreement entered into with each public transit provider; prohibiting certain wraps, tinting, paint, media, or advertisements on passenger windows of public transit provider vehicles from being darker than certain window tinting requirements**;** amending s. 341.071, F.S.; defining terms; beginning on a specified date and annually thereafter, requiring each public transit provider to take specified actions during a publicly noticed meeting; requiring that a certain disclosure be posted on public transit providers' websites; requiring the department to determine the annual state average of general administrative costs; authorizing certain costs to be excluded from such annual state average; requiring a specified increase in general administration costs to be reviewed and approved by certain entities; amending s. 341.822, F.S.; revising the powers of the Florida Rail Enterprise; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1226**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1301** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator DiCeglie—

CS for CS for CS for HB 1301—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; revising the list of areas of program responsibility within the Department of Transportation; removing provisions requiring the secretary of the department to appoint an inspector general; amending s. 311.101, F.S.; providing an appropriation from the State Transportation Trust Fund for the Intermodal Logistics Center Infrastructure Support Program; requiring the department to include certain projects in the tentative work program; amending s. 334.046, F.S.; revising provisions relating to the department's mission, goals, and objectives; creating s. 334.61, F.S.; requiring a governmental entity that proposes a certain project to conduct a traffic study; requiring notice to affected property owners, impacted municipalities, and counties in which the project is located within a specified timeframe; providing notice requirements; requiring such governmental entity to hold a public meeting before completion of the design phase of such project; providing requirements for such public meeting; requiring such governmental entity to review and take into consideration comments and alternatives presented in such public meeting in the final project design; amending s. 338.231, F.S.; revising the time period for which a prepaid toll account must remain inactive in order to be presumed unclaimed; amending s. 339.08, F.S.; prohibiting the department from expending certain state funds to support certain projects or programs; amending s. 339.0803, F.S.; prioritizing availability of certain revenues deposited into the State Transportation Trust Fund for payments under service contracts with the Florida Department of Transportation Financing Corporation to fund arterial highway projects; authorizing two or more of such projects to be treated as a single project for certain purposes; amending s. 339.0809, F.S.; specifying priority of availability of funds appropriated for payments under a service contract with the corporation; authorizing the department to enter into service contracts to finance certain projects; providing requirements for annual service contract payments; amending s. 339.2818, F.S.; authorizing certain local governments, subject to appropriation, to compete for additional funding for certain county roads; amending s. 341.051, F.S.; providing voting and meeting notice requirements for specified public transit projects; providing meeting notice requirements for discussion of specified actions by a public transit provider; requiring certain unallocated funds for the New Starts Transit Program to be reallocated for the purpose of the Strategic Intermodal System; limiting the displays a public transit provider, as a condition of receiving state funds, may display on certain vehicles; providing the department and any state agency priority to contract for certain marketing or advertising activities; providing definitions; providing applicability; requiring the department to incorporate guidelines in the public transportation grant agreement entered into with each public transit provider; prohibiting certain media on passenger windows of public transit provider vehicles from being darker than certain window tinting requirements; amending s. 341.071, F.S.; providing definitions; requiring each public transit provider to annually certify that its budgeted and general administration costs do not exceed the annual state average of administrative costs by more than a certain percentage, to annually present a specified budget report, and to annually post a specified disclosure on its website; specifying the method by which the department is required to determine a certain annual state average; requiring a specified increase in general administration costs to be reviewed and approved by certain entities; amending s. 341.822, F.S.; revising powers of the Florida Rail Enterprise; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1226** and read the second time by title.

Senator DiCeglie moved the following amendment:

Amendment 1 (207018) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (1) and paragraphs (b) and (d) of subsection (3) of section 20.23, Florida Statutes, are amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(1)(a) The head of the Department of Transportation is the Secretary of Transportation. The secretary shall be appointed by the Governor ~~from among three persons nominated by the Florida Transportation Commission~~ and shall be subject to confirmation by the Senate. The secretary shall serve at the pleasure of the Governor.

(3)

(b) The secretary may appoint positions at the level of deputy assistant secretary or director which the secretary deems necessary to accomplish the mission and goals of the department, including, but not limited to, the areas of program responsibility provided in this paragraph, each of whom shall be appointed by and serve at the pleasure of the secretary. The secretary may combine, separate, or delete offices as needed in consultation with the Executive Office of the Governor. The department's areas of program responsibility include, but are not limited to*, all of the following*:

1. Administration.~~;~~

2. Planning.~~;~~

3. *Modal development.* ~~Public transportation;~~

4. Design.~~;~~

5. Highway operations.~~;~~

6. Right-of-way.~~;~~

7. Toll operations.~~;~~

8. Transportation technology.

9.~~8.~~ Information systems.~~;~~

10.~~9.~~ Motor carrier weight inspection.~~;~~

11.~~10.~~ *Work program* ~~Management~~ and budget.~~;~~

12.~~11.~~ Comptroller.~~;~~

13.~~12.~~ Construction.~~;~~

14. Statewide corridors.

15.~~13.~~ Maintenance.~~; and~~

16. Forecasting and performance.

17. Emergency management.

18. Safety.

19.~~14.~~ Materials.

20. Infrastructure and innovation.

21. Permitting.

22. Traffic operations.

~~(d) The secretary shall appoint an inspector general pursuant to s. 20.055 who shall be directly responsible to the secretary and shall serve at the pleasure of the secretary.~~

Section 2. Present subsection (7) of section 311.101, Florida Statutes, is redesignated as subsection (8), and a new subsection (7) is added to that section, to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(7) Beginning with the 2024-2025 fiscal year through the 2029-2030 fiscal year, $15 million in recurring funds shall be made available from the State Transportation Trust Fund for the program. The Department of Transportation shall include projects proposed to be funded under this section in the tentative work program developed pursuant to s. 339.135(4).

Section 3. Section 334.046, Florida Statutes, is amended to read:

334.046 Department mission, goals, and objectives.—

(1) The *department shall consider the following* prevailing principles *when* ~~to be considered in~~ planning and developing *the state's multimodal* ~~an integrated, balanced statewide~~ transportation system ~~are~~: preserving *Florida's* ~~the existing~~ transportation infrastructure; *supporting its* ~~enhancing Florida's~~ economic competitiveness; *promoting the efficient movement of people and goods;* and *preserving Florida's quality of life* ~~improving travel choices to ensure mobility~~.

(2) The mission of the Department of Transportation shall be to provide a safe statewide transportation system that *promotes the efficient movement* ~~ensures the mobility~~ of people and goods, *supports the state's* ~~enhances~~ economic *competitiveness, prioritizes Florida's environment and natural resources* ~~prosperity~~, and preserves the quality of *life and connectedness of the state's* ~~our environment and~~ communities.

(3) The ~~department shall document in the Florida Transportation Plan, in accordance with s. 339.155 and based upon the~~ prevailing principles *outlined in this section shall be incorporated into all* ~~of preserving the existing transportation infrastructure, enhancing Florida's economic competitiveness, and improving travel choices to ensure mobility, the~~ goals and objectives that provide statewide policy guidance for accomplishing the department's mission*, including the Florida Transportation Plan outlined in s. 339.155*.

(4) At a minimum, the department's goals shall address the following prevailing principles~~:~~.

(a) *Maintaining investments* ~~*Preservation.*~~—Protecting the state's transportation infrastructure investment*, which*~~. Preservation~~ includes:

1. Ensuring that 80 percent of the pavement on the State Highway System meets department standards;

2. Ensuring that 90 percent of department-maintained bridges meet department standards; and

3. Ensuring that the department achieves 100 percent of the acceptable maintenance standard on the state highway system.

(b) *Economic competitiveness.*—Ensuring that the state has a clear understanding of the *return on investment and* economic *impacts* ~~consequences~~ of transportation *infrastructure* investments~~,~~ and how such investments affect the state's economic competitiveness. The department must develop a macroeconomic analysis of the linkages between transportation investment and economic performance, as well as a method to quantifiably measure the economic benefits of the district work-program investments. Such an analysis must analyze:

1. The state's and district's economic performance relative to the competition.

2. The business environment as viewed from the perspective of companies evaluating the state as a place in which to do business.

3. The state's capacity to sustain long-term growth.

(c) *Connected transportation system* ~~*Mobility.*~~—Ensuring a cost-effective, statewide, interconnected transportation system *that provides for the most efficient and effective multimodality and mobility*.

(d) Preserving Florida's natural resources and quality of life.—Prioritizing Florida's natural resources and the quality of life of its communities.

Section 4. Section 334.61, Florida Statutes, is created to read:

334.61 Traffic lane repurposing.—

(1) When a governmental entity proposes any project that will repurpose one or more existing traffic lanes, the governmental entity shall include a traffic study to address any potential adverse impacts of the project, including, but not limited to, changes in traffic congestion and impacts on safety.

(2) If, following the study required by subsection (1), the governmental entity elects to continue with the design of the project, it must notify all affected property owners, impacted municipalities, and the counties in which the project is located at least 180 days before the design phase of the project is completed. The notice must provide a written explanation regarding the need for the project and information on how to review the traffic study required by subsection (1), and must indicate that all affected parties will be given an opportunity to provide comments to the proposing entity regarding potential impacts of the change.

(3) The governmental entity shall hold at least one public meeting, with at least 30 days prior notice, before completing the design phase of the project in the jurisdiction where the project is located. At the public meeting, the governmental entity shall explain the purpose of the project and receive public input, including possible alternatives, to determine the manner in which the project will affect the community.

(4) The governmental entity shall review all comments from the public meeting and take the comments and any alternatives presented during the meeting into consideration in the final design of the project.

Section 5. Paragraph (c) of subsection (3) of section 338.231, Florida Statutes, is amended to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.—The department shall at all times fix, adjust, charge, and collect such tolls and amounts for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

(3)

(c) Notwithstanding any other provision of law to the contrary, any prepaid toll account of any kind which has remained inactive for *10* ~~3~~ years *is* ~~shall be~~ presumed unclaimed and its disposition shall be handled by the Department of Financial Services in accordance with all applicable provisions of chapter 717 relating to the disposition of unclaimed property, and the prepaid toll account shall be closed by the department.

Section 6. Paragraph (a) of subsection (3) of section 338.26, Florida Statutes, is amended to read:

338.26 Alligator Alley toll road.—

(3)(a) Fees generated from tolls shall be deposited in the State Transportation Trust Fund and shall be used:

1. To reimburse outstanding contractual obligations;

2. To operate and maintain the highway and toll facilities, including reconstruction and restoration;

3. To pay for those projects that are funded with Alligator Alley toll revenues and that are contained in the 1993-1994 adopted work program or the 1994-1995 tentative work program submitted to the Legislature on February 22, 1994; and

4. By interlocal agreement ~~effective July 1, 2019, through no later than June 30, 2027~~, to reimburse a local governmental entity for the direct actual costs of operating the fire station at mile marker 63 on Alligator Alley, which shall be used by the local governmental entity to provide fire, rescue, and emergency management services exclusively to the public on Alligator Alley. The local governmental entity must contribute 10 percent of the direct actual operating costs.

a. The interlocal agreement effective July 1, 2019, through June 30, 2027, shall control until such time that the local governmental entity and the department enter into a new agreement or agree to extend the existing agreement. For the 2024-2025 fiscal year, the amount of reimbursement may not exceed $2 million.

b. By December 31, 2024, and every 5 years thereafter, the local governmental entity shall provide a maintenance and operations comprehensive plan to the department. The comprehensive plan must in-

clude a current inventory of assets, including their projected service life, and area service needs; the call and response history for emergency services provided in the preceding 5 years on Alligator Alley, including costs; and future projections for assets and equipment, including replacement or purchase needs, and operating costs.

c. The local governmental entity and the department shall review and adopt the comprehensive plan as part of the interlocal agreement.

d. In accordance with projected incoming toll revenues for Alligator Alley, the department shall include the corresponding funding needs of the comprehensive plan in the department's work program, and the local governmental entity shall include the same in its capital comprehensive plan and appropriate fiscal year budget ~~The amount of reimbursement to the local governmental entity may not exceed $1.4 million in any state fiscal year~~.

e. At the end of the term of the interlocal agreement, the ownership and title of all fire, rescue, and emergency equipment *purchased with state funds and* used at the fire station during the term of the interlocal agreement transfers to the state.

Section 7. Subsection (5) is added to section 339.08, Florida Statutes, to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(5) The department may not expend any state funds as described in s. 215.31 to support a project or program of any of the following entities:

(a) A public transit provider as defined in s. 341.031(1);

(b) An authority created pursuant to chapter 343, chapter 348, or chapter 349;

(c) A public-use airport as defined in s. 332.004; or

(d) A port listed in s. 311.09(1),

which is found in violation of s. 381.00316. The department shall withhold state funds until the public transit provider, authority, public-use airport, or port is found in compliance with s. 381.00316.

Section 8. Section 339.0803, Florida Statutes, is amended to read:

339.0803 Allocation of increased revenues derived from amendments to s. 320.08 by ch. 2019-43.—

(1) Beginning in the 2021-2022 fiscal year and each fiscal year thereafter, funds that result from increased revenues to the State Transportation Trust Fund derived from the amendments to s. 320.08 made by chapter 2019-43, Laws of Florida, and deposited into the fund pursuant to s. 320.20(5)(a) must be used to fund arterial highway projects identified by the department in accordance with s. 339.65 and may be used for projects as specified in ss. 339.66 and 339.67. For purposes of the funding provided in this section, the department shall prioritize use of existing facilities or portions thereof when upgrading arterial highways to limited or controlled access facilities. However, this section does not preclude use of the funding for projects that enhance the capacity of an arterial highway. The funds allocated as provided in this section shall be in addition to any other statutory funding allocations provided by law.

(2) Revenues deposited into the State Transportation Trust Fund pursuant to s. 320.20(5)(a) shall first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation pursuant to s. 339.0809(4) to fund arterial highway projects. For the corporation's bonding purposes, two or more such projects in the department's adopted work program may be treated as a single project.

Section 9. Subsection (13) of section 339.0809, Florida Statutes, is amended, and subsection (14) is added to that section, to read:

339.0809 Florida Department of Transportation Financing Corporation.—

(13) The department may enter into a service contract in conjunction with the issuance of debt obligations as provided in this section which provides for periodic payments for debt service or other amounts payable with respect to debt obligations, plus any administrative expenses of the Florida Department of Transportation Financing Corporation. *Funds appropriated for payments under a service contract shall be available after funds pledged to payment on bonds, but before other statutorily required distributions.*

(14) The department may enter into a service contract to finance the projects authorized in s. 215 of chapter 2023-239, Laws of Florida, and in budget amendment EOG #2024-B0112, and subsequently adopted into the 5-year work program. Service contract payments may not exceed 7 percent of the funds deposited in the State Transportation Trust Fund in each fiscal year. The annual payments under such service contract shall be included in the department's work program and legislative budget request developed pursuant to s. 339.135. The department shall ensure that the annual payments are programmed for the life of the service contract before execution of the service contract and shall remain programmed until fully paid.

Section 10. *Notwithstanding s. 215 of chapter 2023-239, Laws of Florida, the Department of Transportation is authorized to retain the interest earnings on funds appropriated to finance the projects authorized in s. 215 of chapter 2023-239, Laws of Florida, and in EOG# 2024-B0112 and subsequently adopted into the 5-year work program. The interest earnings must be used by the department to implement such projects.*

Section 11. Subsection (8) is added to section 339.2818, Florida Statutes, to read:

339.2818 Small County Outreach Program.—

(8) Subject to a specific appropriation in addition to funds appropriated for projects under this section, a local government either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15), the Peace River Basin, or the Suwannee River Basin may compete for additional funding using the criteria listed in paragraph (4)(c) at up to 100 percent of project costs on state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.

Section 12. Subsection (6) of section 341.051, Florida Statutes, is amended, paragraphs (c) and (d) are added to subsection (2) of that section, and subsection (8) is added to that section, to read:

341.051 Administration and financing of public transit and intercity bus service programs and projects.—

(2) PUBLIC TRANSIT PLAN.—

(c) Any lane elimination or lane repurposing, recommendation, or application relating to public transit projects must be approved by a two-thirds vote of the transit authority board in a public meeting to be held after a 30-day public notice.

(d) Any action of eminent domain for acquisition of public transit facilities carried out by a public transit provider must be discussed by the public transit provider at a public meeting to be held after a 30-day public notice.

(6) ANNUAL APPROPRIATION.—

(a) Funds paid into the State Transportation Trust Fund pursuant to s. 201.15 for the New Starts Transit Program are hereby annually appropriated for expenditure to support the New Starts Transit Program.

(b) The remaining unallocated New Starts Transit Program funds as of June 30, 2024, shall be reallocated for the purpose of the Strategic Intermodal System within the State Transportation Trust Fund. This paragraph expires June 30, 2026.

(8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND ADVERTISING.—

(a) As a condition of receiving funds from the department, a public transit provider may not expend department funds for marketing or advertising activities, including any wrap, tinting, paint, or other

medium displayed, attached, or affixed on a bus, commercial motor vehicle, or motor vehicle that is owned, leased, or operated by the public transit provider. Such vehicles are limited to displaying a brand or logo of the public transit provider, the official seal of the jurisdictional governmental entity, or a state agency public service announcement.

(b) The department shall incorporate guidelines for the marketing or advertising activities allowed under paragraph (a) in the public transportation grant agreement entered into with each public transit provider.

(c) Any new wrap, tinting, paint, medium, or advertisement on the passenger windows of a vehicle used by a public transit provider may not be darker than the legally allowed window tinting requirements provided in s. 316.2954.

For purposes of this section, the term "net operating costs" means all operating costs of a project less any federal funds, fares, or other sources of income to the project.

Section 13. Subsection (4) is added to section 341.071, Florida Statutes, to read:

341.071 Transit productivity and performance measures; reports.—

(4)(a) As used in this subsection, the term:

1. "General administrative costs" includes, but is not limited to, costs related to transit service development, injuries and damages, safety, personnel administration, legal services, data processing, finance and accounting, purchasing and stores, engineering, real estate management, office management and services, customer service, promotion, market research, and planning. The term does not include insurance costs.

2. "Public transit provider" means a public agency providing public transit service, including an authority created pursuant to part II of chapter 343 or chapter 349. The term does not apply to the Central Florida Commuter Rail Commission or the authority created pursuant to part I of chapter 343.

3. "Tier 1 provider" has the same meaning as in 49 C.F.R. part 625.

4. "Tier 2 provider" has the same meaning as in 49 C.F.R. part 625.

(b) Beginning November 1, 2024, and annually thereafter, each public transit provider, during a publicly noticed meeting, shall:

1. Certify that its budgeted and general administrative costs are not greater than 20 percent above the annual state average of administrative costs for its respective tier.

2. Present a line-item budget report of its budgeted and actual general administrative costs.

3. Disclose all salaried executive management-level employees' total compensation packages, ridership performance and metrics, and any gift as defined in s. 112.312 accepted in exchange for contracts. This disclosure shall be posted annually on the public transit provider's website.

(c) To support compliance with paragraph (b), the department shall determine, by tier, the annual state average of general administrative costs by determining the percentage of the total operating budget which is expended on general administrative costs in this state annually by March 31 to inform the public transit provider's budget for the following fiscal year. Upon review and certification by the department, costs budgeted and expended in association with nontransit-related engineering and construction services may be excluded.

(d) A year-over-year cumulative increase of 5 percent or more in general administrative costs must be reviewed before the start of the next fiscal year and must be reviewed and approved by the department before approval by the public transportation provider's governing board.

Section 14. Paragraph (a) of subsection (2) of section 341.822, Florida Statutes, is amended to read:

341.822 Powers and duties.—

(2)(a) In addition to the powers granted to the department, the enterprise has full authority to exercise all powers granted to it under this chapter. Powers shall include, but are not limited to, the ability to plan, construct, maintain, repair, and operate a high-speed rail system, ~~to acquire corridors, and~~ to coordinate the development and operation of publicly funded passenger rail systems in the state*, and to preserve and acquire future rail corridors and rights-of-way in coordination with the department's planning of the State Highway System*.

Section 15. Paragraph (e) of subsection (1) of section 768.1382, Florida Statutes, is amended to read:

768.1382 Streetlights, security lights, and other similar illumination; limitation on liability.—

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

(e) "Streetlight provider" means the state or any of the state's officers, agencies, or instrumentalities, any political subdivision as defined in s. 1.01, any public utility as defined in s. 366.02(8), or any electric utility as defined in s. 366.02(4). *For purposes of this section, electric utility shall include subsidiaries of an electric utility, regardless of whether the electric utility or subsidiary is providing electric street light service inside or outside of its regulated territory.*

Section 16. This act shall take effect July 1, 2024.

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 Department of Transportation; amending s. 20.23, F.S.; removing the requirement that the Secretary of Transportation be nominated by the Florida Transportation Commission; revising the list of areas of program responsibility within the Department of Transportation; deleting the requirement that the secretary of the department appoint the department's inspector general and that he or she be directly responsible to the secretary; amending s. 311.101, F.S.; requiring that a specified amount of recurring funds from the State Transportation Trust Fund be made available for the Intermodal Logistics Center Infrastructure Support Program; requiring the department to include specified projects in its tentative work program; amending s. 334.046, F.S.; revising provisions relating to the department's mission, goals, and objectives; creating s. 334.61, F.S.; requiring governmental entities that propose certain projects to conduct a traffic study; requiring the governmental entity to give notice of a decision to continue with the design phase of a project to property owners, impacted municipalities, and counties affected by such projects within a specified timeframe; providing notice requirements; requiring such governmental entities to hold a public meeting, with a specified period of prior notice, before completion of the design phase of such projects; providing requirements for such public meetings; requiring such governmental entities to review and take into consideration comments and alternatives presented in public meetings in the final project design; amending s. 338.231, F.S.; revising the length of time before which an inactive prepaid toll account becomes unclaimed property; amending s. 338.26, F.S.; providing that a specified interlocal agreement related to the Alligator Alley toll road controls the use of certain State Transportation Trust Fund moneys until the local governmental entity and the department enter into a new agreement or agree to extend the existing agreement; limiting the amount of reimbursement for the 2024-2025 fiscal year; requiring the local governmental entity, by a specified date and at specified intervals thereafter, to provide a maintenance and operations comprehensive plan to the department; providing requirements for the comprehensive plan; requiring the local governmental entity and the department to review and adopt the comprehensive plan as part of the interlocal agreement; requiring the department, in accordance with certain projections, to include the corresponding funding needs in the department's work program; requiring the local governmental entity to include such needs in its capital comprehensive plan and appropriate fiscal year budget; requiring that ownership and title of certain equipment purchased with state funds and used at a specified fire station during the term of the interlocal agreement transfer to the state at the end of the term of the agreement; amending s. 339.08, F.S.; prohibiting the department from expending state funds to support a project or program of specified entities; requiring the department to withhold state funds until such entities are in compliance with a specified provision; amending s. 339.0803, F.S.; prioritizing availability of certain revenues deposited into the State Transportation Trust Fund

for payments under service contracts with the Florida Department of Transportation Financing Corporation to fund arterial highway projects; providing that two or more such projects may be treated as a single project for certain purposes; amending s. 339.0809, F.S.; specifying availability of funds appropriated for payments under a service contract with the corporation; authorizing the department to enter into service contracts to finance certain projects; providing requirements for annual service contract payments; requiring the department, before execution of a service contract, to ensure that annual payments are programmed for the life of the contract and to ensure that they remain programmed until fully paid; authorizing the department to retain interest earnings on specified appropriations; requiring such interest earnings to be spent on specified projects; amending s. 339.2818, F.S.; authorizing, subject to appropriation, a local government within a specified area to compete for funding using specified criteria on specified roads; providing an exception; amending s. 341.051, F.S.; providing voting and meeting notice requirements for specified public transit projects; providing meeting notice requirements for discussion of specified actions by a public transit provider; requiring that certain unallocated funds for the New Starts Transit Program be reallocated for the purpose of the Strategic Intermodal System; providing for expiration of the reallocation; prohibiting, as a condition of receiving state funds, public transit providers from expending such funds for specified marketing or advertising activities; requiring the department to incorporate certain guidelines in the public transportation grant agreement entered into with each public transit provider; prohibiting certain wraps, tinting, paint, media, or advertisements on passenger windows of public transit provider vehicles from being darker than certain window tinting requirements; amending s. 341.071, F.S.; defining terms; beginning on a specified date and annually thereafter, requiring each public transit provider to take specified actions during a publicly noticed meeting; requiring that a certain disclosure be posted on public transit providers' websites; requiring the department to determine the annual state average of general administrative costs; authorizing certain costs to be excluded from such annual state average; requiring a specified increase in general administrative costs to be reviewed and approved by certain entities; amending s. 341.822, F.S.; revising the powers of the Florida Rail Enterprise; amending s. 768.1382, F.S.; revising the definition of the term "streetlight provider"; providing an effective date.

Senator Simon moved the following amendment to **Amendment 1 (207018)** which was adopted:

Amendment 1A (185314) (with title amendment)—Between lines 63 and 64 insert:

Section 3. Subsection (2) of section 333.03, Florida Statutes, is amended to read:

333.03 Requirement to adopt airport zoning regulations.—

(2) In the manner provided in subsection (1), political subdivisions shall adopt, administer, and enforce airport land use compatibility zoning regulations. *At a minimum,* airport land use compatibility zoning regulations *must address* ~~shall, at a minimum, consider~~ the following:

(a) The prohibition of new landfills and the restriction of existing landfills within the following areas:

1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine aircraft.

2. Within 5,000 feet from the nearest point of any runway used by only nonturbine aircraft.

3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. s. 77.19. Case-by-case review of such landfills is advised.

(b) *When* ~~Where~~ any landfill is located and constructed in a manner that attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The landfill operator must incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft.

(c) *When* ~~Where~~ an airport authority or other governing body operating a public-use airport has conducted a noise study in accordance with 14 C.F.R. part 150, or *when* ~~where~~ a public-use airport owner has established noise contours pursuant to another public study accepted by the Federal Aviation Administration, the prohibition of incompatible uses, as established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-accepted public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study.

(d) *When* ~~Where~~ an airport authority or other governing body operating a public-use airport has not conducted a noise study, the *prohibition* ~~mitigation~~ of ~~potential incompatible uses associated with~~ residential construction and ~~any~~ educational *facilities* ~~facility~~, with the exception of aviation school facilities *or residential property near a public-use airport that has as its sole runway a turf runway measuring less than 2,800 feet in length*, within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.

(e) The restriction of new incompatible uses, activities, or substantial modifications to existing incompatible uses within runway protection zones.

And the title is amended as follows:

Delete line 458 and insert: tentative work program; amending s. 333.03, F.S.; revising requirements for the adoption of airport land use compatibility zoning regulations; amending s. 334.046, F.S.;

Senator Gruters moved the following amendment to **Amendment 1 (207018)** which was adopted:

Amendment 1B (676162) (with title amendment)—Delete lines 64-437 and insert:

Section 3. Section 316.1575, Florida Statutes, is amended to read:

316.1575 Obedience to traffic control devices at railroad-highway grade crossings.—

(1) *A* ~~Any~~ person *cycling,* walking or driving a vehicle and approaching a railroad-highway grade crossing under any of the circumstances stated in this section *must* ~~shall~~ stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and *may* ~~shall~~ not proceed until *the railroad tracks are clear and* he or she can do so safely. *This subsection applies* ~~The foregoing requirements apply~~ when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train *or railroad track equipment*;

(b) A crossing gate is lowered or a law enforcement officer or a human flagger gives or continues to give a signal of the approach or passage of a railroad train *or railroad track equipment*;

(c) An approaching railroad train *or railroad track equipment* emits an audible signal or the railroad train *or railroad track equipment*, by reason of its speed or nearness to the crossing, is an immediate hazard; or

(d) An approaching railroad train *or railroad track equipment* is plainly visible and is in hazardous proximity to the railroad-highway grade crossing, regardless of the type of traffic control devices installed at the crossing.

(2) *A* ~~No~~ person *may not* ~~shall~~ drive *a* ~~any~~ vehicle through, around, or under any crossing gate or barrier at a railroad-highway grade crossing while the gate or barrier is closed or is being opened or closed.

(3) A *person who violates* ~~violation of~~ this section *commits* ~~is~~ a noncriminal traffic infraction, punishable pursuant to chapter 318 as*:*

(a) ~~either~~ A pedestrian violation*;* or~~,~~

(b) If the infraction resulted from the operation of a vehicle, as a moving violation.

1. For a first violation, the person must pay a fine of $500 or perform 25 hours of community service and shall have 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7.

2. For a second or subsequent violation, the person must pay a fine of $1,000 and shall have an additional 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7.

Section 4. Section 316.1576, Florida Statutes, is amended to read:

316.1576 Insufficient clearance at a railroad-highway grade crossing.—

(1) A person may not drive *a* ~~any~~ vehicle through a railroad-highway grade crossing that does not have sufficient space to drive completely through the crossing without stopping *or without obstructing the passage of other vehicles, pedestrians, railroad trains, or other railroad equipment, notwithstanding any traffic control signal indication to proceed*.

(2) A person may not drive *a* ~~any~~ vehicle through a railroad-highway grade crossing that does not have sufficient undercarriage clearance to drive completely through the crossing without stopping *or without obstructing the passage of a railroad train or other railroad equipment*.

(3) A *person who violates* ~~violation of~~ this section *commits* ~~is~~ a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

(a) For a first violation, the person must pay a fine of $500 or perform 25 hours of community service and shall have 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7.

(b) For a second or subsequent violation, the person must pay a fine of $1,000, shall have an additional 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7., and, notwithstanding s. 322.27(3)(a), (b), and (c), shall have his or her driving privilege suspended for not more than 6 months.

Section 5. Present subsections (10) through (23) of section 318.18, Florida Statutes, are redesignated as subsections (11) through (24), respectively, a new subsection (10) is added to that section, and subsection (9) of that section is amended, to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(9) *Five* ~~One~~ hundred dollars for a *first violation and $1,000 for a second or subsequent* violation of s. 316.1575.

(10) Five hundred dollars for a first violation and $1,000 for a second or subsequent violation of s. 316.1576. In addition to this penalty, for a second or subsequent violation, the department shall suspend the driver license of the person for not more than 6 months.

Section 6. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke driver license or identification card.—

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other good and sufficient evidence that the licensee has been convicted of violation of motor vehicle laws or ordinances, or applicable provisions of s. 403.413(6)(b), amounting to 12 or more points as determined by the point system. The suspension shall be for a period of not more than 1 year.

(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.

2. Leaving the scene of a crash resulting in property damage of more than $50—6 points.

3. Unlawful speed, or unlawful use of a wireless communications device, resulting in a crash—6 points.

4. Passing a stopped school bus:

a. Not causing or resulting in serious bodily injury to or death of another—4 points.

b. Causing or resulting in serious bodily injury to or death of another—6 points.

c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates.

5. Unlawful speed:

a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.

b. In excess of 15 miles per hour of lawful or posted speed—4 points.

c. Points may not be imposed for a violation of unlawful speed as provided in s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896. In addition, a violation of s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896 may not be used for purposes of setting motor vehicle insurance rates.

6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points. However, points may not be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.

7. Unlawfully driving a vehicle through a railroad-highway grade crossing—6 points.

8. ~~7.~~ All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, points may not be imposed for a violation of s. 316.0741 or s. 316.2065(11); and points may be imposed for a violation of s. 316.1001 only when imposed by the court after a hearing pursuant to s. 318.14(5).

9. ~~8.~~ Any moving violation covered in this paragraph, excluding unlawful speed and unlawful use of a wireless communications device, resulting in a crash—4 points.

10. ~~9.~~ Any conviction under s. 403.413(6)(b)—3 points.

11. ~~10.~~ Any conviction under s. 316.0775(2)—4 points.

12. ~~11.~~ A moving violation covered in this paragraph which is committed in conjunction with the unlawful use of a wireless communications device within a school safety zone—2 points, in addition to the points assigned for the moving violation.

Section 7. Section 334.046, Florida Statutes, is amended to read:

334.046 Department mission, goals, and objectives.—

(1) The *department shall consider the following* prevailing principles *when* ~~to be considered in~~ planning and developing *the state's multimodal* ~~an integrated, balanced statewide~~ transportation system ~~are~~: preserving *Florida's* ~~the existing~~ transportation infrastructure; *supporting its* ~~enhancing Florida's~~ economic competitiveness; *promoting the efficient movement of people and goods;* and *preserving Florida's quality of life* ~~improving travel choices to ensure mobility~~.

(2) The mission of the Department of Transportation shall be to provide a safe statewide transportation system that *promotes the efficient movement* ~~ensures the mobility~~ of people and goods, *supports the state's* ~~enhances~~ economic *competitiveness, prioritizes Florida's environment and natural resources* ~~prosperity~~, and preserves the quality of *life and connectedness of the state's* ~~our environment and~~ communities.

(3) The ~~department shall document in the Florida Transportation Plan, in accordance with s. 339.155 and based upon the~~ prevailing principles *outlined in this section shall be incorporated into all* ~~of preserving the existing transportation infrastructure, enhancing Florida's economic competitiveness, and improving travel choices to ensure mobility, the~~ goals and objectives that provide statewide policy guidance for accomplishing the department's mission*, including the Florida Transportation Plan outlined in s. 339.155*.

(4) At a minimum, the department's goals shall address the following prevailing principles~~:~~.

(a) *Maintaining investments* ~~*Preservation.*~~—Protecting the state's transportation infrastructure investment*, which*~~. Preservation~~ includes:

1. Ensuring that 80 percent of the pavement on the State Highway System meets department standards;

2. Ensuring that 90 percent of department-maintained bridges meet department standards; and

3. Ensuring that the department achieves 100 percent of the acceptable maintenance standard on the state highway system.

(b) *Economic competitiveness.*—Ensuring that the state has a clear understanding of the *return on investment and* economic *impacts* ~~consequences~~ of transportation *infrastructure* investments~~,~~ and how such investments affect the state's economic competitiveness. The department must develop a macroeconomic analysis of the linkages between transportation investment and economic performance, as well as a method to quantifiably measure the economic benefits of the district work-program investments. Such an analysis must analyze:

1. The state's and district's economic performance relative to the competition.

2. The business environment as viewed from the perspective of companies evaluating the state as a place in which to do business.

3. The state's capacity to sustain long-term growth.

(c) *Connected transportation system* ~~*Mobility.*~~—Ensuring a cost-effective, statewide, interconnected transportation system *that provides for the most efficient and effective multimodality and mobility*.

(d) Preserving Florida's natural resources and quality of life.—Prioritizing Florida's natural resources and the quality of life of its communities.

Section 8. Section 334.61, Florida Statutes, is created to read:

334.61 Traffic lane repurposing.—

(1) Whenever a governmental entity proposes any project that will repurpose one or more existing traffic lanes, the governmental entity shall include a traffic study to address any potential adverse impacts of the project, including, but not limited to, changes in traffic congestion and impacts on safety.

(2) If, following the study required by subsection (1), the governmental entity elects to continue with the design of the project, it must notify all affected property owners, impacted municipalities, and the counties in which the project is located at least 180 days before the design phase of the project is completed. The notice must provide a written explanation regarding the need for the project, include information on how to review the traffic study required by subsection (1), and indicate that all affected parties will be given an opportunity to provide comments to the proposing entity regarding potential impacts of the change.

(3) The governmental entity shall hold at least one public meeting, with at least 30 days' prior notice, before completing the design phase of the project in the jurisdiction where the project is located. At the public meeting, the governmental entity shall explain the purpose of the project and receive public input, including possible alternatives, to determine the manner in which the project will affect the community.

(4) The governmental entity shall review all comments from the public meeting and take the comments and any alternatives presented during the meeting into consideration in the final design of the project.

Section 9. Paragraph (c) of subsection (3) of section 338.231, Florida Statutes, is amended to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.—The department shall at all times fix, adjust, charge, and collect such tolls and amounts for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

(3)

(c) Notwithstanding any other ~~provision of~~ law to the contrary, any prepaid toll account of any kind which has remained inactive for *10* ~~3~~ years *is* ~~shall be~~ presumed unclaimed*,* and its disposition shall be handled by the Department of Financial Services in accordance with all applicable provisions of chapter 717 relating to the disposition of unclaimed property, and the prepaid toll account shall be closed by the department.

Section 10. Paragraph (a) of subsection (3) of section 338.26, Florida Statutes, is amended to read:

338.26 Alligator Alley toll road.—

(3)(a) Fees generated from tolls shall be deposited in the State Transportation Trust Fund and shall be used:

1. To reimburse outstanding contractual obligations;

2. To operate and maintain the highway and toll facilities, including reconstruction and restoration;

3. To pay for those projects that are funded with Alligator Alley toll revenues and that are contained in the 1993-1994 adopted work program or the 1994-1995 tentative work program submitted to the Legislature on February 22, 1994; and

4. By interlocal agreement ~~effective July 1, 2019, through no later than June 30, 2027~~, to reimburse a local governmental entity for the direct actual costs of operating the fire station at mile marker 63 on Alligator Alley, which shall be used by the local governmental entity to provide fire, rescue, and emergency management services exclusively to the public on Alligator Alley. The local governmental entity must contribute 10 percent of the direct actual operating costs.

a. The interlocal agreement effective July 1, 2019, through June 30, 2027, shall control until such time that the local governmental entity and the department enter into a new agreement or agree to extend the existing agreement. For the 2024-2025 fiscal year, the amount of reimbursement may not exceed $2 million.

b. By December 31, 2024, and every 5 years thereafter, the local governmental entity shall provide a maintenance and operations comprehensive plan to the department. The comprehensive plan must include a current inventory of assets, including their projected service life, and area service needs; the call and response history for emergency services provided in the preceding 5 years on Alligator Alley, including costs; and future projections for assets and equipment, including replacement or purchase needs, and operating costs.

c. The local governmental entity and the department shall review and adopt the comprehensive plan as part of the interlocal agreement.

d. In accordance with projected incoming toll revenues for Alligator Alley, the department shall include the corresponding funding needs of the comprehensive plan in the department's work program, and the local governmental entity shall include the same in its capital comprehensive plan and appropriate fiscal year budget ~~The amount of reimbursement to the local governmental entity may not exceed $1.4 million in any state fiscal year~~.

e. At the end of the term of the interlocal agreement, the ownership and title of all fire, rescue, and emergency equipment *purchased with state funds and* used at the fire station during the term of the interlocal agreement transfers to the state.

Section 11. Subsection (5) is added to section 339.08, Florida Statutes, to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(5) The department may not expend any state funds as described in s. 215.31 to support a project or program of:

(a) A public transit provider as defined in s. 341.031(1);

(b) An authority created pursuant to chapter 343, chapter 348, or chapter 349;

(c) A public-use airport as defined in s. 332.004; or

(d) A port enumerated in s. 311.09(1)

which is found in violation of s. 381.00316. The department shall withhold state funds until the public transit provider, authority, public-use airport, or port is found in compliance with s. 381.00316.

Section 12. Section 339.0803, Florida Statutes, is amended to read:

339.0803 Allocation of increased revenues derived from amendments to s. 320.08 by ch. 2019-43.—

(1) Beginning in the 2021-2022 fiscal year and each fiscal year thereafter, funds that result from increased revenues to the State Transportation Trust Fund derived from the amendments to s. 320.08 made by chapter 2019-43, Laws of Florida, and deposited into the fund pursuant to s. 320.20(5)(a) must be used to fund arterial highway projects identified by the department in accordance with s. 339.65 and may be used for projects as specified in ss. 339.66 and 339.67. For purposes of the funding provided in this section, the department shall prioritize use of existing facilities or portions thereof when upgrading arterial highways to limited or controlled access facilities. However, this section does not preclude use of the funding for projects that enhance the capacity of an arterial highway. The funds allocated as provided in this section shall be in addition to any other statutory funding allocations provided by law.

(2) Revenues deposited into the State Transportation Trust Fund pursuant to s. 320.20(5)(a) shall first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation pursuant to s. 339.0809(4) to fund arterial highway projects. For the corporation's bonding purposes, two or more of such projects in the department's approved work program may be treated as a single project.

Section 13. Subsection (13) of section 339.0809, Florida Statutes, is amended, and subsection (14) is added to that section, to read:

339.0809 Florida Department of Transportation Financing Corporation.—

(13) The department may enter into a service contract in conjunction with the issuance of debt obligations as provided in this section which provides for periodic payments for debt service or other amounts payable with respect to debt obligations, plus any administrative expenses of the Florida Department of Transportation Financing Corporation. *Funds appropriated for payments under a service contract shall be available after funds pledged to payment on bonds but before other statutorily required distributions.*

(14) The department may enter into a service contract to finance the projects authorized in s. 215 of ch. 2023-239, Laws of Florida, and in Budget Amendment EOG# 2024-B0112, and subsequently adopted into the 5-year work program. Service contract payments may not exceed 7 percent of the funds deposited in the State Transportation Trust Fund in each fiscal year. The annual payments under such service contract shall be included in the department's work program and legislative budget request developed pursuant to s. 339.135. The department shall ensure that the annual payments are programmed for the life of the service contract before execution of the service contract and shall remain programmed until fully paid.

Section 14. Subsection (8) is added to section 339.2818, Florida Statutes, to read:

339.2818 Small County Outreach Program.—

(8) Subject to specific appropriation in addition to funds appropriated for projects under this section, a local government either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15), the Peace River Basin, or the Suwannee River Basin may compete for additional funding using the criteria listed in paragraph (4)(c) at up to 100 percent of project costs on state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.

Section 15. Subsection (6) of section 341.051, Florida Statutes, is amended, paragraphs (c) and (d) are added to subsection (2), and subsection (8) is added to that section, to read:

341.051 Administration and financing of public transit and intercity bus service programs and projects.—

(2) PUBLIC TRANSIT PLAN.—

(c) Any lane elimination or lane repurposing, recommendation, or application relating to public transit projects must be approved by a two-thirds vote of the transit authority board in a public meeting with a 30-day public notice.

(d) Any action of eminent domain for acquisition of public transit facilities carried out by a public transit provider must be discussed by the public transit provider at a public meeting with a 30-day public notice.

(6) ANNUAL APPROPRIATION.—Funds paid into the State Transportation Trust Fund pursuant to s. 201.15 for the New Starts Transit Program are hereby annually appropriated for expenditure to support the New Starts Transit Program. *The remaining unallocated New Starts Transit Program funds as of June 30 of each fiscal year shall be reallocated for the purpose of the Strategic Intermodal System within the State Transportation Trust Fund.*

(8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND ADVERTISING.—

(a) As a condition of receiving funds from the department, a public transit provider may not expend department funds for marketing or advertising activities, including any wrap, tinting, paint, or other medium displayed, attached, or affixed on a bus, commercial motor vehicle, or motor vehicle that is owned, leased, or operated by a public transit provider that is limited to displaying a brand or logo of the public transit provider, the official seal of the jurisdictional government entity, or a state agency public service announcement.

(b) The department shall incorporate guidelines for the activities allowed under paragraph (a) in the public transportation grant agreement entered into with each public transit provider.

(c) Any new wrap, tinting, paint, medium, or advertisement on the passenger windows of a vehicle used by a public transit provider may not be darker than the legally allowed window tinting requirements as provided in s. 316.2954.

For purposes of this section, the term "net operating costs" means all operating costs of a project less any federal funds, fares, or other sources of income to the project.

Section 16. Subsection (4) is added to section 341.071, Florida Statutes, to read:

341.071 Transit productivity and performance measures; reports.—

(4)(a) As used in this subsection, the term:

1. "General administration costs" includes, but is not limited to, costs related to transit service development, injuries and damages, safety, personnel administration, legal services, data processing, finance and accounting, purchasing and stores, engineering, real estate management, office management and services, customer service, promotion, market research, and planning. The term does not include insurance costs.

2. "Public transit provider" means a public agency providing public transit service, including an authority created pursuant to part II of chapter 343 or chapter 349. The term does not include the Central Florida Commuter Rail or the authority created pursuant to part I of chapter 343.

3. "Tier I provider" has the same meaning as in 49 C.F.R. part 625.

4. "Tier II provider" has the same meaning as in 49 C.F.R. part 625.

(b) Beginning November 1, 2024, and annually thereafter, each public transit provider, during a publicly noticed meeting, shall:

1. Certify that its budgeted and general administration costs are not greater than 20 percent above the annual state average of administrative costs for its respective tier.

2. Present a line-item budget report of its budgeted and actual general administration costs.

3. Disclose all salaried executive and management level employees' total compensation packages, ridership performance and metrics, and any gift as defined in s. 112.312 accepted in exchange for contracts. This disclosure shall be posted annually on the public transit provider's website.

(c) To support compliance with paragraph (b), the department shall determine, by tier, the annual state average of administrative costs by determining the percentage of the total operating budget that is expended on general administration costs in this state annually by March 31 to inform the public transit provider's budget for the following fiscal year. Upon review and certification by the department, costs budgeted and expended in association with nontransit-related engineering and construction services may be excluded.

(d) A year-over-year cumulative increase of 3 percent or more in general administration costs must be reviewed before the start of the next fiscal year and must be reviewed and approved by the department before approval by the public transportation provider's governing board.

Section 17. Paragraph (a) of subsection (2) of section 341.822, Florida Statutes, is amended to read:

341.822 Powers and duties.—

(2)(a) In addition to the powers granted to the department, the enterprise has full authority to exercise all powers granted to it under this chapter. Powers shall include, but are not limited to, the ability to plan, construct, maintain, repair, and operate a high-speed rail system, ~~to acquire corridors, and~~ to coordinate the development and operation of publicly funded passenger rail systems in the state*, and to preserve and acquire future rail corridors and rights-of-way in coordination with the department's planning of the State Highway System*.

Section 18. Subsection (6) of section 28.37, Florida Statutes, is amended to read:

28.37 Fines, fees, service charges, and costs remitted to the state.—

(6) Ten percent of all court-related fines collected by the clerk, except for penalties or fines distributed to counties or municipalities under s. 316.0083(1)(b)3. or *s. 318.18(16)(a)* ~~s. 318.18(15)(a)~~, must be deposited into the fine and forfeiture fund to be used exclusively for clerk court-related functions, as provided in s. 28.35(3)(a).

Section 19. Paragraph (c) of subsection (1) of section 142.01, Florida Statutes, is amended to read:

142.01 Fine and forfeiture fund; disposition of revenue; clerk of the circuit court.—

(1) There shall be established by the clerk of the circuit court in each county of this state a separate fund to be known as the fine and forfeiture fund for use by the clerk of the circuit court in performing court-related functions. The fund shall consist of the following:

(c) Court costs pursuant to ss. 28.2402(1)(b), 34.045(1)(b), 318.14(10)(b), *318.18(12)(a)* ~~318.18(11)(a)~~, 327.73(9)(a) and (11)(a), and 938.05(3).

Section 20. Subsection (4) of section 316.1951, Florida Statutes, is amended to read:

316.1951 Parking for certain purposes prohibited; sale of motor vehicles; prohibited acts.—

(4) A local government may adopt an ordinance to allow the towing of a motor vehicle parked in violation of this section. A law enforcement officer, compliance officer, code enforcement officer from any local government agency, or supervisor of the department may issue a citation and cause to be immediately removed at the owner's expense any motor vehicle found in violation of subsection (1), except as provided in subsections (2) and (3), or in violation of subsection (5), subsection (6), subsection (7), or subsection (8), and the owner shall be assessed a penalty as provided in *s. 318.18(22)* ~~s. 318.18(21)~~ by the government agency or authority that orders immediate removal of the motor vehicle. A motor vehicle removed under this section shall not be released from an impound or towing and storage facility before a release form prescribed by the department has been completed verifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to s. 713.78 before payment of the fine or before the release form has been completed.

Section 21. Subsection (4) of section 316.306, Florida Statutes, is amended to read:

316.306 School and work zones; prohibition on the use of a wireless communications device in a handheld manner.—

(4)(a) Any person who violates this section commits a noncriminal traffic infraction, punishable as a moving violation, as provided in chapter 318, and shall have 3 points assessed against his or her driver license as set forth in *s. 322.27(3)(d)8.* ~~s. 322.27(3)(d)7.~~ For a first offense under this section, in lieu of the penalty specified in s. 318.18 and the assessment of points, a person who violates this section may elect to participate in a wireless communications device driving safety program approved by the Department of Highway Safety and Motor Vehicles. Upon completion of such program, the penalty specified in s. 318.18 and associated costs may be waived by the clerk of the court and the assessment of points must be waived.

(b) The clerk of the court may dismiss a case and assess court costs in accordance with *s. 318.18(12)(a)* ~~s. 318.18(11)(a)~~ for a nonmoving traffic infraction for a person who is cited for a first time violation of this section if the person shows the clerk proof of purchase of equipment that enables his or her personal wireless communications device to be used in a hands-free manner.

Section 22. Subsection (7) of section 316.622, Florida Statutes, is amended to read:

316.622 Farm labor vehicles.—

(7) A violation of this section is a noncriminal traffic infraction, punishable as provided in *s. 318.18(17)* ~~s. 318.18(16)~~.

Section 23. Section 318.121, Florida Statutes, is amended to read:

318.121 Preemption of additional fees, fines, surcharges, and costs.—Notwithstanding any general or special law, or municipal or county ordinance, additional fees, fines, surcharges, or costs other than the court costs and surcharges assessed under *s. 318.18(12), (14), (19), (20), and (23)* ~~s. 318.18(11), (13), (18), (19), and (22)~~ may not be added to the civil traffic penalties assessed under this chapter.

Section 24. Subsections (13), (16) through (19), and (21) of section 318.21, Florida Statutes, are amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(13) Of the proceeds from the fine under *s. 318.18(16)* ~~s. 318.18(15)~~, $65 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund of the Department of Health and the remaining $60 shall be distributed pursuant to subsections (1) and (2).

(16) The proceeds from the fines described in *s. 318.18(17)* ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency that issues the citation for a violation of s. 316.622. The funds must be used for continued education and enforcement of s. 316.622 and other related safety measures contained in chapter 316.

(17) Notwithstanding subsections (1) and (2), the proceeds from the *administrative fee* ~~surcharge~~ imposed under *s. 318.18(18)* ~~s. 318.18(17)~~ shall be distributed as provided in that subsection. This subsection expires July 1, 2026.

(18) Notwithstanding subsections (1) and (2), the proceeds from the administrative fee imposed under *s. 318.18(19)* ~~s. 318.18(18)~~ shall be distributed as provided in that subsection.

(19) Notwithstanding subsections (1) and (2), the proceeds from the *fees* ~~Article V assessment~~ imposed under *s. 318.18(20)* ~~s. 318.18(19)~~ shall be distributed as provided in that subsection.

(21) Notwithstanding subsections (1) and (2), the proceeds from the additional penalties imposed pursuant to s. 318.18(5)(c) and *(21)* ~~(20)~~ shall be distributed as provided in that section.

Section 25. Subsection (1) of section 395.4036, Florida Statutes, is amended to read:

395.4036 Trauma payments.—

(1) Recognizing the Legislature's stated intent to provide financial support to the current verified trauma centers and to provide incentives for the establishment of additional trauma centers as part of a system of state-sponsored trauma centers, the department shall utilize funds collected under s. 318.18 and deposited into the Emergency Medical Services Trust Fund of the department to ensure the availability and accessibility of trauma services throughout the state as provided in this subsection.

(a) Funds collected under *s. 318.18(16)* ~~s. 318.18(15)~~ shall be distributed as follows:

1. Twenty percent of the total funds collected during the state fiscal year shall be distributed to verified trauma centers that have a local funding contribution as of December 31. Distribution of funds under this subparagraph shall be based on trauma caseload volume for the most recent calendar year available.

2. Forty percent of the total funds collected shall be distributed to verified trauma centers based on trauma caseload volume for the most recent calendar year available. The determination of caseload volume for distribution of funds under this subparagraph shall be based on the hospital discharge data for patients who meet the criteria for classification as a trauma patient reported by each trauma center pursuant to s. 408.061.

3. Forty percent of the total funds collected shall be distributed to verified trauma centers based on severity of trauma patients for the most recent calendar year available. The determination of severity for distribution of funds under this subparagraph shall be based on the department's International Classification Injury Severity Scores or another statistically valid and scientifically accepted method of stratifying a trauma patient's severity of injury, risk of mortality, and resource consumption as adopted by the department by rule, weighted based on the costs associated with and incurred by the trauma center in treating trauma patients. The weighting of scores shall be established by the department by rule.

(b) Funds collected under s. 318.18(5)(c) and *(21)* ~~(20)~~ shall be distributed as follows:

1. Thirty percent of the total funds collected shall be distributed to Level II trauma centers operated by a public hospital governed by an elected board of directors as of December 31, 2008.

2. Thirty-five percent of the total funds collected shall be distributed to verified trauma centers based on trauma caseload volume for the most recent calendar year available. The determination of caseload volume for distribution of funds under this subparagraph shall be based on the hospital discharge data for patients who meet the criteria for classification as a trauma patient reported by each trauma center pursuant to s. 408.061.

3. Thirty-five percent of the total funds collected shall be distributed to verified trauma centers based on severity of trauma patients for the most recent calendar year available. The determination of severity for distribution of funds under this subparagraph shall be based on the department's International Classification Injury Severity Scores or another statistically valid and scientifically accepted method of stratifying a trauma patient's severity of injury, risk of mortality, and resource consumption as adopted by the department by rule, weighted based on the costs associated with and incurred by the trauma center in treating trauma patients. The weighting of scores shall be established by the department by rule.

Section 26. Paragraph (e) of subsection (1) of section 768.1382, Florida Statutes, is amended to read:

768.1382 Streetlights, security lights, and other similar illumination; limitation on liability.—

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

(e) "Streetlight provider" means the state or any of the state's officers, agencies, or instrumentalities, any political subdivision as defined in s. 1.01, any public utility as defined in s. 366.02(8), or any electric utility as defined in s. 366.02(4). *For purposes of this section, electric utility shall include subsidiaries of an electric utility, regardless of whether the electric utility or subsidiary is providing electric street light service inside or outside of its regulated territory.*

And the title is amended as follows:

Delete lines 458-562 and insert: tentative work program; amending s. 316.1575, F.S.; revising provisions requiring a person approaching a railroad-highway grade crossing to stop within a certain distance from the nearest rail; revising penalties; amending s. 316.1576, F.S.; revising circumstances under which a person is prohibited from driving a vehicle through a railroad-highway grade crossing; revising penalties; amending s. 318.18, F.S.; revising the penalties for certain offenses; amending s. 322.27, F.S.; revising the point system for convictions for violations of motor vehicle laws and ordinances; amending s. 334.046, F.S.; revising provisions relating to the department's mission, goals, and objectives; creating s. 334.61, F.S.; requiring governmental entities that propose certain projects to conduct a traffic study; requiring the governmental entity to give notice of a decision to continue with the design phase of a project to property owners, impacted municipalities, and counties affected by such projects within a specified timeframe; providing notice requirements; requiring such governmental entities to hold a public meeting, with a specified period of prior notice, before completion of the design phase of such projects; providing requirements for such public meetings; requiring such governmental entities to review and take into consideration comments and alternatives presented in public meetings in the final project design; amending s. 338.231, F.S.; revising the length of time before which an inactive prepaid toll account becomes unclaimed property; amending s. 338.26, F.S.; providing that a specified interlocal agreement related to the Alligator Alley toll road controls the use of certain State Transportation Trust Fund moneys until the local governmental entity and the department enter into a new agreement or agree to extend the existing agreement; limiting the amount of reimbursement for the 2024-2025 fiscal year; requiring the local governmental entity, by a specified date and at specified intervals thereafter, to provide a maintenance and operations comprehensive plan to the department; providing requirements for the comprehensive plan; requiring the local governmental entity and the department to review and adopt the comprehensive plan as part of the interlocal agreement; re-

quiring the department, in accordance with certain projections, to include the corresponding funding needs in the department's work program; requiring the local governmental entity to include such needs in its capital comprehensive plan and appropriate fiscal year budget; requiring that ownership and title of certain equipment purchased with state funds and used at a specified fire station during the term of the interlocal agreement transfer to the state at the end of the term of the agreement; amending s. 339.08, F.S.; prohibiting the department from expending state funds to support a project or program of specified entities; requiring the department to withhold state funds until such entities are in compliance with a specified provision; amending s. 339.0803, F.S.; prioritizing availability of certain revenues deposited into the State Transportation Trust Fund for payments under service contracts with the Florida Department of Transportation Financing Corporation to fund arterial highway projects; providing that two or more such projects may be treated as a single project for certain purposes; amending s. 339.0809, F.S.; specifying availability of funds appropriated for payments under a service contract with the corporation; authorizing the department to enter into service contracts to finance certain projects; providing requirements for annual service contract payments; requiring the department, before execution of a service contract, to ensure that annual payments are programmed for the life of the contract and to ensure that they remain programmed until fully paid; authorizing the department to retain interest earnings on specified appropriations; requiring such interest earnings to be spent on specified projects; amending s. 339.2818, F.S.; authorizing, subject to appropriation, a local government within a specified area to compete for funding using specified criteria on specified roads; providing an exception; amending s. 341.051, F.S.; providing voting and meeting notice requirements for specified public transit projects; providing meeting notice requirements for discussion of specified actions by a public transit provider; requiring that certain unallocated funds for the New Starts Transit Program be reallocated for the purpose of the Strategic Intermodal System; providing for expiration of the reallocation; prohibiting, as a condition of receiving state funds, public transit providers from expending such funds for specified marketing or advertising activities; requiring the department to incorporate certain guidelines in the public transportation grant agreement entered into with each public transit provider; prohibiting certain wraps, tinting, paint, media, or advertisements on passenger windows of public transit provider vehicles from being darker than certain window tinting requirements; amending s. 341.071, F.S.; defining terms; beginning on a specified date and annually thereafter, requiring each public transit provider to take specified actions during a publicly noticed meeting; requiring that a certain disclosure be posted on public transit providers' websites; requiring the department to determine the annual state average of general administrative costs; authorizing certain costs to be excluded from such annual state average; requiring a specified increase in general administrative costs to be reviewed and approved by certain entities; amending s. 341.822, F.S.; revising the powers of the Florida Rail Enterprise; amending s. 768.1382, F.S.; revising the definition of the term "streetlight provider"; amending ss. 28.37, 142.01, 316.1951, 316.306, 316.622, 318.121, 318.21, and 395.4036, F.S.; conforming cross-references; conforming provisions to changes made by the act; providing an effective date.

Amendment 1 (207018), as amended, was adopted.

On motion by Senator DiCeglie, by two-thirds vote, **CS for CS for CS for HB 1301**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Powell

Vote after roll call:

Nay to Yea—Powell

CS for SB 1256—A bill to be entitled An act relating to voter registration applications; amending s. 97.053, F.S.; providing an exception to a requirement that certain voter registration applicants must be registered without party affiliation; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicles to notify certain individuals of certain information; prohibiting the department from changing the party affiliation of an applicant except in certain circumstances; requiring the department to provide an applicant with a certain receipt; revising the methods by which an applicant may decline to register to vote or update certain voter registration information; prohibiting a person providing voter registration services for a driver license office from taking certain actions; requiring the department to ensure that information technology processes and updates do not alter certain information without written consent; requiring the department to be in full compliance with the act within a certain period; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1256**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 135** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Martin—

CS for HB 135—A bill to be entitled An act relating to voter registration applications; amending s. 97.053, F.S.; providing an exception to a requirement that certain voter registration applicants must be registered without party affiliation; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicles to notify certain individuals of certain information; prohibiting the department from changing the party affiliation of an applicant except in certain circumstances; requiring the department to provide an applicant with a certain receipt; prohibiting a person providing voter registration services for a driver license office from taking certain actions; requiring the department to ensure that information technology processes and updates do not alter certain information without written consent; requiring the department to be in full compliance with this act within a certain period; providing an effective date.

—a companion measure, was substituted for **CS for SB 1256** and read the second time by title.

SENATOR PERRY PRESIDING

Senator Martin moved the following amendment which was adopted:

Amendment 1 (830180)—Delete line 111 and insert:

Section 4. This act shall take effect January 1, 2025.

On motion by Senator Martin, by two-thirds vote, **CS for HB 135**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Madam President	Broxson	Gruters
Albritton	Burgess	Harrell
Avila	Burton	Hooper
Baxley	Calatayud	Hutson
Berman	Collins	Ingoglia
Book	Davis	Jones
Boyd	DiCeglie	Martin
Bradley	Garcia	Mayfield
Brodeur	Grall	Osgood

Perry	Rouson	Trumbull
Pizzo	Simon	Wright
Polsky	Stewart	Yarborough
Powell	Thompson	
Rodriguez	Torres	

Nays—None

CS for SB 1360—A bill to be entitled An act relating to the Florida Red Tide Mitigation and Technology Development Initiative; amending s. 379.2273, F.S.; requiring the initiative to develop recommendations for deployment of certain technologies and approaches and submit a report to the Department of Environmental Protection, the Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, and certain state agencies; requiring the department to submit an evaluation regarding the technologies and approaches to Mote Marine Laboratory within a specified time period and amend regulatory or permitting processes and expedite regulatory reviews under certain circumstances; removing the expiration date of the initiative; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1360**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1565** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Gruters—

CS for CS for HB 1565—A bill to be entitled An act relating to the Florida Red Tide Mitigation and Technology Development Initiative; amending s. 379.2273, F.S.; requiring the initiative to develop recommendations for deployment of certain technologies and approaches and submit a report to the Department of Environmental Protection, the Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, and specified state agencies; requiring the department to submit an evaluation regarding the technologies and approaches to Mote Marine Laboratory within a specified time period and amend regulatory or permitting processes and expedite regulatory reviews under certain circumstances; removing the expiration date of the initiative; providing an effective date.

—a companion measure, was substituted for **CS for SB 1360** and read the second time by title.

On motion by Senator Gruters, by two-thirds vote, **CS for CS for HB 1565** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SPECIAL RECOGNITION OF PRESIDENT PRO TEMPORE BAXLEY

At the direction of the President, the Senate proceeded to the recognition of President Pro Tempore Dennis Baxley, honoring his years of service to the Senate as he approaches the completion of his term for the 13th Senate District.

SPECIAL GUESTS

The President introduced Senator Baxley's wife, Ginette, who couldn't be here today, but was watching from home; son, Micah and his wife, Jennifer, and their children, Martha, Katherine, Hazel, and William; son, Justin, and his wife, Erin, and their children, Joshua and Jacob, and his wife, Mia; son, Damon, and his wife, Melissa; son, Jeffrey; and daughter, Renee, who were present in the chamber.

The President introduced Senator Baxley's district staff, Debbie Dennis, who was present in the chamber.

The President introduced Senator Baxley's district staff, Gabriella Polera, and intern, Jacob Laasko, who were present in the gallery.

The President introduced Senator Baxley's former staff, Alexandria Kernan and Matthew McClain, Marion County Commissioner, who were present in the gallery.

The President introduced Senator Baxley's guest, Judge Lori Cotton, who was present in the gallery.

SPECIAL PRESENTATION

A video tribute was played honoring Senator Baxley.

REMARKS

On motion by Senator Mayfield, by two-thirds vote, the following remarks by President Pro Tempore Baxley were ordered spread upon the Journal.

Senator Baxley: That is an insightful experience, to have been through something like this. You try to come across but then you say, "How do you come across?" It has been nearly 25 years since I was first elected to the Florida Legislature. I did two tours in the Florida House, and then I was able to move to the upper chamber.

As I reflect on this time in my life, two things come very clearly to my mind. One is a quarter of a century went by really fast. I cannot believe it's almost over, this 25-year period. I have so much to be thankful for, and that is what I want to focus on today. All of us have something, much to be thankful for. First of all, just the Senate family, I'm thankful for my Senate family. We're a big family—40 of us from across the Sunshine State. We bring different perspectives—just like the 22+ million people we represent and serve. We share a common mission, to serve our state and its people, that they might prosper in all ways.

You all have added immensely to my life. You can learn something from everyone you meet. Like today—they'll give you insights that you would not find anywhere else. I'm thankful to the incredible leaders who taught me so much about serving others, key among them, of course, is Madam President, Kathleen Passidomo. Madam President, you have invested so much of your time, your energy, and your talent in serving this state. Nothing significant is ever done alone. She surrounded herself with other leaders—talented people and hard workers—and she united us in a noble effort to build this great Florida future. I'm so grateful to be a part of that story. Thank you, Madam President, for investing so much of your skill in me.

During my time in the Senate, I'm thankful for the opportunities that I was given to mentor others. There is nothing more fulfilling than to be an encourager, and we all need them. You all know that my door is always open. I can give you four things—I can give you a cup of coffee, a listening ear, a hug to comfort, and a prayer to lift you. I know it works because when I give them away, I'm encouraged. Be an encourager. Another thing that I'm extremely grateful for is my roommate. Speaking of great mentors and friends, I'm thankful for my roommate, Appropriations Chair Doug Broxson. He's more than a roommate, he's a brother. We prayed together every morning that the good Lord would give us strength to serve and lend light to our path. We prayed for you. Doug's wife, Mary, shared that mission with us of serving others and was our encourager. Thank you, Mary, for being a part of our journey.

Then, of course, Ginette, my faithful wonderful wife and lifemate for 51 years so far. I give thanks to God for Ginette every day. I'm thankful to her for sending me here. She sent me. She said, "You have a calling, and I'm not going." I said, "What does that look like?" She said, "You don't need me to hold your hand. You need to go and build a better world because we don't know where all these kids and grandkids are going to wind up." I said, "Well, if you'll stay here, I'll go." That's the way we did it. She runs my real world, and she's the best at it, the best in the world. I'm thankful to Ginette for running that real world back home and down every trail. You've given me the most beautiful family, Heavenly Father, and we are blessed. Ginette is the most selfless person I know. She doesn't think of herself last; she really doesn't think of herself at all. She's always about the other. All I can say is, "Je t'aime beaucoup pour toujours." I love you always, my little French girl. So there you have it, one blessed life. Onward and upward.

SPECIAL PRESENTATION

Senators Albritton and Book, on behalf of the Senate, having acknowleged President Pro Tempore Baxley as the first and only Floridian to serve as Pro Tempore in both chambers, presented him with a plaque in the Senate Chamber listing Senator Baxley's dates of service in the Florida Legislature and his terms as Pro Tempore of the respective chambers.

On behalf of the Senate, the President presented President Pro Tempore Baxley with a framed ceremonial copy of SB 272 (2021) Rare Disease Advisory Council, ch. 2021-122, Laws of Florida, which was sponsored by Senator Baxley and became law during his legislative career. This bill from the 2021 Regular Session establishes the Rare Disease Advisory Council to provide recommendations to improve the health outcomes of Floridians who have a rare disease. The Council provides recommendations to the Governor and Surgeon General each year.

SENATOR BROXSON PRESIDING

SPECIAL RECOGNITION OF PRESIDENT PASSIDOMO

At the direction of Senator Broxson, the Senate proceeded to the recognition of President Kathleen Passidomo, honoring her years of service to the Senate as she approaches the completion of her term as President of the Senate.

SPECIAL GUESTS

Senator Broxson introduced President Passidomo's husband, John; and daughter, Gabriella Passidomo, Commissioner of the Florida Public Service Commission, who were present in the chamber.

Senator Broxson introduced President Passidomo's district staff, Sheri Green, Paul Hayden, and Kevin Martinez, who were present in the chamber.

Senator Broxson introduced former Senators Lizbeth Benacquisto and Ray Rodrigues, Chancellor of the State University System of Florida, who were present in the chamber.

Senator Broxson introduced Speaker Paul Renner, Representative Bob Rommel, former Speaker Steve Crisafulli, and former Representative Dane Eagle, who were present in the chamber.

SPECIAL PRESENTATION

A video tribute was played honoring President Passidomo.

SPECIAL PRESENTATION

Senator Albritton introduced Matt Dunagan with the Sheriff's Association and Sergeant Brian Walkowiak with the Lee County Sheriff's Office K9 Unit.

On behalf of the Senate, Senators Albritton and Book presented the President with Birdie, a 2-year-old yellow lab who will be working in Lee County as a Safe School Canine.

Senator Albritton: President Passidomo, we are pleased to present your gift from the Senators. You are now a safe school canine partner! Birdie will be working in Lee County as a Safe School Canine.

Senator Book: For our guests, the Florida Safe Schools Canine Program, a priority of President Passidomo, was created last year for the purpose of designating a person, school, or business entity as a Florida Safe Schools Canine Partner who pays for or raises funds for a law enforcement agency to purchase, train, or care for a firearm detection dog. These dogs contribute to a safe and welcoming school community, furthering a community-wide investment and engagement in school safety and public safety initiatives. The program seeks to foster relationships between schools, local businesses, and law enforcement, promoting trust and confidence in the ability of law enforcement to keep schools and communities safe.

Senator Albritton: Firearm dogs act as liaisons between students and law enforcement agencies and serve as ambassadors for a law enforcement agency to improve community engagement. President Passidomo, Birdie joined the Lee County Sheriff's Office about a month ago and is in training with Sergeant Walkowiak. When her training is complete, she will join "Sky," another Lee County K-9 Officer as a Safe School Canine. Congratulations.

RETIRING OF PORTRAIT

Senator Broxson: It is our Senate tradition that the first presidential portrait on the west side of the Chamber be retired to the Historic Capitol.

Senator Hutson: John Stansel Taylor, Sr., was born near the settlement of Largo in 1871. His family owned and operated a large citrus estate. He served in the Florida House of Representatives in the 1905 Session and introduced the legislation to incorporate the City of Largo. In November of 1920, John S. Taylor was elected to represent State Senate District 11, and he immediately began introducing bills to encourage the growth of Pinellas County. Four years later, his area of concern would increase again as his fellow Senators elected him as their President for the 1925 Session. Florida's population had just broken through the one million mark. President Taylor left the Senate in 1927 and passed away in 1936.

UNVEILING OF PORTRAIT

Senator Broxson invited President Passidomo and her family to the front of the chamber where the President's portrait was unveiled by Sergeant at Arms Damien Kelly. The portrait was created by artist Steven Davis of Leon Loard Portraits.

REMARKS

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

President Passidomo: First of all, I can't imagine a better gift than one of those precious dogs for our schools because I've always had a thought—and I understand that these bad guys may not be afraid of bullets or law enforcement but, for some reason, they are afraid of being bitten by a dog. I think having a dog in every school, that is trained, will really help keep our schools safe. The best part about it is that these animals are friendly and will become friends with the students, and create a relationship between law enforcement and the kids, which is really what we want. I want to thank you all. It's really the best gift I can imagine. Thank you.

I didn't want to make a big deal about my portrait unveiling since, as you all know by now, I'm not leaving until my term ends. It was not

until yesterday that I invited some friends to be a part of today's ceremony. Thank you all for coming, especially Speaker Renner. I know it's a busy day for you too, but you are like my brother, and I am so glad you could be here. My friends in the process, in the gallery—you know how I like to have fun calling you temporary friends—whether that is true or not, only time will tell. I have truly enjoyed our association, and I'm looking forward to continuing to work with all of you over the next two years.

This is really not my farewell speech. I have two more years to give, and I don't think this is a moment to mark my tenure in the Florida Senate. Not only that, but the accomplishments of my time as Senate President are not mine alone. The accomplishments of this chamber, of this legislature, on behalf of this state, are not mine to herald. They belong to every single person in this room and so many more. What we have accomplished is because of our constituents. For me, the voters in District 28 who elected me to represent them so many years ago—they trusted me to represent them in Tallahassee—first in the House and now in the Senate. Every day of the week and twice on Sunday, even when Sunday is full of budget negotiations that y'all kind of engendered, I feel so privileged to be here. Thank you for the privilege of electing me to preside over this chamber for the last two years.

Each time I come up on the rostrum and I look out over this chamber, I am reminded of the awesome responsibility we all have. I'm glad our retiring Senators were able to share the experiences that they had over these last number of years. What we have accomplished together was possible because of the supporters in Florida who helped get us here. We need to thank the voters, our constituents, who brought us all to Tallahassee to do this work. What we have accomplished is due to the hard work of the Senators in this chamber. Each and every one of you were elected to serve, and you did just that. You have been hearing the concerns of your constituents. You are working to come up with solutions to the challenges we face. You traveled to Tallahassee for weeks on end, late nights, and countless hours to pass meaningful policies that better our state.

We could not, however, do this without our teams. The staff in the President's Office—you are so incredibly experienced, professional, and grounded. You all do the yeoman's work. Your leadership, your counsel, your analysis, and your understanding of every issue helps us to do our jobs in the most impactful way. Andrew, Katie, and Reynold, my three amigos—you three are so different but together, you make one heck of a team. I'm not sure where I'd be in this position without you. Thank you, thank you, thank you. Every day, here at the Capitol, is a joy to work side by side with you. As I call them, my minions—that's another story—at times, it has been rough going, but I always knew you had my back and for that, I will be eternally grateful. My policy advisors, the minions—Allie, Jennifer, Kathy, Lauren, Jay, and Christie—you brought focus to every conversation and reason to every debate. Every bill we worked on together was better for all your hard work. I couldn't thank you enough.

Megan and Sam, my two guardians, I appreciate you both more than you know. I don't think the lobbyists do at times.

Madam Secretary, you are amazing. The chamber runs smoothly because of you and your team.

Sergeant Kelly, sometimes called my shadow, you, Dustin, Zane, and the rest of your team help keep the trains running safely and on time.

I want to say something about our housekeeping staff. Sherrie is already here when I arrive in the morning. Teresa is here late in the evenings usually waiting for me to leave, with her vacuum. I'm like, "Okay, I'm going, I'm going."

There have been so many early morning coffees and late night chats. I cherish those moments. Rusty and Gary, I don't know if you're in here in the chamber—they have been just wonderful, wonderful people to spend time with at 6 o'clock in the morning.

Ronnie and staff in the Majority Office are instrumental in helping us get our bills across the finish line. They work quietly and unobtrusively behind the scenes to make us look good.

Jacqui Peters, Carlos Rey, Audrey Mathews, Tom Yeatman, Phil Twogood, and Shasta Kruse, you rock—you know how much you mean to me and to our Senators.

The multimedia team—Bettsy, Darryl, Paul, and crew—are some of the most talented people in the process. All of us have been recipients of that creativity.

Tim, John, Ashley, Tonya, and the whole amazing Appropriations staff—you stayed up all night over the weekend to make sure we can finish on time on Friday. I wish I could name them all, but the list is so long, it would take all day. Thank you all to our sweet Appropriations team.

My district staff, Sheri, Kevin, and Paul—your service to our constituents is above and beyond. We all know that we could not do what we do here without our staff support, particularly in the district to serve our constituents. That's what our main job is, and that's what makes us effective. I want to thank you so much for what you do.

All the staff directors, aides, and assistants across the state—every one of you plays an important role in this process. We are so grateful for your dedication and contribution to this great state.

Together, as voters, supporters, Senators, and staff, we have accomplished so much for our great free State of Florida.

I've been proud of our work on kitchen table issues important to growing families and seniors. More Floridians have options to live local in the heart of the communities they serve. More Floridians will be living healthy as we grow Florida's health care workforce, expand access, and invest in innovation. More Floridians are learning local through universal school choice or in neighborhood public schools that have served our communities for generations. Through our compact to conserve, the Florida Wildlife portal will one day be our Central Park as we preserve our state's great beauty for future generations to come. I'm very proud of our state budgets over the last two years. We wisely utilized pandemic funds to make critical one-time investments in our infrastructure—from roads and bridges to education facilities, to clean water and coastal resilience. Instead of spending all of what we have, we are paying down our debt, setting aside historic reserves, and providing for meaningful tax relief so that Floridians keep more of their hard-earned money.

These are not my accomplishments. They are all yours—the voters, our supporters, Senators, and our staff. I am just so proud to lead this great chamber, and I am amazed at what we have accomplished together. Thank you so much for this opportunity to be your Senate President.

If this portrait could represent all of the people, hearts, and minds that contributed to our accomplishments, it would be more appropriate. For now, I guess my face—depending on which one you want—will have to represent us all.

On a personal note, I need to thank my family who supported me throughout this journey. I know they are incredibly proud to see my portrait hang in this chamber. John, in case I haven't told you lately, you are my best and permanent friend and the love of my life. Thank you for being my partner to help us raise our girls, grow and advance our careers, and for supporting me in my public service. You were a great First Gentleman or, as my staff likes to say, the "King Consort." I say, "He who must be obeyed." Our reign is now coming to an end, but you'll always be my First Gentleman and the king of our family.

Our three daughters—Caterina, Francesca, and Gabriella—I'm so proud of the women they have become. You know, it's not lost on me the time I lost with them. I've always wanted to make sure that our time together was special, even if it was eating takeout in my law office after a soccer game, which happened lots of times. I'm so grateful to my family for their support and for always keeping me grounded. Actually, I like a little story—so when I was first elected to the Florida House, they brought us all in for orientation onto the floor. I had never been on the floor of any chamber anywhere. I remember we all walked in, and it just hit me. It was like the most amazing feeling I've had. I was just enthralled. I sat down in my predecessor's desk, which was right in the front—not knowing I'd be in the back—and I texted my family. I said, "I can't believe it. I am sitting on the floor of the Florida House of Rep-

resentatives." I get a text back from Caterina: "Don't get your skirt dirty." So, you know, that's how we keep each other grounded, and I really appreciated that. I know my mom and dad would have loved to be here. I am who I am because of them, and I'm lucky for the time I had with them. I know they are up there watching down over us now.

Now back to you, Senators. We leave this term with many, many great memories. So many of the memories with you were shared over meals, whether it was my Italian cooking, your family specialties, or meals at iconic restaurants throughout the state—whether we were on the campaign trail or on the redistricting trail or our Senate Foodie Fêtes. We shared so many great moments and created memories to last us a lifetime, so, I created a cookbook. It features many of my favorite family recipes. The task was hard for me to do because I don't have any of them written down—they're muscle memory. I just whip up something with items I have in the fridge, freezer, or pantry. Last night, John came in really late—and as I've been complaining to staff—I have nothing in the refrigerator but chocolate and a few other things. I whipped up a pretty darn good meal. For me, cooking is more a feeling than a recipe. I wanted to leave you with a few of my favorite recipes. Like our accomplishments in the Florida Senate, this cookbook is not my own. Each of you have one on the desk. It belongs to every one of you. It features recipes from every member of the Florida Senate. Many of you contributed recipes that are important to your family. Some of you contributed holiday favorites. Others contributed hometown specials from a local restaurant in your district. This cookbook represents every one of you, and it represents every part of Florida. I hope that you will all enjoy this cookbook. Test out one or a dozen or all 40+ recipes and, when you do, celebrate all parts of Florida. Enjoy the memories we made together.

I'll close by saying, "Thank you for the memories." These are memories I will cherish for the rest of my life. You have awarded me the honor of a lifetime to lead this chamber. I will be stepping down in November as your President, but I'm excited about the opportunity to continue to serve under my friend, President Designate Ben Albritton. He's an amazing man, and I know the next two years will be fruitful under his steady leadership. Thank you so much.

SPECIAL GUESTS

Senator Broxson recognized former Representative Dane Eagle and Representative Bob Rommel who were present in the chamber.

INTRODUCTION OF FORMER SENATOR

Senator Broxson recognized former Senator, Ray Rodrigues, Chancellor of the State University System of Florida.

Senator Broxson: President Passidomo, I asked a longtime lobbyist a few years ago to look over the Class of 2010 in the State House and to pick out who would be the Senate President—most likely. Your name was last. He never really liked you. If everyone had the opportunity to vote again, the vote would be overwhelming in your favor. You are a generous, kind, wonderful person and have represented us well in the Florida Senate. We are so proud of you. I'm asking the members who will not get a chance to say their farewell to you—as you give your farewell—to step to the front, in front of Senator Hutson. Together, they want to give you a hearty thank you. Thank you.

Senator Mayfield: You know, I wish we could come back, Kathleen, when you do your farewell speech. I think every one of us will come back in two years and watch your farewell speech. Unfortunately, we won't be able to make comments on it, but I think we all made our comments in our going away how everybody felt about you.

SPECIAL RECOGNITION

Senator Yarborough recognized his mother, Micki Yarborough, brother, Chris Yarborough, and his son, Connor; his wife, Jordan and their children, Emerson, Grayson, Barrett, and Archer, who were present in the gallery.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 770, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 770—A bill to be entitled An act relating to improvements to real property; amending s. 163.08, F.S.; deleting provisions relating to legislative findings and intent; defining terms and revising definitions; creating s. 163.081, F.S.; authorizing a program administrator to offer a program for financing qualifying improvements for residential property when authorized by a county or municipality; requiring an authorized program administrator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a county or municipality to deauthorize a program administrator through certain measures; allowing a recorded financing agreement at the time of deauthorization to continue, with an exception; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments; authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of record of the residential property to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information from the property owner before entering into a financing agreement; requiring certain documentation before the financing agreement is approved and recorded; requiring an advisement and notification for certain qualifying improvements; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be executed; requiring an oral, recorded telephone call with the residential property owner to confirm findings and disclosures before the approval of a financing agreement; requiring the residential property owner to provide written notice to the holder or loan servicer of his or her intent to enter into a financing agreement as well as other financial information; requiring that proof of such notice be provided to the program administrator; providing that a certain acceleration provision in an agreement between the residential property owner and mortgagor or lienholder is unenforceable; providing that the lienholder or loan servicer retains certain authority; authorizing a residential property owner, under certain circumstances and within a certain timeframe, to cancel a financing agreement without financial penalty; requiring recording of the financing agreement in a specified timeframe; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on residential property; requiring a program administrator to confirm that the applicable work service has been completed or the final permit for the qualifying improvement has been closed and evidence of substantial completion of construction or improvement has been issued; creating s. 163.082, F.S.; authorizing a program administrator to offer a program for financing qualifying improvements for commercial property when authorized by a county or municipality; requiring an authorized program administrator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a county or municipality to deauthorize a program administrator through certain measures; authorizing a recorded financing agreement at the time of deauthorization to continue, with an exception; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments;

authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of record of the commercial property to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to receive the written consent of current holders or loan servicers of certain mortgages encumbering or secured by commercial property; requiring a program administrator offering a program for financing qualifying improvements to commercial property to certain underwriting criteria; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information from the property owner before entering into a financing agreement; requiring the program administrator to document and retain certain findings; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be executed; requiring any financing agreement executed pursuant to this section be submitted for recording in the public records of the county where the commercial property is located in a specified timeframe; requiring that the recorded agreement provide constructive notice that the non-ad valorem assessment levied on the property is a lien of equal dignity; providing that a lien with a certain acceleration provision is unenforceable; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on commercial property; providing construction; creating s. 163.083, F.S.; requiring a county or municipality to establish or approve a process for the registration of a qualifying improvement contractor to install qualifying improvements; requiring certain conditions for a qualifying improvement contractor to participate in a program; prohibiting a third-party administrator from registering as a qualifying improvement contractor; requiring the program administrator to monitor qualifying improvement contractors, enforce certain penalties for a finding of violation, and post certain information online; creating s. 163.084, F.S.; authorizing the program administrator to contract with entities to administer an authorized program; providing certain requirements for a third-party administrator; prohibiting a program administrator from acting as a third-party administrator under certain circumstances; providing an exception; requiring the program administrator to include in its contract with the third-party administrator the right to perform annual reviews of the administrator; authorizing the program administrator to take certain actions if the program administrator finds that the third-party administrator has committed a violation of its contract; authorizing a program administrator to terminate an agreement with a third-party administrator under certain circumstances; providing for the continuation of certain financing agreements after the termination or suspension of the third-party administrator, with an exception; creating s. 163.085, F.S.; requiring that, in communicating with the property owner, the program administrator, qualifying improvement contractor, or third-party administrator comply with certain requirements; prohibiting the program administrator or third-party administrator from disclosing certain financing information to a qualifying improvement contractor; prohibiting a qualifying improvement contractor from making certain advertisements or solicitations; providing exceptions; prohibiting a program administrator or third-party administrator from providing certain payments, fees, or kickbacks to a qualifying improvement contractor; prohibiting a program administrator or third-party administrator from reimbursing a qualifying improvement contractor for certain expenses; prohibiting a qualifying improvement contractor from providing different prices for a qualifying improvement; requiring a contract between a property owner and a qualifying improvement contractor to include certain provisions; prohibiting a program administrator, qualifying improvement contractor, or third-party administrator from providing any cash payment or anything of material value to a property owner which is explicitly conditioned on a financing agreement; providing exceptions; creating s. 163.086, F.S.; prohibiting a recorded financing agreement from being removed from attachment to a property under certain circumstances; providing for the unenforceability of a financing agreement under certain circumstances; providing provisions for when a qualifying improvement contractor initiates work on an unenforceable contract; providing that a qualifying improvement contractor may retrieve chattel or fixtures delivered pursuant to an unenforceable contract if certain conditions are met; providing that an unenforceable contract will remain unenforceable under certain circumstances; creating s. 163.087, F.S.; requiring a program administrator authorized to administer a program for financing a qualifying improvement to post on its website an annual report; specifying requirements for the report; requiring the Auditor General to conduct an operational audit of each program administrator; requiring the Auditor General to adopt certain rules requiring certain reporting from the program administrator; requiring program administrators and, if applicable, third-party administrators to post the report on its website; providing that a contract, agreement, authorization, or interlocal agreement entered into before a certain date may continue without additional action by the county or municipality; requiring that the program administrator comply with the act and that any related contracts, agreements, authorizations, or interlocal agreements be amended to comply with the act; providing an effective date.

House Amendment 1 (264549)—Remove lines 408-1079 and insert:

3. The financing agreement does not utilize a negative amortization schedule, a balloon payment, or prepayment fees or fines other than nominal administrative costs. Capitalized interest included in the original balance of the assessment financing agreement does not constitute negative amortization.

4. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current and have not been delinquent for the preceding 3 years, or the property owner's period of ownership, whichever is less.

5. There are no outstanding fines or fees related to zoning or code enforcement violations issued by a county or municipality, unless the qualifying improvement will remedy the zoning or code violation.

6. There are no involuntary liens, including, but not limited to, construction liens on the residential property.

7. No notices of default or other evidence of property-based debt delinquency have been recorded and not released during the preceding 3 years or the property owner's period of ownership, whichever is less.

8. The property owner is current on all mortgage debt on the residential property.

9. The property owner has not been subject to a bankruptcy proceeding within the last 5 years unless it was discharged or dismissed more than 2 years before the date on which the property owner applied for financing.

10. The residential property is not subject to an existing home equity conversion mortgage or reverse mortgage product.

11. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 20 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.

12. The total estimated annual payment amount for all financing agreements entered into under this section on the residential property does not exceed 10 percent of the property owner's annual household income. Income must be confirmed using reasonable evidence and not solely by a property owner's statement.

13. If the qualifying improvement is for the conversion of an onsite sewage treatment and disposal system to a central sewerage system, the property owner has utilized all available local government funding for such conversions and is unable to obtain financing for the improvement on more favorable terms through a local government program designed to support such conversions.

(b) Before entering into a financing agreement, the program administrator must determine if there are any current financing agreements on the residential property and if the property owner has obtained or sought to obtain additional qualifying improvements on the same property which have not yet been recorded. The existence of a prior qualifying improvement non-ad valorem assessment or a prior financing

agreement is not evidence that the financing agreement under consideration is affordable or meets other program requirements.

(c) Findings satisfying paragraphs (a) and (b) must be documented, including supporting evidence relied upon, and provided to the property owner prior to a financing agreement being approved and recorded. The program administrator must retain the documentation for the duration of the financing agreement.

(d) If the qualifying improvement is estimated to cost $10,000 or more, before entering into a financing agreement the program administrator must advise the property owner in writing that the best practice is to obtain estimates from more than one unaffiliated, registered qualifying improvement contractor for the qualifying improvement and notify the property owner in writing of the advertising and solicitation requirements of s. 163.085.

(e) A property owner and the program administrator may agree to include in the financing agreement provisions for allowing change orders necessary to complete the qualifying improvement. Any financing agreement or contract for qualifying improvements which includes such provisions must meet the requirements of this paragraph. If a proposed change order on a qualifying improvement will increase the original cost of the qualifying improvement by 20 percent or more or will expand the scope of the qualifying improvement by more than 20 percent, before the change order may be executed which would result in an increase in the amount financed through the program administrator for the qualifying improvement, the program administrator must notify the property owner, provide an updated written disclosure form as described in subsection (4) to the property owner, and obtain written approval of the change from the property owner.

(f) A financing agreement may not be entered into if the total cost of the qualifying improvement, including program fees and interest, is less than $2,500.

(g) A financing agreement may not be entered into for qualifying improvements in buildings or facilities under new construction or construction for which a certificate of occupancy or similar evidence of substantial completion of new construction or improvement has not been issued.

(4) DISCLOSURES.—

(a) In addition to the requirements imposed in subsection (3), a financing agreement may not be executed unless the program administrator first provides, including via electronic means, a written financing estimate and disclosure to the property owner which includes all of the following, each of which must be individually acknowledged in writing by the property owner:

1. The estimated total amount to be financed, including the total and itemized cost of the qualifying improvement, program fees, and capitalized interest;

2. The estimated annual non-ad valorem assessment;

3. The term of the financing agreement and the schedule for the non-ad valorem assessments;

4. The interest charged and estimated annual percentage rate;

5. A description of the qualifying improvement;

6. The total estimated annual costs that will be required to be paid under the assessment contract, including program fees;

7. The total estimated average monthly equivalent amount of funds that would need to be saved in order to pay the annual costs of the non-ad valorem assessment, including program fees;

8. The estimated due date of the first payment that includes the non-ad valorem assessment;

9. A disclosure that the financing agreement may be canceled within 3 business days after signing the financing agreement without any financial penalty for doing so;

10. A disclosure that the property owner may repay any remaining amount owed, at any time, without penalty or imposition of additional prepayment fees or fines other than nominal administrative costs;

11. A disclosure that if the property owner sells or refinances the residential property, the property owner may be required by a mortgage lender to pay off the full amount owed under each financing agreement under this section;

12. A disclosure that the assessment will be collected along with the property owner's property taxes, and will result in a lien on the property from the date the financing agreement is recorded;

13. A disclosure that potential utility or insurance savings are not guaranteed, and will not reduce the assessment amount; and

14. A disclosure that failure to pay the assessment may result in penalties, fees, including attorney fees, court costs, and the issuance of a tax certificate that could result in the property owner losing the property and a judgment against the property owner, and may affect the property owner's credit rating.

(b) Prior to the financing agreement being approved, the program administrator must conduct an oral, recorded telephone call with the property owner during which the program administrator must confirm each finding or disclosure required in subsection (3) and this section.

(5) NOTICE TO LIENHOLDERS AND SERVICERS.—At least 5 business days before entering into a financing agreement, the property owner must provide to the holders or loan servicers of any existing mortgages encumbering or otherwise secured by the residential property a written notice of the owner's intent to enter into a financing agreement together with the maximum amount to be financed, including the amount of any fees and interest, and the maximum annual assessment necessary to repay the total. A verified copy or other proof of such notice must be provided to the program administrator. A provision in any agreement between a mortgagor or other lienholder and a property owner, or otherwise now or hereafter binding upon a property owner, which allows for acceleration of payment of the mortgage, note, or lien or other unilateral modification solely as a result of entering into a financing agreement as provided for in this section is unenforceable. This subsection does not limit the authority of the holder or loan servicer to increase the required monthly escrow by an amount necessary to pay the annual assessment.

(6) CANCELLATION.—A property owner may cancel a financing agreement on a form established by the program administrator within 3 business days after signing the financing agreement without any financial penalty for doing so.

(7) RECORDING.—Any financing agreement executed pursuant to this section, or a summary memorandum of such agreement, shall be submitted for recording in the public records of the county within which the residential property is located by the program administrator within 10 business days after execution of the agreement and the 3-day cancellation period. The recorded agreement must provide constructive notice that the non-ad valorem assessment to be levied on the property constitutes a lien of equal dignity to county taxes and assessments from the date of recordation. A notice of lien for the full amount of the financing may be recorded in the public records of the county where the property is located. Such lien is not enforceable in a manner that results in the acceleration of the remaining nondelinquent unpaid balance under the assessment financing agreement.

(8) SALE OF RESIDENTIAL PROPERTY.—At or before the time a seller executes a contract for the sale of any residential property for which a non-ad valorem assessment has been levied under this section and has an unpaid balance due, the seller shall give the prospective purchaser a written disclosure statement in the following form, which must be set forth in the contract or in a separate writing:

QUALIFYING IMPROVEMENTS.—The property being purchased is subject to an assessment on the property pursuant to s. 163.081, Florida Statutes. The assessment is for a qualifying improvement to the property and is not based on the value of the property. You are encouraged to contact the property appraiser's office to learn more about this and other assessments that may be provided by law.

(9) DISBURSEMENTS.—Before disbursing final funds to a qualifying improvement contractor for a qualifying improvement on residential property, the program administrator shall confirm that the applicable work or service has been completed or, as applicable, that the final permit for the qualifying improvement has been closed with all permit requirements satisfied or a certificate of occupancy or similar evidence of substantial completion of construction or improvement has been issued.

(10) CONSTRUCTION.—This section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or a limitation upon such authority.

Section 3. Section 163.082, Florida Statutes, is created to read:

163.082 Financing qualifying improvements to commercial property.—

(1) COMMERCIAL PROPERTY PROGRAM AUTHORIZATION.—

(a) A program administrator may only offer a program for financing qualifying improvements to commercial property within the jurisdiction of a county or municipality if the county or municipality has authorized by ordinance or resolution the program administrator to administer the program for financing qualifying improvements to commercial property. The authorized program must, at a minimum, meet the requirements of this section.

(b) Pursuant to this section or as otherwise provided by law or pursuant to a county's or municipality's home rule power, a county or municipality may enter into an interlocal agreement providing for a partnership between one or more counties or municipalities for the purpose of facilitating a program for financing qualifying improvements to commercial property located within the jurisdiction of the counties or municipalities that are party to the agreement.

(c) A county or municipality may deauthorize a program administrator through repeal of the ordinance or resolution adopted pursuant to paragraph (a) or other action. Any recorded financing agreements at the time of deauthorization shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

(d) A program administrator may contract with one or more third-party administrators to implement the program as provided in s. 163.084.

(e) An authorized program administrator may levy non-ad valorem assessments to facilitate repayment of financing or refinancing qualifying improvements. Costs incurred by the program administrator for such purpose may be collected as a non-ad valorem assessment. A non-ad valorem assessment shall be collected pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a), is not subject to discount for early payment. However, the notice and adoption requirements of s. 197.3632(4) do not apply if this section is used and complied with, and the intent resolution, publication of notice, and mailed notices to the property appraiser, tax collector, and Department of Revenue required by s. 197.3632(3)(a) may be provided on or before August 15 of each year in conjunction with any non-ad valorem assessment authorized by this section, if the property appraiser, tax collector, and program administrator agree. The program administrator shall only compensate the tax collector for the actual cost of collecting non-ad valorem assessments, not to exceed 2 percent of the amount collected and remitted.

(f) A program administrator may incur debt for the purpose of providing financing for qualifying improvements, which debt is payable from revenues received from the improved property or any other available revenue source authorized by law.

(2) APPLICATION.—The owner of record of the commercial property within the jurisdiction of the authorized program may apply to the program administrator to finance a qualifying improvement and enter into a financing agreement with the program administrator to make such improvement. The program administrator may only enter into a financing agreement with a property owner.

(3) CONSENT OF LIENHOLDERS AND SERVICERS.—The program administrator must receive the written consent of the current holders or loan servicers of any mortgage that encumbers or is otherwise secured by the commercial property or that will otherwise be secured by the property before a financing agreement may be executed.

(4) FINANCING AGREEMENTS.—

(a) A program administrator offering a program for financing qualifying improvements to commercial property must maintain underwriting criteria sufficient to determine the financial feasibility of entering into a financing agreement. To enter into a financing agreement, the program administrator must, at a minimum, make each of the following findings based on a review of public records derived from a commercially accepted source and the statements, records, and credit reports of the commercial property owner:

1. There are sufficient resources to complete the project.

2. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current.

3. There are no involuntary liens greater than $5,000, including, but not limited to, construction liens on the commercial property.

4. No notices of default or other evidence of property-based debt delinquency have been recorded and not been released during the preceding 3 years or the property owner's period of ownership, whichever is less.

5. The property owner is current on all mortgage debt on the commercial property.

6. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 30 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.

7. The property owner is not currently the subject of a bankruptcy proceeding.

(b) Before entering into a financing agreement, the program administrator shall determine if there are any current financing agreements on the commercial property and whether the property owner has obtained or sought to obtain additional qualifying improvements on the same property which have not yet been recorded. The existence of a prior qualifying improvement non-ad valorem assessment or a prior financing agreement is not evidence that the financing agreement under consideration is affordable or meets other program requirements.

(c) The program administrator shall document and retain findings satisfying paragraphs (a) and (b), including supporting evidence relied upon, which were made prior to the financing agreement being approved and recorded, for the duration of the financing agreement.

(d) A property owner and the program administrator may agree to include in the financing agreement provisions for allowing change orders necessary to complete the qualifying improvement. Any financing agreement or contract for qualifying improvements which includes such provisions must meet the requirements of this paragraph. If a proposed change order on a qualifying improvement will increase the original cost of the qualifying improvement by 20 percent or more or will expand the scope of the qualifying improvement by 20 percent or more, before the change order may be executed which would result in an increase in the amount financed through the program administrator for the qualifying improvement, the program administrator must notify the property owner, provide an updated written disclosure form as described in subsection (5) to the property owner, and obtain written approval of the change from the property owner.

(e) A financing agreement may not be entered into if the total cost of the qualifying improvement, including program fees and interest, is less than $2,500.

(5) DISCLOSURES.—In addition to the requirements imposed in subsection (4), a financing agreement may not be executed unless the program administrator provides, whether on a separate document or included with other disclosures or forms, a financing estimate and disclosure to the property owner which includes all of the following:

(a) The estimated total amount to be financed, including the total and itemized cost of the qualifying improvement, program fees, and capitalized interest;

(b) The estimated annual non-ad valorem assessment;

(c) The term of the financing agreement and the schedule for the non-ad valorem assessments;

(d) The interest charged and estimated annual percentage rate;

(e) A description of the qualifying improvement;

(f) The total estimated annual costs that will be required to be paid under the assessment contract, including program fees;

(g) The estimated due date of the first payment that includes the non-ad valorem assessment; and

(h) A disclosure of any prepayment penalties, fees, or fines as set forth in the financing agreement.

(6) RECORDING.—Any financing agreement executed pursuant to this section or a summary memorandum of such agreement must be submitted for recording in the public records of the county within which the commercial property is located by the program administrator within 10 business days after execution of the agreement. The recorded agreement must provide constructive notice that the non-ad valorem assessment to be levied on the property constitutes a lien of equal dignity to county taxes and assessments from the date of recordation. A notice of lien for the full amount of the financing may be recorded in the public records of the county where the property is located. Such lien is not enforceable in a manner that results in the acceleration of the remaining nondelinquent unpaid balance under the assessment financing agreement.

(7) SALE OF COMMERCIAL PROPERTY.—At or before the time a seller executes a contract for the sale of any commercial property for which a non-ad valorem assessment has been levied under this section and has an unpaid balance due, the seller shall give the prospective purchaser a written disclosure statement in the following form, which must be set forth in the contract or in a separate writing:

QUALIFYING IMPROVEMENTS.—The property being purchased is subject to an assessment on the property pursuant to s. 163.082, Florida Statutes. The assessment is for a qualifying improvement to the property and is not based on the value of the property. You are encouraged to contact the property appraiser's office to learn more about this and other assessments that may be provided for by law.

(8) COMPLETION CERTIFICATE.—Upon disbursement of all financing and completion of installation of qualifying improvements financed, the program administrator shall retain a certificate that the qualifying improvements have been installed and are in good working order.

(9) CONSTRUCTION.—This section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or a limitation upon such authority.

Section 4. Section 163.083, Florida Statutes, is created to read:

163.083 Qualifying improvement contractors.—

(1) A county or municipality shall establish a process, or approve a process established by a program administrator, to register contractors for participation in a program authorized by a county or municipality pursuant to s. 163.081. A qualifying improvement contractor may only perform such work that the contractor is appropriately licensed, registered, and permitted to conduct. At the time of application to participate and during participation in the program, contractors must:

(a) Hold all necessary licenses or registrations for the work to be performed which are in good standing. Good standing includes no outstanding complaints with the state or local government which issues such licenses or registrations.

(b) Comply with all applicable federal, state, and local laws and regulations, including obtaining and maintaining any other permits, licenses, or registrations required for engaging in business in the jurisdiction in which it operates and maintaining all state-required bond and insurance coverage.

(c) File with the program administrator a written statement in a form approved by the county or municipality that the contractor will comply with applicable laws and rules and qualifying improvement program policies and procedures, including those on advertising and marketing.

(2) A third-party administrator or a program administrator, either directly or through an affiliate, may not be registered as a qualifying improvement contractor.

(3) A program administrator shall establish and maintain:

(a) A process to monitor qualifying improvement contractors for performance and compliance with requirements of the program and must conduct regular reviews of qualifying improvement contractors to confirm that each qualifying improvement contractor is in good standing.

(b) Procedures for notice and imposition of penalties upon a finding of violation, which may consist of placement of the qualifying improvement contractor in a probationary status that places conditions for continued participation, suspension, or termination from participation in the program.

(c) An easily accessible page on its website that provides information on the status of registered qualifying improvement contractors, including any imposed penalties, and the names of any qualifying improvement contractors currently on probationary status or that are suspended or terminated from participation in the program.

Section 5. Section 163.084, Florida Statutes, is created to read:

163.084 Third-party administrator for financing qualifying improvements programs.—

(1)(a) A program administrator may contract with one or more third-party administrators to administer a program authorized by a county or municipality pursuant to s. 163.081 or s. 163.082 on behalf of and at the discretion of the program administrator.

(b) The third-party administrator must be independent of the program administrator and have no conflicts of interest between managers or owners of the third-party administrator and program administrator managers, owners, officials, or employees with oversight over the contract. A program administrator, either directly or through an affiliate, may not act as a third-party administrator for itself or for another program administrator. However, this paragraph does not apply to a third-party administrator created by an entity authorized in law pursuant to s. 288.9604.

(c) The contract must provide for the entity to administer the program according to the requirements of s. 163.081 or s. 163.082 and the ordinance or resolution adopted by the county or municipality authorizing the program. However, only the program administrator may levy or administer non-ad valorem assessments.

(2) A program administrator may not contract with a third-party administrator that, within the last 3 years, has been:

(a) Prohibited, after notice and a hearing, from serving as a third-party administrator for another program administrator for program or contract violations in this state; or

(b) Found by a court of competent jurisdiction to have substantially violated state or federal laws related to the administration of ss. 163.081-163.086 or a similar program in another jurisdiction.

(3) The program administrator must include in any contract with the third-party administrator the right to perform annual reviews of the administrator to confirm compliance with ss. 163.081-163.086, the ordinance or resolution adopted by the county or municipality, and the contract with the program administrator. If the program administrator finds that the third-party administrator has committed a violation of ss. 163.081-163.086, the adopted ordinance or resolution, or the contract with the program administrator, the program administrator shall pro-

vide the third-party administrator with notice of the violation and may, as set forth in the adopted ordinance or resolution or the contract with the third-party administrator:

(a) Place the third-party administrator in a probationary status that places conditions for continued operations.

(b) Impose any fines or sanctions.

(c) Suspend the activity of the third-party administrator for a period of time.

(d) Terminate the agreement with the third-party administrator.

(4) A program administrator may terminate the agreement with a third-party administrator, as set forth by the county or municipality in its adopted ordinance or resolution or the contract with the third-party administrator, if the program administrator makes a finding that:

(a) The third-party administrator has violated the contract with the program administrator. The contract may set forth substantial violations that may result in contract termination and other violations that may provide for a period of time for correction before the contract may be terminated.

(b) The third-party administrator, or an officer, a director, a manager or a managing member, or a control person of the third-party administrator, has been found by a court of competent jurisdiction to have violated state or federal laws related to the administration of a program authorized of the provisions of ss. 163.081-163.086 or a similar program in another jurisdiction within the last 5 years.

(c) Any officer, director, manager or managing member, or control person of the third-party administrator has been convicted of, or has entered a plea of guilty or nolo contendere to, regardless of whether adjudication has been withheld, a crime related to administration of a program authorized of the provisions of ss. 163.081-163.086 or a similar program in another jurisdiction within the last 10 years.

(d) An annual performance review reveals a substantial violation or a pattern of violations by the third-party administrator.

(5) Any recorded financing agreements at the time of termination or suspension by the program administrator shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

Section 6. Section 163.085, Florida Statutes, is created to read:

163.085 Advertisement and solicitation for financing qualifying improvements programs under s. 163.081 or s. 163.082.—

(1) When communicating with a property owner, a program administrator, qualifying improvement contractor, or third-party administrator may not:

(a) Suggest or imply:

1. That a non-ad valorem assessment authorized under s. 163.081 or s. 163.082 is a government assistance program;

2. That qualifying improvements are free or provided at no cost, or that the financing related to a non-ad valorem assessment authorized under s. 163.081 or s. 163.082 is free or provided at no cost; or

3. That the financing of a qualifying improvement using the program authorized pursuant to s. 163.081 or s. 163.082 does not require repayment of the financial obligation.

(b) Make any representation as to the tax deductibility of a non-ad valorem assessment. A program administrator, qualifying improvement contractor, or third-party administrator may encourage a property owner to seek the advice of a tax professional regarding tax matters related to assessments.

(2) A program administrator or third-party administrator may not provide to a qualifying improvement contractor any information that discloses the amount of financing for which a property owner is eligible for qualifying improvements or the amount of equity in a residential property or commercial property.

(3) A qualifying improvement contractor may not advertise the availability of financing agreements for, or solicit program participation on behalf of, the program administrator unless the contractor is registered by the program administrator to participate in the program and is in good standing with the program administrator.

(4) A program administrator or third-party administrator may not provide any payment, fee, or kickback to a qualifying improvement contractor for referring property owners to the program administrator or third-party administrator. However, a program administrator or third-party administrator may provide information to a qualifying improvement contractor to facilitate the installation of a qualifying improvement for a property owner.

(5) A program administrator or third-party administrator may not reimburse a qualifying improvement contractor for its expenses in advertising and marketing campaigns and materials.

(6) A qualifying improvement contractor may not provide a different price for a qualifying improvement financed under s. 163.081 than the price that the qualifying improvement contractor would otherwise provide if the qualifying improvement was not being financed through a financing agreement. Any contract between a property owner and a qualifying improvement contractor must clearly state all pricing and cost provisions, including any process for change orders which meet the requirements of s. 163.081(3)(d).

(7) A program administrator, qualifying improvement contractor, or third-party administrator may not provide any direct cash payment or other thing of material value to a property owner which is explicitly conditioned upon the property owner entering into a financing agreement. However, a program administrator or third-party administrator may offer programs or promotions on a nondiscriminatory basis that provide reduced fees or interest rates if the reduced fees or interest rates are reflected in the financing agreements and are not provided to the property owner as cash consideration.

Section 7. Section 163.086, Florida Statutes, is created to read:

163.086 Unenforceable financing agreements for qualifying improvements programs under s. 163.081 or s. 163.082; attachment; fraud.—

(1) A recorded financing agreement may not be removed from attachment to a residential property or commercial property if the property owner fraudulently obtained funding pursuant to s. 163.081 or s. 163.082.

(2) A financing agreement may not be enforced, and a recorded financing agreement may be removed from attachment to a residential property or commercial property and deemed null and void, if:

(a) The property owner applied for, accepted, and canceled a financing agreement within the 3-business-day period pursuant to s. 163.081(6). A qualifying improvement contractor may not begin work under a canceled contract.

(b) A person other than the property owner obtained the recorded financing agreement. The court may enter an order which holds that person or persons personally liable for the debt.

(c) The program administrator, third-party administrator, or qualifying improvement contractor approved or obtained funding through fraudulent means and in violation of ss. 163.081-163.085, or this section for qualifying improvements on the residential property or commercial property.

(3) If a qualifying improvement contractor has initiated work on residential property or commercial property under a contract deemed unenforceable under this section, the qualifying improvement contractor:

(a) May not receive compensation for that work under the financing agreement.

(b) Must restore the residential property or commercial property to its original condition at no cost to the property owner.

(c) Must immediately return any funds, property, and other consideration given by the property owner. If the property owner provided

any property and the qualifying improvement contractor does not or cannot return it, the qualifying improvement contractor must immediately return the fair market value of the property or its value as designated in the contract, whichever is greater.

(4) If the qualifying improvement contractor has delivered chattel or fixtures to residential property or commercial property pursuant to a contract deemed unenforceable under this section, the qualifying improvement contractor has 90 days after the date on which the contract was executed to retrieve the chattel or fixtures, provided that:

(a) The qualifying improvement contractor has fulfilled the requirements of paragraphs (3)(a) and (b).

(b) The chattel and fixtures can be removed at the qualifying improvement contractor's expense without damaging the residential property or commercial property.

(5) If a qualifying improvement contractor fails to comply with this section, the property owner may retain any chattel or fixtures provided pursuant to a contract deemed unenforceable under this section.

(6) A contract that is otherwise unenforceable under this section remains enforceable if the property owner waives his or her right to cancel the contract or cancels the financing agreement pursuant to s. 163.081(6) but allows

On motion by Senator Martin, the Senate concurred in **House Amendment 1 (264549)**.

CS for CS for SB 770 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—2

Grall	Ingoglia

Vote after roll call:

Yea—Baxley, Bradley, Perry

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 494, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 494—A bill to be entitled An act relating to graduate program admissions; creating s. 1004.032, F.S.; defining terms; requiring an institution of higher education to waive certain examination requirements for a servicemember or a person who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and was discharged or released under any condition other than dishonorable and who applies for admission to a graduate program that requires such examination; providing an effective date.

House Amendment 1 (582213) (with title amendment)—Remove lines 28-36 and insert:

(2) An institution of higher education shall waive the GRE or GMAT requirement for a servicemember who applies for admission to a graduate program that requires such examination.

And the title is amended as follows:

Remove lines 5-9 and insert: examination requirements for a servicemember who applies

On motion by Senator Avila, the Senate concurred in **House Amendment 1 (582213)**.

CS for CS for SB 494 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Baxley, Bradley, Perry

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7004, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 7004—A bill to be entitled An act relating to deregulation of public schools/assessment and accountability, instruction, and education choice; amending s. 1002.31, F.S.; revising how often a school district or charter school must update its school capacity determination; deleting a requirement relating to school capacity determination by district school boards; amending s. 1002.3105, F.S.; deleting a requirement that a performance contract be completed if a student participates in an Academically Challenging Curriculum to Enhance Learning option; providing that a performance contract may be used at the discretion of the principal; repealing s. 1002.311, F.S., relating to single-gender programs; amending s. 1002.34, F.S.; deleting a requirement for the Commissioner of Education to provide for an annual comparative evaluation of charter technical career centers and public technical centers; amending s. 1002.45, F.S.; deleting the requirement that a notification to parents regarding virtual instruction be written; providing construction; amending s. 1002.53, F.S.; deleting a requirement for a school district to provide for admission of certain students to a summer prekindergarten program; amending s. 1002.61, F.S.; authorizing, rather than requiring, a school district to administer the Voluntary Prekindergarten Education Program; providing that a student is eligible for summer reading camp under certain conditions; amending s. 1002.63, F.S.; deleting a requirement for an early learning coalition to verify that certain public schools comply with specified provisions; amending s. 1002.71, F.S.; deleting a requirement for school district funding for certain programs; deleting a requirement for district school board attendance policies for Voluntary Prekindergarten Education Programs; requiring a school district to certify its attendance records for

a Voluntary Prekindergarten Education Program; amending s. 1003.4282, F.S.; revising requirements for assessments needed for a student to earn a high school diploma; deleting a requirement for a student who transfers into a public high school to take specified assessments; revising the courses for which the transferring course final grade must be honored for a transfer student under certain conditions; amending s. 1003.433, F.S.; deleting requirements that must be met by students who transfer to a public school for 11th or 12th grade; amending s. 1003.435, F.S.; deleting an exception for the high school equivalency diploma program; requiring school districts to adopt a policy that allows specified students to take the high school equivalency examination; amending s. 1003.4935, F.S.; deleting a requirement that the Department of Education collect and report certain data relating to a middle school career and professional academy or career-themed course; repealing s. 1003.4995, F.S., relating to the fine arts report prepared by the Commissioner of Education; repealing s. 1003.4996, F.S., relating to the Competency-Based Education Pilot Program; amending s. 1003.49965, F.S.; authorizing, rather than requiring, a school district to hold an Art in the Capitol Competition; amending s. 1003.51, F.S.; deleting a requirement regarding assessment procedures for Department of Juvenile Justice education programs; revising requirements for which assessment results must be included in a student's discharge packet; revising requirements for when a district school board must face sanctions for unsatisfactory performance in its Department of Juvenile Justice programs; amending s. 1003.621, F.S.; deleting a requirement for academically high-performing school districts to submit an annual report to the State Board of Education and the Legislature; amending s. 1006.28, F.S.; revising the definition of the term "adequate instructional materials"; revising a timeframe requirement for each district school superintendent to notify the department about instructional materials; deleting a requirement for such notification; authorizing, rather than requiring, a school principal to collect the purchase price of instructional materials lost, destroyed, or damaged by a student; amending s. 1006.283, F.S.; revising a timeframe requirement for a district school superintendent to certify to the Department of Education that instructional materials are aligned with state standards; amending s. 1006.33, F.S.; requiring the Department of Education to advertise bids or proposals for instructional materials within a specified timeframe beginning in a specified instructional materials adoption cycle; requiring the department to publish specifications for subject areas within a specified timeframe; amending s. 1006.34, F.S.; requiring the commissioner to publish a list of adopted instructional materials within a specified timeframe beginning in a specified instructional materials adoption cycle; amending s. 1006.40, F.S.; authorizing district school boards to approve an exemption to the purchase of certain instructional materials; revising the timeframe between purchases of instructional materials; amending s. 1008.212, F.S.; providing that certain assessments are not subject to specified requirements; amending s. 1008.22, F.S.; deleting a requirement that a student pass a certain assessment to earn a high school diploma; deleting requirements relating to a uniform calendar that must be published by the commissioner each year; revising a time requirement for each school district to establish schedules for the administration of statewide, standardized assessments; revising the information that must be included with the schedules; conforming provisions to changes made by the act; deleting a requirement for the commissioner to identify which SAT and ACT scores would satisfy graduation requirements; deleting a requirement for the commissioner to identify comparative scores for the Algebra I end-of- course assessment; amending s. 1008.25, F.S.; revising the criteria for the student progression plan to include instructional support for students referred from a specified program; requiring school districts to specify retention requirements for students in kindergarten through grade 2; requiring that the plan incorporate specified parental notification requirements, include an opportunity for parental input on the retention decision, and include certain information; requiring district school boards to include the Voluntary Prekindergarten Education Program in a certain allocation of resources; requiring that the individualized progress monitoring plan for specified students be developed within a specified timeframe; providing conditions for parents to request supports for students identified as having a substantial deficiency in reading or mathematics; requiring the department to adopt additional alternative assessments for good cause promotion; requiring two administrations of the coordinated screening and progress monitoring system for students in a summer prekindergarten program; conforming cross-references; amending s. 1008.33, F.S.; prohibiting a school from being required to use a certain parameter as the sole determining factor to recruit instructional personnel; providing requirements for a rule adopted by the State Board of Education; revising the date by which a school district must submit a memorandum of understanding to the Department of Education; increasing the length of time for which certain school districts must continue a turnaround plan; revising an authorization for the state board to allow a school additional time before implementing a turnaround option; revising requirements for schools that complete a plan cycle; providing additional options for a school that completes a plan cycle but does not meet certain requirements; providing that implementation of a turnaround option is not required under certain conditions; amending s. 1008.332, F.S.; revising a provision of the No Child Left Behind Act to conform to the Every Student Succeeds Act; deleting a requirement for certain committee members to annually report to specified entities; amending s. 1008.34, F.S.; requiring that certain changes made by the state board to the school grades model or school grading scale go into effect in the following school year or later; conforming cross-references; amending s. 1008.345, F.S.; deleting a requirement for the Department of Education to develop an annual feedback report; deleting a requirement for the Commissioner of Education to review specified feedback reports and submit findings to the State Board of Education; deleting certain requirements for a report the commissioner produces annually for the state board; conforming a cross-reference; amending s. 1000.05, F.S.; conforming cross-references; providing effective dates.

House Amendment 1 (471783) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) of section 1001.02, Florida Statutes, is amended to read:

1001.02 General powers of State Board of Education.—

(5) The State Board of Education is responsible for reviewing and administering the state program of support for the Florida College System institutions ~~and, subject to existing law, shall establish the tuition and out of state fees for developmental education and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree~~.

Section 2. Subsection (17) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

~~(17) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1, 2013, the State Board of Education shall identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution. The plan must include:~~

~~(a) Performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, remediation success, retention, graduation, employment, transfer rates, licensure passage, excess hours, student loan burden and default rates, job placement, faculty awards, and highly respected rankings for institution and program achievements.~~

~~(b) Student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.~~

Section 3. Paragraphs (c) and (d) of subsection (4) of section 1002.3105, Florida Statutes, are amended to read:

1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options.—

(4) ACCEL REQUIREMENTS.—

(c) If a student participates in an ACCEL option pursuant to the parental request under subparagraph (b)1., a performance contract *is not required but may be used at the discretion of the principal* ~~must be executed by the student, the parent, and the principal. At a minimum, the performance contract must require compliance with:~~

~~1. Minimum student attendance requirements.~~

~~2. Minimum student conduct requirements.~~

~~3. ACCEL option requirements established by the principal, which may include participation in extracurricular activities, educational outings, field trips, interscholastic competitions, and other activities related to the ACCEL option selected~~.

~~(d)~~ If a principal initiates a student's participation in an ACCEL option, the student's parent must be notified. A performance contract~~, pursuant to paragraph (c),~~ is not required when a principal initiates participation but may be used at the discretion of the principal.

Section 4. *Section 1002.311, Florida Statutes, is repealed.*

Section 5. Subsection (19) of section 1002.34, Florida Statutes, is amended to read:

1002.34 Charter technical career centers.—

~~(19) EVALUATION; REPORT. The Commissioner of Education shall provide for an annual comparative evaluation of charter technical career centers and public technical centers. The evaluation may be conducted in cooperation with the sponsor, through private contracts, or by department staff. At a minimum, the comparative evaluation must address the demographic and socioeconomic characteristics of the students served, the types and costs of services provided, and the outcomes achieved. By December 30 of each year, the Commissioner of Education shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Senate and House committees that have responsibility for secondary and postsecondary career and technical education a report of the comparative evaluation completed for the previous school year.~~

Section 6. Paragraphs (c) through (e) of subsection (1) of section 1002.45, Florida Statutes, are redesignated as paragraphs (b) through (d), respectively, and present paragraphs (b), (c), and (e) of that subsection, subsection (2), paragraph (d) of subsection (3), subsection (5), and paragraph (a) of subsection (6) are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

~~(b)1. Each school district shall provide at least one option for part-time and full-time virtual instruction for students residing within the school district. All school districts must provide parents with timely written notification of at least one open enrollment period for full-time students of 90 days or more which ends 30 days before the first day of the school year. A school district virtual instruction program shall consist of the following:~~

~~a. Full-time and part-time virtual instruction for students enrolled in kindergarten through grade 12.~~

~~b. Full-time or part-time virtual instruction for students enrolled in dropout prevention and academic intervention programs under s. 1003.53, Department of Juvenile Justice education programs under s. 1003.52, core curricula courses to meet class size requirements under s. 1003.03, or Florida College System institutions under this section.~~

~~2. Each virtual instruction program established under paragraph (c) by a school district either directly or through a contract with an approved virtual instruction program provider shall operate under its own Master School Identification Number as prescribed by the department.~~

(b)~~(c)~~ To provide students residing within the school district the option of participating in virtual instruction programs ~~as required by paragraph (b)~~, a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School pursuant to s. 1002.37(2) ~~for the provision of a program under paragraph (b)~~.

2. Contract with an approved virtual instruction program provider under subsection (2) ~~for the provision of a full-time or part-time program under paragraph (b)~~.

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph (6)(b).

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements executed by a regional consortium service organization established pursuant to s. 1001.451 for its member districts. A multidistrict contractual arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. ~~These arrangements may be used to fulfill the requirements of paragraph (b)~~.

(d)~~(c)~~ Each school district shall:

1. Provide to the department by each October 1~~,~~ a copy of each contract and the amount paid per unweighted full-time equivalent virtual student for services procured pursuant to subparagraphs *(b)1. and 2.* ~~(c)1. and 2.~~

2. Expend any difference in the amount of funds per unweighted full-time equivalent virtual student allocated to the school district pursuant to subsection (6) and the amount paid per unweighted full-time equivalent virtual student by the school district for a contract executed pursuant to subparagraph *(b)1.* ~~(c)1.~~ or subparagraph *(b)2.* ~~(c) 2.~~ on acquiring computer and device hardware and associated operating system software that comply with the requirements of s. 1001.20(4)(a) 1.b.

3. Provide to the department by September 1 of each year an itemized list of items acquired in subparagraph 2.

4. Limit the enrollment of full-time equivalent virtual students residing outside of the school district providing the virtual instruction pursuant to paragraph *(b)* ~~(c)~~ to no more than those that can be funded from state Florida Education Finance Program funds.

(2) PROVIDER QUALIFICATIONS.—

(a) The department shall annually publish on its website a list of providers approved by the State Board of Education to offer virtual instruction programs. To be approved, a virtual instruction program provider must document that it:

1. ~~Is nonsectarian in its programs, admission policies, employment practices, and operations;~~

~~2.~~ Complies with the antidiscrimination provisions of s. 1000.05;

2.~~3.~~ Locates an administrative office or offices in this state, requires its administrative staff to be state residents, requires all instructional staff to be Florida-certified teachers under chapter 1012 and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records;

3.~~4.~~ Electronically provides to parents and students specific information that includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:

a. How to contact the instructor via phone, e-mail, or online messaging tools.

b. How to contact technical support via phone, e-mail, or online messaging tools.

c. How to contact the administration office via phone, e-mail, or online messaging tools.

d. Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.

e. The requirement that the instructor in each course must, at a minimum, conduct one contact with the parent and the student each month;

4.~~5.~~ Possesses prior, successful experience offering virtual instruction courses to elementary, middle, or high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instructional program option. However, for a virtual instruction program provider without sufficient prior, successful experience offering online courses, the State Board of Education may conditionally approve the virtual instruction program provider to offer courses measured pursuant to subparagraph (7)(a)2. Conditional approval shall be valid for 1 school year only and, based on the virtual instruction program provider's experience in offering the courses, the State Board of Education may grant approval to offer a virtual instruction program;

5.~~6.~~ Is accredited by a regional accrediting association as defined by State Board of Education rule;

6.~~7.~~ Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the state academic standards.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

7.~~8.~~ Publishes, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of its application as an approved virtual instruction program provider and in all contracts negotiated pursuant to this section:

a. Information and data about the curriculum of each full-time and part-time virtual instruction program.

b. School policies and procedures.

c. Certification status and physical location of all administrative and instructional personnel.

d. Hours and times of availability of instructional personnel.

e. Student-teacher ratios.

f. Student completion and promotion rates.

g. Student, educator, and school performance accountability outcomes;

8.~~9.~~ If the approved virtual instruction program provider is a Florida College System institution, employs instructors who meet the certification requirements for instructional staff under chapter 1012; and

9.~~10.~~ Performs an annual financial audit of its accounts and records conducted by an independent auditor who is a certified public accountant licensed under chapter 473. The independent auditor shall conduct the audit in accordance with rules adopted by the Auditor General and in compliance with generally accepted auditing standards, and include a report on financial statements presented in accordance with generally accepted accounting principles. The audit report shall be accompanied by a written statement from the approved virtual instruction program provider in response to any deficiencies identified within the audit report and shall be submitted by the approved virtual instruction program provider to the State Board of Education and the Auditor General no later than 9 months after the end of the preceding fiscal year.

(b) An approved virtual instruction program provider that maintains compliance with all requirements of this section shall retain its approved status for a period of 3 school years after the date of approval by the State Board of Education.

(3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual instruction program under this section must:

(d) Provide each full-time student enrolled in the virtual instruction program who qualifies for free or reduced-price school lunches under the National School Lunch Act, or who is on the direct certification list, and who does not have a computer or Internet access in his or her home with:

1. All equipment necessary for participants in the virtual instruction program, including, but not limited to, a computer, computer monitor, and printer, if a printer is necessary to participate in the virtual instruction program; and

2. Access to or reimbursement for all Internet services necessary for online delivery of instruction.

A school district may provide each full-time student enrolled in the virtual instruction program with the equipment and access necessary for participation in the program.

(5) STUDENT PARTICIPATION REQUIREMENTS.—Each student enrolled in the school district's virtual instruction program authorized pursuant to paragraph *(1)(b)* ~~(1)(c)~~ must:

(a) Comply with the compulsory attendance requirements of s. 1003.21. Student attendance must be verified by the school district.

(b) Take statewide assessments pursuant to s. 1008.22 and participate in the coordinated screening and progress monitoring system under s. 1008.25(9). Statewide assessments and progress monitoring may be administered within the school district in which such student resides, or as specified in the contract in accordance with s. 1008.24(3). If requested by the approved virtual instruction program provider or virtual charter school, the district of residence must provide the student with access to the district's testing facilities.

(6) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

(a) All virtual instruction programs established pursuant to paragraph *(1)(b)* ~~(1)(c)~~ are subject to the requirements of s. 1011.61(1)(c) 1.b.(III), (IV), (VI), and (4), and the school district providing the virtual instruction program shall report the full-time equivalent students in a manner prescribed by the department. A school district may report a full-time equivalent student for credit earned by a student who is enrolled in a virtual instruction course provided by the district which was completed after the end of the regular school year if the full-time equivalent student is reported no later than the deadline for amending the final full-time equivalent student membership report for that year.

Section 7. Paragraph (a) of subsection (1) of section 1002.61, Florida Statutes, is amended to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

(1)(a) Each school district shall administer the Voluntary Prekindergarten Education Program at the district level for students enrolled under s. 1002.53(3)(b) in a summer prekindergarten program delivered by a public school. *A school district may satisfy this requirement by contracting with private prekindergarten providers.*

Section 8. Paragraph (e) of subsection (2) of section 1002.82, Florida Statutes, is amended to read:

1002.82 Department of Education; powers and duties.—

(2) The department shall:

(e) Review each early learning coalition's school readiness program plan every *3* ~~2~~ years and provide final approval of the plan and any amendments submitted.

Section 9. Subsection (2) of section 1002.85, Florida Statutes, is amended to read:

1002.85 Early learning coalition plans.—

(2) Each early learning coalition must ~~biennially~~ submit a school readiness program plan *every 3 years* to the department before the expenditure of funds. A coalition may not implement its school readiness program plan until it receives approval from the department. A coalition may not implement any revision to its school readiness program plan until the coalition submits the revised plan to and receives approval from the department. If the department rejects a plan or revision, the coalition must continue to operate under its previously approved plan. The plan must include, but is not limited to:

(a) The coalition's operations, including its membership and business organization, and the coalition's articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal agent.

(b) The coalition's procedures for implementing the requirements of this part, including:

1. Single point of entry.

2. Uniform waiting list.

3. Eligibility and enrollment processes and local eligibility priorities for children pursuant to s. 1002.87.

4. Parent access and choice.

5. Sliding fee scale and policies on applying the waiver or reduction of fees in accordance with s. 1002.84(9).

6. Use of preassessments and postassessments, as applicable.

7. Use of contracted slots, as applicable, based on the results of the assessment required under paragraph (i).

(c) A detailed description of the coalition's quality activities and services, including, but not limited to:

1. Resource and referral and school-age child care.

2. Infant and toddler early learning.

3. Inclusive early learning programs.

4. Quality improvement strategies that strengthen teaching practices and increase child outcomes.

(d) A detailed budget that outlines estimated expenditures for state, federal, and local matching funds at the lowest level of detail available by other-cost-accumulator code number; all estimated sources of revenue with identifiable descriptions; a listing of full-time equivalent positions; contracted subcontractor costs with related annual compensation amount or hourly rate of compensation; and a capital improvements plan outlining existing fixed capital outlay projects and proposed capital outlay projects that will begin during the budget year.

(e) A detailed accounting, in the format prescribed by the department, of all revenues and expenditures during the *2* previous state fiscal *years* ~~year~~. Revenue sources should be identifiable, and expenditures should be reported by two categories: state and federal funds and local matching funds.

(f) Updated policies and procedures, including those governing procurement, maintenance of tangible personal property, maintenance of records, information technology security, and disbursement controls.

(g) A description of the procedures for monitoring school readiness program providers, including in response to a parental complaint, to determine that the standards prescribed in ss. 1002.82 and 1002.88 are met using a standard monitoring tool adopted by the department. Providers determined to be high risk by the coalition as demonstrated by substantial findings of violations of law shall be monitored more frequently.

(h) Documentation that the coalition has solicited and considered comments regarding the proposed school readiness program plan from the local community.

(i) An assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.

Section 10. Paragraph (a) of subsection (4) of section 1003.435, Florida Statutes, is amended to read:

1003.435 High school equivalency diploma program.—

(4)(a) A candidate *who has filed a formal declaration of intent to terminate school enrollment pursuant to 1003.21(1)(c) may take* ~~for a high school equivalency diploma shall be at least 18 years of age on the date of~~ the examination~~, except that in extraordinary circumstances, as provided for in rules of the district school board of the district in which the candidate resides or attends school, a candidate may take the examination~~ after reaching the age of 16.

Section 11. Subsection (3) of section 1003.4935, Florida Statutes, is amended to read:

1003.4935 Middle grades career and professional academy courses and career-themed courses.—

~~(3) Beginning with the 2012-2013 school year, if a school district implements a middle school career and professional academy or a career-themed course, the Department of Education shall collect and report student achievement data pursuant to performance factors identified under s. 1003.492(3) for students enrolled in an academy or a career-themed course.~~

Section 12. *Section 1003.4995, Florida Statutes, is repealed.*

Section 13. *Section 1003.4996, Florida Statutes, is repealed.*

Section 14. Subsection (2) of section 1003.49965, Florida Statutes, is amended to read:

1003.49965 Art in the Capitol Competition.—

(2) *A* ~~Each~~ school district *may* ~~shall~~ annually hold an Art in the Capitol Competition for all public, private, and home education students in grades 6 through 8. Submissions shall be judged by a selection committee consisting of art teachers whose students have not submitted artwork for consideration.

Section 15. Paragraphs (s) and (t) of subsection (2) of section 1003.51, Florida Statutes, are redesignated as paragraphs (r) and (s), respectively, and present paragraphs (g) and (r) of that subsection are amended to read:

1003.51 Other public educational services.—

(2) The State Board of Education shall adopt rules articulating expectations for effective education programs for students in Department of Juvenile Justice programs, including, but not limited to, education programs in juvenile justice prevention, day treatment, residential, and detention programs. The rule shall establish policies and standards for education programs for students in Department of Juvenile Justice programs and shall include the following:

(g) Assessment procedures *that*~~, which:~~

~~1. For prevention, day treatment, and residential programs, include appropriate academic and career assessments administered at program entry and exit that are selected by the Department of Education in partnership with representatives from the Department of Juvenile Justice, district school boards, and education providers. Assessments must be completed within the first 10 school days after a student's entry into the program.~~

~~2.~~ provide for determination of the areas of academic need and strategies for appropriate intervention and instruction for each student in a detention facility within 5 school days after the student's entry into the program and *for the administration of* ~~administer~~ a research-based assessment that will assist the student in determining his or her edu-

cational and career options and goals within 22 school days after the student's entry into the program. The results of *the* ~~these~~ assessments *required under this paragraph and s. 1003.52(3)(d)*, together with a portfolio depicting the student's academic and career accomplishments, *must* ~~shall~~ be included in the discharge packet assembled for each student.

~~(r) A series of graduated sanctions for district school boards whose educational programs in Department of Juvenile Justice programs are considered to be unsatisfactory and for instances in which district school boards fail to meet standards prescribed by law, rule, or State Board of Education policy. These sanctions shall include the option of requiring a district school board to contract with a provider or another district school board if the educational program at the Department of Juvenile Justice program is performing below minimum standards and, after 6 months, is still performing below minimum standards.~~

Section 16. Subsection (4) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

~~(4) REPORTS. The academically high-performing school district shall submit to the State Board of Education and the Legislature an annual report on December 1 which delineates the performance of the school district relative to the academic performance of students at each grade level in reading, writing, mathematics, science, and any other subject that is included as a part of the statewide assessment program in s. 1008.22. The annual report shall be submitted in a format prescribed by the Department of Education and shall include:~~

~~(a) Longitudinal performance of students on statewide, standardized assessments taken under s. 1008.22;~~

~~(b) Longitudinal performance of students by grade level and subgroup on statewide, standardized assessments taken under s. 1008.22;~~

~~(c) Longitudinal performance regarding efforts to close the achievement gap;~~

~~(d)1. Number and percentage of students who take an Advanced Placement Examination; and~~

~~2. Longitudinal performance regarding students who take an Advanced Placement Examination by demographic group, specifically by age, gender, race, and Hispanic origin, and by participation in the National School Lunch Program;~~

~~(e) Evidence of compliance with subsection (1); and~~

~~(f) A description of each waiver and the status of each waiver.~~

Section 17. *Section 1004.925, Florida Statutes, is repealed.*

Section 18. Paragraph (a) of subsection (1), paragraph (e) of subsection (2), paragraph (b) of subsection (3), and paragraph (b) of subsection (4) of section 1006.28, Florida Statutes, are amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DEFINITIONS.—

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

1. "Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction ~~for each student~~ in the core subject areas of mathematics, language arts, social studies, science, reading, and literature.

2. "Instructional materials" has the same meaning as in s. 1006.29(2).

3. "Library media center" means any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms.

(2) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The district school board also has the following specific duties and responsibilities:

(e) Public participation.—Publish on its website, in a searchable format prescribed by the department, a list of all instructional materials, including those used to provide instruction required by s. 1003.42. Each district school board must:

1. Provide access to all materials, excluding teacher editions, in accordance with s. 1006.283(2)(b)8.a. before the district school board takes any official action on such materials. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

2. Select, approve, adopt, or purchase all materials as a separate line item on the agenda and provide a reasonable opportunity for public comment. The use of materials described in this paragraph may not be selected, approved, or adopted as part of a consent agenda.

3. Annually, beginning June 30, 2023, submit to the Commissioner of Education a report that identifies:

a. Each material for which the school district received an objection pursuant to subparagraph (a)2., including the grade level and course the material was used in, for the school year and the specific objections thereto.

b. Each material that was removed or discontinued.

c. Each material that was not removed or discontinued and the rationale for not removing or discontinuing the material.

The department shall publish and regularly update a list of materials that were removed or discontinued*, sorted by grade level,* as a result of an objection and disseminate the list to school districts for consideration in their selection procedures.

(3) DISTRICT SCHOOL SUPERINTENDENT.—

(b) Each district school superintendent shall *annually* notify the department ~~by April 1~~ of ~~each year~~ the state-adopted instructional materials that will be requisitioned for use in his or her school district. ~~The notification shall include a district school board plan for instructional materials use to assist in determining if adequate instructional materials have been requisitioned.~~

(4) SCHOOL PRINCIPAL.—The school principal has the following duties for the management and care of materials at the school:

(b) *Money collected for lost or damaged instructional materials; enforcement.*—The school principal *may* ~~shall~~ collect from each student or the student's parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and to report and transmit the money collected to the district school superintendent. *A student who fails to pay such sum may be suspended* ~~the failure to collect such sum upon reasonable effort by the school principal may result in the suspension of the student~~ from participation in extracurricular activities*. A student may satisfy* ~~or satisfaction of~~ the debt ~~by the student~~ through community service activities at the school site as determined by the school principal, pursuant to policies adopted by district school board rule.

Section 19. Subsection (1) of section 1006.283, Florida Statutes, is amended to read:

1006.283 District school board instructional materials review process.—

(1) A district school board or consortium of school districts may implement an instructional materials program that includes the review, recommendation, adoption, and purchase of instructional materials. The district school superintendent shall *annually* certify to the department ~~by March 31 of each year~~ that all instructional materials for core courses used by the district are aligned with applicable state standards. A list of the core instructional materials that will be used or purchased for use by the school district shall be included in the certification.

Section 20. Paragraph (a) of subsection (1) of section 1006.33, Florida Statutes, is amended to read:

1006.33 Bids or proposals; advertisement and its contents.—

(1)(a)*1. Beginning with the 2026-2027 instructional materials adoption cycle and thereafter, the department shall publish an instructional materials adoption timeline which must include, but is not limited to, publishing bid specifications, advertising in the Florida Administrative Register, and deadlines for the submission of bids. The adoption cycle must include at least 6 months between the release of the bid specifications and the deadline for the submission of bids, and publication of an initial list of state-adopted instructional materials no later than July 31 in the year preceding the adoption.*

2. For the 2025-2026 instructional materials adoption cycle, the department shall publish an instructional materials adoption timeline which must include, but is not limited to, publishing bid specifications, advertising in the Florida Administrative Register, and deadlines for the submission of bids. The adoption cycle must include at least 6 months between the release of the bid specifications and the deadline for the submission of bids. The adoption cycle must specify that the Commissioner of Education shall publish an initial list of state-adopted instructional materials no later than December 1, 2025. This subparagraph shall expire July 1, 2026. ~~Beginning on or before May 15 of any year in which an instructional materials adoption is to be initiated, the department shall advertise in the Florida Administrative Register 4 weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15, sealed bids or proposals to be deposited with the department will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1 following the adoption.~~

Section 21. Subsection (4) of section 1007.33, Florida Statutes, is amended to read:

1007.33 Site-determined baccalaureate degree access.—

(4) A Florida College System institution may:

(a) Offer specified baccalaureate degree programs through formal agreements between the Florida College System institution and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

(b) Offer baccalaureate degree programs that were authorized by law *before* ~~prior to~~ July 1, 2009.

(c) Establish a first or subsequent baccalaureate degree program for purposes of meeting district, regional, or statewide workforce needs if approved by the State Board of Education under this section.

~~The Board of Trustees of St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on each of the factors in paragraph (5)(d). Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact discussions with the state university in its service district and other local and regional, accredited postsecondary providers in its region. Documentation, data, and other information from inter-institutional discussions regarding program need, demand, and impact shall be provided to the college's board of trustees to inform the program approval process. Employment at St. Petersburg College is governed by the same laws that govern Florida College System institutions, except that upper-division faculty are eligible for continuing contracts upon the completion of the fifth year of teaching. Employee records for all personnel shall be maintained as required by s. 1012.81.~~

Section 22. Paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (4), paragraphs (a), (b), and (d) of subsection (5), paragraphs (a), (b), and (c) of subsection (6), paragraph (b) of subsection (7), and paragraph (b) of subsection (9) of section 1008.25, Florida Statutes, are amended, and paragraph (h) is added to subsection (2) of that section, to read:

1008.25 Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements.—

(2) STUDENT PROGRESSION PLAN.—Each district school board shall establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of the standards in s. 1003.41, specifically English Language Arts, mathematics, science, and social studies standards. The plan must:

(a) Include criteria that emphasize student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for students with identified deficiencies in English Language Arts, mathematics, science, and social studies*, including students who have been referred to the school district from the Voluntary Prekindergarten Education Program pursuant to paragraph (5)(b)*. High schools shall use all available assessment results, including the results of statewide, standardized English Language Arts assessments and end-of-course assessments for Algebra I and Geometry, to advise students of any identified deficiencies and to provide appropriate postsecondary preparatory instruction before high school graduation. The results of evaluations used to monitor a student's progress in grades K-12 must be provided to the student's teacher in a timely manner and as otherwise required by law. Thereafter, evaluation results must be provided to the student's parent in a timely manner. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.

(h) Specify retention requirements for students in kindergarten through grade 2 based upon each student's performance in English Language Arts and mathematics. For students who are retained in kindergarten through grade 2, the plan must incorporate the parental notification requirements provided in subsections (5) and (6), include an opportunity for parental input on the retention decision, and include information on the importance of students mastering early literacy and communication skills in order to be reading at or above grade level by the end of grade 3.

(3) ALLOCATION OF RESOURCES.—District school boards shall allocate remedial and supplemental instruction resources to students in the following priority:

(a) Students in *the Voluntary Prekindergarten Education Program who have a substantial deficiency in early literacy skills and students in* kindergarten through grade 3 who have a substantial deficiency in reading or the characteristics of dyslexia as determined in paragraph (5)(a).

(b) Students in *the Voluntary Prekindergarten Education Program who have a substantial deficiency in early mathematics skills and students in* kindergarten through grade 4 who have a substantial deficiency in mathematics or the characteristics of dyscalculia as determined in paragraph (6)(a).

(4) ASSESSMENT AND SUPPORT.—

(c) A student who has a substantial reading deficiency as determined in paragraph (5)(a) or a substantial mathematics deficiency as determined in paragraph (6)(a) must be covered by a federally required

student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary. The individualized progress monitoring plan *must be developed within 45 days after the results of the coordinated screening and progress monitoring system become available. The plan must* ~~shall include~~, at a minimum*, include*:

1. The student's specific, identified reading or mathematics skill deficiency.

2. Goals and benchmarks for student growth in reading or mathematics.

3. A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.

4. For a substantial reading deficiency, the specific evidence-based literacy instruction grounded in the science of reading which the student will receive.

5. Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.

6. Any additional services the student's teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in *a Voluntary Prekindergarten Education Program provided by a public school who exhibits a substantial deficiency in early literacy skills and any student in* kindergarten through grade 3 who exhibits a substantial deficiency in reading or the characteristics of dyslexia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency or the characteristics of dyslexia to address his or her specific deficiency or dyslexia. *For the purposes of this subsection, a Voluntary Prekindergarten Education Program student is deemed to exhibit a substantial deficiency in early literacy skills based upon the results of the midyear or final administration of the coordinated screening and progress monitoring under subsection (9).*

1. The department shall provide a list of state examined and approved comprehensive reading and intervention programs. The intervention programs shall be provided in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific interventions, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia. The reading intervention programs must do all of the following:

a. Provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable.

b. Provide daily targeted small group reading interventions based on student need in phonological awareness, phonics, including decoding and encoding, sight words, vocabulary, or comprehension.

c. Be implemented during regular school hours.

2. A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under paragraph (4)(b) is developed to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

3. A student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in *a Voluntary Prekindergarten Education Program has a deficiency in early literacy skills or a student in* kindergarten through grade 3 has a substantial deficiency in reading.

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy skills based upon the results of the administration of the *midyear or* final coordinated screening and progress monitoring under subsection (9) shall be referred to the local school district and may be eligible to receive instruction in early literacy skills before participating in kindergarten. A student with an individual education plan who has been retained pursuant to paragraph (2)(g) and has demonstrated a substantial deficiency in early literacy skills must receive instruction in early literacy skills.

(d) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be *immediately* notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

4. *The student progression requirements under paragraph (2)(h) and* that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. Strategies, including multisensory strategies and programming, through a read-at-home plan the parent can use in helping his or her child succeed in reading. The read-at-home plan must provide access to the resources identified in paragraph *(e)* ~~(f)~~.

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (7)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A school must immediately begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention or upon the request of the parent, whichever occurs first.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. Information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and the New Worlds Scholarship Accounts under s. 1002.411 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement. *Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.*

(6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in *a Voluntary Prekindergarten Education Program provided by a public school who exhibits a substantial deficiency in early mathematics skills and any student in* kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must:

1. Immediately following the identification of the mathematics deficiency, be provided systematic and explicit mathematics instruction to address his or her specific deficiencies through either:

a. Daily targeted small group mathematics intervention based on student need; or

b. Supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

2. The performance of a student receiving mathematics instruction under subparagraph 1. must be monitored, and instruction must be adjusted based on the student's need.

3. The department shall provide a list of state examined and approved mathematics intervention programs, curricula, and high-quality supplemental materials that may be used to improve a student's mathematics deficiencies. In addition, the department shall work, at a minimum, with the Florida Center for Mathematics and Science Education Research established in s. 1004.86 to disseminate information to school districts and teachers on effective evidence-based explicit mathematics instructional practices, strategies, and interventions.

4. A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under paragraph (4)(b) is developed to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

5. The mathematics proficiency of a student receiving additional mathematics supports must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized Mathematics assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in *a Voluntary Prekindergarten Education Program has a deficiency in early mathematics skills or a student in* kindergarten through grade 4 has a substantial deficiency in mathematics.

For the purposes of this subsection, a Voluntary Prekindergarten Education Program student is deemed to exhibit a substantial deficiency in mathematics skills based upon the results of the midyear or final administration of the coordinated screening and progress monitoring under subsection (9).

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early math skills based upon the results of the administration of the *midyear or* final coordinated screening and progress monitoring under subsection (8) shall be referred to the local school district and may be eligible to receive intensive mathematics interventions before participating in kindergarten.

(c) The parent of a student who exhibits a substantial deficiency in mathematics, as described in paragraph (a), must be *immediately* notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency.

4. Strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping his or her child succeed in mathematics. The home-based plan must provide access to the resources identified in paragraph *(d)* ~~(c)~~.

After the initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement. *Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.*

(7) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(c), for good cause. A student ~~who is~~ promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. *Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.* Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

(9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(b) Beginning with the 2022-2023 school year, private Voluntary Prekindergarten Education Program providers and public schools must

participate in the coordinated screening and progress monitoring system pursuant to this paragraph.

1. For students in the *school-year* Voluntary Prekindergarten Education Program through grade 2, the coordinated screening and progress monitoring system must be administered at least three times within a ~~program year or~~ school year~~, as applicable~~, with the first administration occurring no later than the first 30 instructional days after a student's enrollment or the start of the ~~program year or~~ school year, the second administration occurring midyear, and the third administration occurring within the last 30 days of the ~~program or~~ school year pursuant to state board rule. The state board may adopt alternate timeframes to address nontraditional school year calendars ~~or summer programs~~ to ensure the coordinated screening and progress monitoring program is administered a minimum of three times within a year ~~or program~~.

2. For students in the summer prekindergarten program, the coordinated screening and progress monitoring system must be administered two times, with the first administration occurring no later than the first 10 instructional days after a student's enrollment or the start of the summer prekindergarten program, and the final administration occurring within the last 10 days of the summer prekindergarten program pursuant to state board rule.

3.~~2.~~ For grades 3 through 10 English Language Arts and grades 3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the scheduling requirements under s. 1008.22(7)(c).

Section 23. Paragraph (c) of subsection (1) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's Early Learning-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

(c) The Early Learning-20 education performance accountability system comply with the requirements of the *Every Student Succeeds Act of 2015, Pub. L. No. 114–95* ~~"No Child Left Behind Act of 2001," Pub. L. No. 107-110~~, and the Individuals with Disabilities Education Act (IDEA).

Section 24. Paragraph (a) of subsection (4) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning two consecutive grades of "D" or a grade of "F." In the first full school year after a school initially earns a grade of "D," the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c). For a school that initially earns a grade of "F" or a second consecutive grade of "D," the school district must either continue implementing or immediately begin implementing intervention and support strategies prescribed in rule under paragraph (3)(c) and provide the department, by September 1, with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, a combination of an extended school day and a summer program, or any other option authorized under paragraph (b) for state board approval. A school district is not required to wait until a school earns a second consecutive grade of "D" to submit a turnaround plan for approval by the state board under this paragraph. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation. *The state board may also allow a school that has received a grant pursuant to s. 1003.64 additional time to implement a community school model.*

Section 25. Section 1008.332, Florida Statutes, is amended to read:

1008.332 Committee of practitioners pursuant to federal *Every Student Succeeds* ~~No Child Left Behind~~ Act.—The Department of Education shall establish a committee of practitioners pursuant to federal requirements of the *Every Student Succeeds* ~~No Child Left Behind~~ Act of *2015* ~~2001~~. The committee members shall be appointed by the Commissioner of Education ~~and shall annually report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1~~. The committee shall meet regularly and is authorized to review potential rules and policies that will be considered by the State Board of Education.

Section 26. Subsection (5) of section 1008.34, Florida Statutes, is amended to read:

1008.34 School grading system; school report cards; district grade.—

(5) DISTRICT GRADE.—Beginning with the 2014-2015 school year, a school district's grade shall include a district-level calculation of the components under paragraph (3)(b). This calculation methodology captures each eligible student in the district who may have transferred among schools within the district or is enrolled in a school that does not receive a grade. The department shall develop a district report card that includes the district grade; the information required under *s. 1008.345(3)* ~~s. 1008.345(5)~~; measures of the district's progress in closing the achievement gap between higher-performing student subgroups and lower-performing student subgroups; measures of the district's progress in demonstrating Learning Gains of its highest-performing students; measures of the district's success in improving student attendance; the district's grade-level promotion of students scoring achievement levels 1 and 2 on statewide, standardized English Language Arts and Mathematics assessments; and measures of the district's performance in preparing students for the transition from elementary to middle school, middle to high school, and high school to postsecondary institutions and careers.

Section 27. Subsections (5) through (7) of section 1008.345, Florida Statutes, are renumbered as subsections (3) through (5), respectively, and present subsections (3), (4), and (5) and paragraph (d) of present subsection (6) of that section are amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

~~(3) The annual feedback report shall be developed by the Department of Education.~~

~~(4) The commissioner shall review each district school board's feedback report and submit findings to the State Board of Education. If adequate progress is not being made toward implementing and maintaining a system of school improvement and education accountability, the State Board of Education shall direct the commissioner to prepare and implement a corrective action plan. The commissioner and State Board of Education shall monitor the development and implementation of the corrective action plan.~~

(3)~~(5)~~ The commissioner shall annually report to the State Board of Education and the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report *must* ~~shall~~ include~~:~~

~~(a)~~ for each school district:

(a)~~1.~~ The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.

(b)~~2.~~ The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.

(c)~~3.~~ The information contained in the school district's annual report required pursuant to s. 1008.25(10).

~~(b) Intervention and support strategies used by school districts whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.~~

~~(c) Intervention and support strategies used by school districts whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects.~~

~~(d) Based upon a review of each school district's reading instruction plan submitted pursuant to s. 1003.4201, intervention and support strategies used by school districts that were effective in improving the reading performance of students, as indicated by student performance data, who are identified as having a substantial reading deficiency pursuant to s. 1008.25(5)(a).~~

School reports *must* ~~shall~~ be distributed pursuant to this subsection and s. 1001.42(18)(c) and according to rules adopted by the State Board of Education.

(4)~~(6)~~

(d) The commissioner shall assign a community assessment team to each school district or governing board with a school that earned a grade of "D" or "F" pursuant to s. 1008.34 to review the school performance data and determine causes for the low performance, including the role of school, area, and district administrative personnel. The community assessment team shall review a high school's graduation rate calculated without high school equivalency diploma recipients for the past 3 years, disaggregated by student ethnicity. The team shall make recommendations to the school board or the governing board and to the State Board of Education ~~based on the interventions and support strategies identified pursuant to subsection (5)~~ to address the causes of the school's low performance and to incorporate the strategies into the school improvement plan. The assessment team shall include, but not be limited to, a department representative, parents, business representatives, educators, representatives of local governments, and community activists, and shall represent the demographics of the community from which they are appointed.

Section 28. Subsection (3) of section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida College System institution accountability process.—

(3) ~~The State Board of Education shall address within the annual evaluation of the performance of the executive director, and the~~ Florida College System institution boards of trustees shall address within the annual evaluation of the presidents~~,~~ the achievement of the performance goals established by the accountability process.

Section 29. Paragraph (d) of subsection (2) of section 1000.05, Florida Statutes, is amended to read:

1000.05 Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required.—

(2)

(d) Students may be separated by sex for a single-gender program ~~as provided under s. 1002.311~~, for any portion of a class that deals with human reproduction, or during participation in bodily contact sports. For the purpose of this section, bodily contact sports include wrestling, boxing, rugby, ice hockey, football, basketball, and other sports in which the purpose or major activity involves bodily contact.

Section 30. Paragraph (b) of subsection (2) of section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; public school parental choice.—

(2)

(b) Each school district and charter school capacity determinations for its schools, by grade level, must be updated every 12 weeks and be identified on the school district and charter school's websites. In determining the capacity of each district school, the district school board shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35. Each charter school governing board shall determine capacity based upon its charter school contract. Each virtual charter school and each school district with a contract with an approved virtual instruction program provider shall determine capacity based upon the enrollment requirements established under *s. 1002.45(1)(d)4.* ~~s. 1002.45(1)(c)4.~~

Section 31. Subsection (3) of section 1002.321, Florida Statutes, is amended to read:

1002.321 Digital learning.—

(3) CUSTOMIZED AND ACCELERATED LEARNING.—A school district must establish ~~multiple~~ opportunities for student participation in part-time and full-time kindergarten through grade 12 virtual instruction. Options include, but are not limited to:

(a) School district operated part-time or full-time virtual instruction programs under *s. 1002.45* ~~s. 1002.45(1)(b)~~ for kindergarten through grade 12 students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

(b) Florida Virtual School instructional services authorized under s. 1002.37.

(c) Blended learning instruction provided by charter schools authorized under s. 1002.33.

(d) Virtual charter school instruction authorized under s. 1002.33.

(e) Courses delivered in the traditional school setting by personnel providing direct instruction through virtual instruction or through blended learning courses consisting of both traditional classroom and online instructional techniques pursuant to s. 1003.498.

(f) Virtual courses offered in the course code directory to students within the school district or to students in other school districts throughout the state pursuant to s. 1003.498.

Section 32. Subsection (1), paragraph (a) of subsection (6), and paragraph (a) of subsection (10) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(1) AUTHORIZATION.—All charter schools in Florida are public schools and shall be part of the state's program of public education. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to *s. 1002.45(1)(c)* ~~s. 1002.45(1)(d)~~ to provide online instruction to students, pursuant to s. 1002.455, in kindergarten through grade 12. The school district in which the student enrolls in the virtual charter school shall report the student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding. An existing charter school that is seeking to become a virtual charter school must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subparagraph (7)(a)13., subsections (18) and (19), paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity seeking to open a charter school shall prepare and submit an application on the standard application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the state academic standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. Reading instructional strategies for foundational skills shall include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such strategies may include visual information and strategies that improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. A sponsor shall deny an application if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.

7. Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8. For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to *s. 1002.45(1)(c)* ~~s. 1002.45(1)(d)~~.

9. Describes the mathematics curriculum and differentiated strategies that will be used for students performing at grade level or higher and a separate mathematics curriculum and strategies for students who are performing below grade level.

(10) ELIGIBLE STUDENTS.—

(a)1. A charter school may be exempt from the requirements of s. 1002.31 if the school is open to any student covered in an interdistrict agreement and any student residing in the school district in which the charter school is located.

2. A virtual charter school when enrolling students shall comply with the applicable requirements of s. 1002.31 and with the enrollment requirements established under *s. 1002.45(1)(d)4.* ~~s. 1002.45(1)(e)4.~~

3. A charter lab school shall be open to any student eligible to attend the lab school as provided in s. 1002.32 or who resides in the school district in which the charter lab school is located.

4. Any eligible student shall be allowed interdistrict transfer to attend a charter school when based on good cause. Good cause shall include, but is not limited to, geographic proximity to a charter school in a neighboring school district.

Section 33. Subsections (1), (2), and (5) of section 1002.455, Florida Statutes, are amended to read:

1002.455 Student eligibility for K-12 virtual instruction.—All students, including home education and private school students, are eligible to participate in any of the following virtual instruction options:

(1) School district operated part-time or full-time kindergarten through grade 12 virtual instruction programs pursuant to *s. 1002.45(1)(b)4.* ~~s. 1002.45(1)(e)4.~~ to students within the school district.

(2) Part-time or full-time virtual charter school instruction authorized pursuant to *s. 1002.45(1)(b)5.* ~~s. 1002.45(1)(e)5.~~ to students within the school district or to students in other school districts throughout the state pursuant to s. 1002.31; however, the school district enrolling the full-time equivalent virtual student shall comply with the enrollment requirements established under *s. 1002.45(1)(d)4.* ~~s. 1002.45(1)(e)4.~~

(5) Virtual instruction provided by a school district through a contract with an approved virtual instruction program provider pursuant to *s. 1002.45(1)(b)2.* ~~s. 1002.45(1)(e)2.~~ to students within the school district or to students in other school districts throughout the state pursuant to s. 1002.31; however the school district enrolling the full-time equivalent virtual student shall comply with the enrollment requirements established under *s. 1002.45(1)(d)4.* ~~s. 1002.45(1)(e)4.~~

Section 34. Paragraph (a) of subsection (3) and paragraph (e) of subsection (7) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the state academic standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the state academic standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) Statewide, standardized comprehensive assessments.—

1. The statewide, standardized English Language Arts (ELA) assessments shall be administered to students in grades 3 through 10. Retake opportunities for the grade 10 ELA assessment must be provided. Reading passages and writing prompts for ELA assessments shall incorporate grade-level core curricula content from social studies. The statewide, standardized Mathematics assessments shall be administered annually in grades 3 through 8. The statewide, standardized Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (9).

2. Beginning with the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment administered pursuant to *s. 1008.25(9)(b)3.* ~~s. 1008.25(9)(b)2.~~ is the statewide, standardized ELA assessment for students in grades 3 through 10 and the statewide, standardized Mathematics assessment for students in grades 3 through 8.

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(e) A school district may not schedule more than 5 percent of a student's total school hours in a school year to administer statewide, standardized assessments; the coordinated screening and progress monitoring system under *s. 1008.25(9)(b)3.* ~~s. 1008.25(9)(b)2.~~; and district-required local assessments. The district must secure written consent from a student's parent before administering district-required local assessments that, after applicable statewide, standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the 5 percent test administration limit for that student under this paragraph. The 5 percent test administration limit for a student under this paragraph may be exceeded as needed to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in a program operated in accordance with an approved English language learner district plan pursuant to s. 1003.56. Notwithstanding this paragraph, a

student may choose within a school year to take an examination or assessment adopted by State Board of Education rule pursuant to this section and ss. 1007.27, 1008.30, and 1008.44.

Section 35. Subsection (4) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(4) As a part of the school improvement plan pursuant to s. 1008.345, the State Board of Education shall ensure that each school district and high school develops strategies to improve student readiness for the public postsecondary level ~~based on annual analysis of the feedback report data~~.

Section 36. Paragraph (a) of subsection (4) of section 1013.841, Florida Statutes, is amended to read:

1013.841 End of year balance of Florida College System institution funds.—

(4) A Florida College System institution identified in paragraph (3)(b) must include in its carry forward spending plan the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

(a) Commitment of funds to a public education capital outlay project for which an appropriation was previously provided, which requires additional funds for completion, and which is included in the list required by *s. 1001.03(18)(d)* ~~s. 1001.03(19)(d)~~;

Section 37. This act shall take effect July 1, 2024.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 1001.02, F.S.; deleting a requirement that the State Board of Education establish the cost of certain tuition and fees; amending s. 1001.03, F.S.; deleting a requirement that the state board identify certain metrics and develop a specified plan relating to the Florida College System; amending s. 1002.3105, F.S.; deleting a requirement that a performance contract be completed if a student participates in an Academically Challenging Curriculum to Enhance Learning option; providing that a performance contract may be used at the discretion of the principal; repealing s. 1002.311, F.S., relating to single-gender programs; amending s. 1002.34, F.S.; deleting a requirement for the Commissioner of Education to provide for an annual comparative evaluation of charter technical career centers and public technical centers; amending s. 1002.45, F.S.; deleting a requirement that school districts provide certain virtual instruction options to students; deleting a requirement that virtual instruction program providers be nonsectarian; authorizing school districts to provide certain students with the equipment and access necessary for participation in virtual instruction programs; amending s. 1002.61, F.S.; authorizing school districts to satisfy specified requirements for such program by contracting with certain providers; amending s. 1002.82, F.S.; requiring the Department of Education to review school readiness program plans every 3 years, rather than every 2 years; amending s. 1002.85, F.S.; requiring early learning coalitions to submit school readiness program plans to the department every 3 years, rather than every 2 years; amending s. 1003.435, F.S.; revising the eligibility requirements for students to take the high school equivalency examination; amending s. 1003.4935, F.S.; deleting a requirement that the department collect and report certain data relating to a middle school career and professional academy or a career-themed course; repealing s. 1003.4995, F.S., relating to the fine arts report prepared by the Commissioner of Education; repealing s. 1003.4996, F.S., relating to the Competency-Based Education Pilot Program; amending s. 1003.49965, F.S.; authorizing, rather than requiring, a school district to hold an Art in the Capitol Competition; amending s. 1003.51, F.S.; deleting a requirement regarding assessment procedures for Department of Juvenile Justice education programs; revising requirements for which assessment results must be included in a student's discharge packet; deleting requirements for specified sanctions against district school boards for unsatisfactory performance in their Department of Juvenile Justice education programs; amending s. 1003.621, F.S.; deleting a requirement for academically high-performing school districts to submit an annual report to the state board; repealing s. 1004.925, F.S., relating to automotive service technology education programs and certification; amending s. 1006.28, F.S.; revising the definition of the term "adequate instructional materials"; requiring certain information published and regularly updated by the Department of Education to be sorted by grade level; deleting a timeframe requirement for each district school superintendent to notify the department about instructional materials; deleting a requirement for such notification; authorizing, rather than requiring, a school principal to collect the purchase price of instructional materials lost, destroyed, or unnecessarily damaged by a student; amending s. 1006.283, F.S.; deleting a timeframe requirement for a district school superintendent to certify to the department that certain instructional materials meet applicable state standards; amending s. 1006.33, F.S.; beginning with a specified adoption cycle, requiring the department to publish an instructional materials adoption timeline; providing requirements for such timeline and adoption cycle; providing requirements for the 2025-2026 instructional materials adoption cycle; providing an expiration date for such requirements; deleting certain timelines relating to the adoption of instructional materials; amending s. 1007.33, F.S.; deleting a provision authorizing the Board of Trustees of St. Petersburg College to establish certain degree programs; amending s. 1008.25, F.S.; revising the requirements for comprehensive plans for student progression; revising the students who receive priority for allocation of remedial and supplemental instruction resources; requiring individualized progress monitoring plans to be developed within a specified timeframe; providing requirements for students in the Voluntary Prekindergarten Education Program who exhibit a substantial deficiency in early literacy skills and early mathematics skills; providing that substantial deficiencies in early literacy skills and early mathematics skills for such students are determined by specified results of the coordinated screening and progress monitoring; requiring the State Board of Education to identify specified guidelines in rule; requiring teachers and school administrators to meet with specified parents upon the request of such parents; authorizing such parents to request specified actions; revising requirements for the administration of the coordinated screening and progress monitoring system; providing requirements for the administration of such system for students in the summer prekindergarten program; amending s. 1008.31, F.S.; revising a provision relating to the No Child Left Behind Act of 2001 to relate to the Every Student Succeeds Act of 2015; amending s. 1008.33, F.S.; authorizing the state board to allow certain schools additional time to implement a community school model; amending s. 1008.332, F.S.; revising a provision relating to the No Child Left Behind Act of 2001 to relate to the Every Student Succeeds Act of 2015; deleting a requirement for certain committee members to annually report to specified entities; amending s. 1008.34, F.S.; conforming a cross-reference; amending s. 1008.345, F.S.; deleting a requirement for the department to develop an annual feedback report; deleting a requirement for the Commissioner of Education to review specified feedback reports and submit findings to the state board; deleting certain requirements for a report the commissioner produces annually for the state board and the Legislature; revising what information certain community assessment team recommendations are based on; amending s. 1008.45, F.S.; deleting a requirement that the state board provide a specified annual evaluation; amending ss. 1000.05, 1002.31, 1002.321, 1002.33, 1002.455, 1008.22, 1008.37, and 1013.841, F.S.; conforming provisions and cross-references to changes made by the act; providing an effective date.

On motion by Senator Simon, the Senate concurred in **House Amendment 1 (471783)**.

CS for SB 7004 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Madam President	Burgess	Harrell
Albritton	Burton	Hooper
Avila	Calatayud	Hutson
Berman	Collins	Ingoglia
Book	Davis	Jones
Boyd	DiCeglie	Martin
Bradley	Garcia	Mayfield
Brodeur	Grall	Osgood
Broxson	Gruters	Pizzo

Polsky	Simon	Trumbull
Powell	Stewart	Wright
Rodriguez	Thompson	Yarborough
Rouson	Torres	

Nays—None

Vote after roll call:

Yea—Baxley, Perry

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7002, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 7002—A bill to be entitled An act relating to deregulation of public schools/school district finance and budgets, facilities, and administration and oversight; amending s. 120.81, F.S.; providing that district school boards are not subject to certain rule requirements under certain circumstances; amending s. 163.31777, F.S.; revising requirements for what a district school board's interlocal agreement must address; amending s. 200.065, F.S.; requiring a district school board to advertise its intent to adopt a tentative budget on a publicly available website if it does not advertise such intent in a newspaper of general circulation; defining the term "publicly accessible website"; amending s. 252.38, F.S.; requiring district school boards to provide personnel access to facilities for emergency management, rather than staffing such facilities, or perform other specified duties as may be required in the county emergency management plan; amending s. 316.173, F.S.; revising requirements for signage that must be posted on certain school buses; authorizing certain civil penalties to be used by a district school board to recruit and retain specified school bus drivers; amending s. 1001.02, F.S.; revising a duty of the State Board of Education to adopt certain rules; amending s. 1001.23, F.S.; requiring the Department of Education to annually inform district school superintendents that they may petition to receive a specified declaratory statement; requiring the department to annually provide school districts with a list of statutory and rule requirements; providing requirements for such list; amending s. 1001.372, F.S.; authorizing public notices for district school board meetings to be posted on a publicly accessible website or the official district school board website; amending s. 1001.42, F.S.; deleting requirements for financial procedures that must be followed by district school boards to ensure adequate educational facilities for students; amending s. 1001.49, F.S.; revising the general powers of district school superintendents to include establishing a process for the review and approval of certain policies and procedures through the delegated authority of district school boards; amending s. 1002.20, F.S.; revising a requirement relating to how a parent is informed of placement of a student in a specified program; revising a requirement relating to how a parent is informed of a student's suspension; deleting a requirement that the school financial report be in the student handbook; requiring the department to produce specified reports relating to school accountability and make such reports available on the department's website; requiring each school district to provide a link to such reports; deleting a requirement that an economic security report of employment and earning outcomes be provided to students; amending s. 1002.33, F.S.; deleting a requirement for an unused district school board facility or property to be provided for a charter school's use; revising a requirement for school districts to provide certain information relating to vacant classrooms to the department; amending s. 1002.333, F.S.; revising a provision authorizing school districts to make certain unused facilities available to hope operators; amending s. 1003.03, F.S.; deleting a requirement for district school boards to provide an accountability plan to the Commissioner of Education under certain conditions; amending s. 1003.53, F.S.; revising how district school boards may provide notice to parents relating to a dropout prevention and academic intervention program; repealing s. 1006.025, F.S., relating to guidance services; amending s. 1006.09, F.S.; revising how a school principal or the principal's designee may provide notice to inform a parent of a student's suspension; amending s. 1006.1494, F.S.; providing that provisions relating to student online personal information protection do not require a K-12 school, school district, or school board to include any provisions in an operator or vendor contract; amending s. 1010.02, F.S.; providing that school districts are subject to varying reporting frequencies based on financial status; requiring the State Board of Education to adopt rules; amending s. 1010.11, F.S.; providing that school districts are exempt from certain requirements relating to electronic transfer of funds; amending s. 1010.20, F.S.; requiring charter schools to respond to monitoring questions from the department; amending s. 1011.03, F.S.; requiring district school boards to publish their tentative budgets on a publicly accessible website if not published on the district's official website; deleting a requirement for district school boards to publish their tentative budgets in a newspaper or at a courthouse under certain circumstances; amending s. 1011.035, F.S.; revising requirements relating to a district school board publishing its tentative budget online; amending s. 1011.14, F.S.; revising the types of facilities on which district school boards may incur certain financial obligations; amending s. 1011.60, F.S.; revising circumstances under which the State Board of Education may alter the requirement for the minimum term schools must be open; amending s. 1011.68, F.S.; deleting a prohibition on use of funds by school districts to purchase certain transportation equipment and supplies; amending s. 1011.69, F.S.; deleting a requirement relating to Title I fund allocations to schools; providing a new category of funding school districts are authorized to withhold; revising a category of funding a school district is authorized to withhold; requiring the department to make certain funds available to local education agencies; amending s. 1011.71, F.S.; revising the types of facilities and expenditures for which district school boards may use millage levies to fund; amending s. 1013.15, F.S.; conforming provisions to changes made by the act; providing that the lease-purchase of certain facilities is exempt from certain requirements; making a technical change; amending s. 1013.16, F.S.; providing that a minimum lease term requirement for land for certain construction projects does not apply to district school boards; amending s. 1013.19, F.S.; requiring proceeds from certain sales or leases of property to be used by boards of trustees for a Florida College System institution or state university; amending s. 1013.20, F.S.; deleting a district school board requirement to plan for the use of relocatables; deleting a requirement for the commissioner to provide a progress report to the Legislature; repealing s. 1013.21, F.S., relating to reduction of relocatable facilities in use; amending s. 1013.28, F.S.; deleting a requirement for surplus tangible personal property to be provided to charter schools; amending s. 1013.31, F.S.; requiring each Florida College System institution board of trustees and state university board of trustees to arrange for educational plant surveys; deleting provisions relating to when an educational plant survey recommendation is not required; requiring Florida College System institution and state university boards, but not district school boards, to participate in specified surveys; deleting a requirement for school districts to submit certain data to the department; revising requirements for what a survey report must include; deleting a requirement that a school district's survey must be submitted as part of the district educational facilities plan; deleting a requirement for the department to perform an analysis of such surveys; revising requirements for a facilities needs survey submitted by a district school board; requiring that the release of funds for a PECO project be subject to certain authorizations; amending s. 1013.35, F.S.; deleting definitions; revising requirements for the contents of a district school board tentative district educational facilities plan; deleting a requirement for district school boards to coordinate with local governments to ensure consistency between school district and local government plans; authorizing, rather than requiring, local governments to review tentative district educational facilities plans; making conforming changes; amending s. 1013.356, F.S.; revising requirements for lease terms for certain construction projects; deleting a requirement relating to certain construction costs; amending s. 1013.385, F.S.; deleting requirements for a resolution relating to educational facilities construction which may be adopted by district school boards; providing that exceptions to requirements for public shelter design criteria remain subject to certain emergency management provisions; providing that a school board may not be required to build more emergency-shelter space than identified as needed; amending s. 1013.41, F.S.; revising requirements for an educational facilities plan; revising the duties of the Office of Educational Facilities; amending s. 1013.45, F.S.; exempting district school boards from certain contract limitations; specifying that a requirement for the services of a registered architect apply to Florida College System institution and state university boards of trustees; deleting a requirement for district school boards to reuse existing construction documents; amending s. 1013.48, F.S.; deleting a requirement for a school district to monitor and report change orders on a district educational

facilities plan; amending s. 1013.64, F.S.; providing that remodeling projects for district school boards must be based on specified determinations; providing that a requirement for how certain funds must be spent only applies to Florida College System institution and state university boards; revising requirements for the use of funds from the Special Facility Construction Account; deleting prohibitions on the use of specified funds that meet certain thresholds; requiring the department to estimate, rather than review and adjust, the cost per student station to reflect actual construction costs; deleting a requirement for the Auditor General to review certain documentation; deleting requirements relating to district school board use of funds for construction projects; amending s. 1013.68, F.S.; revising requirements for a school district to receive a specified distribution of funds; amending ss. 163.3180, 1002.31, 1003.621, 1003.631, 1011.6202, 1011.73, 1012.555, and 1013.62, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

House Amendment 1 (568137) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (f) of subsection (2) of section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget *on a publicly accessible website pursuant to s. 50.0311 or* in a newspaper of general circulation pursuant to subsection (3) within 29 days *after* ~~of~~ certification of value pursuant to subsection (1). *For the purpose of this paragraph, the term "publicly accessible website" includes a district school board's official website if the school board website satisfies the remaining requirements of s. 50.0311.* Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website *if the district school board uses a different method of advertisement*.

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.

Section 2. Paragraph (d) of subsection (1) of section 252.38, Florida Statutes, is amended to read:

252.38 Emergency management powers of political subdivisions.—Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state.

(1) COUNTIES.—

(d) During a declared state or local emergency and upon the request of the director of a local emergency management agency, the district school board or school boards in the affected area shall participate in emergency management by providing facilities and necessary personnel to *access* ~~staff~~ such facilities *or perform other duties related to the facilities as may be required pursuant to the county emergency management plan and program*. Each school board providing transportation assistance in an emergency evacuation shall coordinate the use of its vehicles and personnel with the local emergency management agency.

Section 3. Paragraph (a) of subsection (2) and subsection (7) of section 316.173, Florida Statutes, are amended to read:

316.173 School bus infraction detection systems.—

(2)(a) The school district must post ~~high-visibility reflective~~ signage on the rear of each school bus in which a school bus infraction detection system is installed and operational which indicates the use of such system. The signage must be in the form of one or more signs or stickers and must contain the following elements in substantially the following form:

1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS WHEN RED LIGHTS FLASH."

2. The words "CAMERA ENFORCED."

3. A graphic depiction of a camera.

(7) The civil penalties assessed and collected for a violation of s. 316.172(1)(a) or (b) enforced by a school bus infraction detection system must be remitted to the school district in which the violation occurred. Such civil penalties must be used for the installation or maintenance of school bus infraction detection systems on school buses, for any other technology that increases the safety of the transportation of students, ~~or~~ for the administration and costs associated with the enforcement of violations as described in this section*, or to provide financial awards to recruit or retain school bus drivers in the school district in which the civil penalties are assessed and collected*.

Section 4. Paragraph (c) of subsection (2) of section 1001.372, Florida Statutes, is amended to read:

1001.372 District school board meetings.—

(2) PLACE OF MEETINGS.—

(c) For purpose of this section, due public notice shall consist of*, at least 2 days prior to the meeting: continuous publication on a publicly accessible website as provided in s. 50.0311 or the official district school board website; by* publication in a newspaper of general circulation in the county or in each county where there is no newspaper of general circulation in the county an announcement over at least one radio station whose signal is generally received in the county, a reasonable number of times daily during the 48 hours immediately preceding the date of such meeting;~~,~~ or by posting a notice at the courthouse door if no newspaper is published in the county~~, at least 2 days prior to the meeting~~.

Section 5. Subsection (3) of section 1001.49, Florida Statutes, is amended to read:

1001.49 General powers of district school superintendent.—The district school superintendent shall have the authority, and when necessary for the more efficient and adequate operation of the district school system, the district school superintendent shall exercise the following powers:

(3) *APPROVE OPERATIONAL POLICIES THROUGH THE DELEGATED AUTHORITY OF THE DISTRICT SCHOOL BOARD.—Establish a process for the review and approval of districtwide policies and procedures, through the formal delegated authority of the district school board,* ~~RECOMMEND POLICIES. Recommend to the district school board for adoption such policies~~ pertaining to the district school system as the district school superintendent may consider necessary for its more efficient operation.

Section 6. Subsection (25) of section 1002.20, Florida Statutes, is renumbered as subsection (24), and paragraph (e) of subsection (2), paragraph (a) of subsection (4), and subsection (24) of that section are amended, to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(2) ATTENDANCE.—

(e) Dropout prevention and academic intervention programs.—The parent of a public school student has the right to receive written notice by certified mail *or other method agreed to by the parent before* ~~prior to~~ placement of the student in a dropout prevention and academic intervention program and shall be notified in writing and entitled to an administrative review of any action by school personnel relating to the student's placement, in accordance with ~~the provisions of~~ s. 1003.53(5).

(4) DISCIPLINE.—

(a) Suspension of public school student.—In accordance with the provisions of s. 1006.09(1)-(4):

1. A student may be suspended only as provided by rule of the district school board. A good faith effort must be made to immediately inform the parent by telephone of the student's suspension and the reason. Each suspension and the reason must be reported in writing within 24 hours to the parent by United States mail *or other method agreed to by the parent*. A good faith effort must be made to use parental assistance before suspension unless the situation requires immediate suspension.

2. A student with a disability may only be recommended for suspension or expulsion in accordance with State Board of Education rules.

~~(24) ECONOMIC SECURITY REPORT. Beginning in the 2014-2015 school year and annually thereafter, each middle school and high school student or the student's parent prior to registration shall be provided a two-page summary of the Department of Economic Opportunity's economic security report of employment and earning outcomes prepared pursuant to s. 445.07 and electronic access to the report.~~

Section 7. Paragraph (c) of subsection (3) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:

(c) The private prekindergarten provider must have, for each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:

1. The prekindergarten instructor must hold, at a minimum, one of the following credentials:

a. A child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition; or

b. A credential approved by the Department of Children and Families as being equivalent to or greater than the credential described in sub-subparagraph a.

The Department of Children and Families may adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for approving equivalent credentials under sub-subparagraph b.

2. The prekindergarten instructor must successfully complete three emergent literacy training courses that include developmentally appropriate and experiential learning practices for children and a student performance standards training course approved by the department as meeting or exceeding the minimum standards adopted under s. 1002.59. *A newly hired prekindergarten instructor must complete the three emergent literacy training courses within 45 calendar days after being hired if the instructor has not previously completed the courses.* The prekindergarten instructor must complete an emergent literacy training course at least once every 5 years after initially completing the three emergent literacy training courses. The courses in this subparagraph must be recognized as part of the informal early learning and career pathway identified by the department under s. 1002.995(1)(b). ~~The requirement for completion of the standards training course shall take effect July 1, 2022.~~ The courses must be made available online or in person.

Section 8. Subsection (5) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(5) Each district school board providing a dropout prevention and academic intervention program pursuant to this section shall maintain for each participating student records documenting the student's eligibility, the length of participation, the type of program to which the student was assigned or the type of academic intervention services provided, and an evaluation of the student's academic and behavioral performance while in the program. The school principal or his or her designee shall, *before* ~~prior to~~ placement in a dropout prevention and academic intervention program or the provision of an academic service, provide written notice of placement or services by certified mail, return receipt requested, to the student's parent. The parent of the student shall sign an acknowledgment of the notice of placement or service and return the signed acknowledgment to the principal within 3 days after receipt of the notice. *A district school board may adopt a policy that allows a parent to agree to an alternative method of notification. Such agreement may be made before the need for notification arises or at the time the notification becomes required.* The parents of a student assigned to such a dropout prevention and academic intervention program shall be notified in writing and entitled to an administrative review of any action by school personnel relating to such placement pursuant to the provisions of chapter 120.

Section 9. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) *before participating in field experiences*.

2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3., achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 10. Subsections (3) and (4) of section 1004.88, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (3) is added to that section, to read:

1004.88 Florida Institute for Charter School Innovation.—

(3) The institute may develop a professional learning system pursuant to s. 1012.98(7).

Section 11. *Section 1006.025, Florida Statutes, is repealed.*

Section 12. Paragraph (b) of subsection (1) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety.—

(1)

(b) The principal or the principal's designee may suspend a student only in accordance with the rules of the district school board. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student's parent by United States mail. *The district school board may adopt a policy that allows a parent to agree to an alternative method of notification. Such agreement may be made before the need for notification arises or at the time the notification becomes required.* Each suspension and the reasons for the suspension shall also be reported in writing within 24 hours to the district school superintendent. A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures *before* ~~prior to~~ suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined by rules of the district school board. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him or her *before* ~~prior to~~ the suspension. Each student shall be given an opportunity to present his or her side of the story. No student shall be suspended for unexcused tardiness, lateness, absence, or truancy. The principal or the principal's designee may suspend any student transported to or from school at public expense from the privilege of riding on a school bus for violation of district school board transportation policies, which shall include a policy regarding behavior at school bus stops, and the principal or the principal's designee shall give notice in writing to the student's parent and to the district school superintendent within 24 hours. School personnel shall not be held legally responsible for suspensions of students made in good faith.

Section 13. Subsection (1) of section 1010.02, Florida Statutes, is amended to read:

1010.02 Financial accounting and expenditures.—

(1) All funds accruing to a school district or a Florida College System institution must be received, accounted for, and expended in accordance with law and rules of the State Board of Education.

(a) A school district may be subject to varying reporting frequencies based on its financial status, as determined in State Board of Education rule and as follows:

1. A school district identified as having a financial concern may be required to submit monthly financial reports.

2. A school district not identified as having a financial concern may not be required to submit financial reports more than once every quarter.

(b) The State Board of Education shall adopt rules to establish criteria for determining the financial status of school districts for the purpose of financial reporting.

Section 14. Section 1010.11, Florida Statutes, is amended to read:

1010.11 Electronic transfer of funds.—Pursuant to the provisions of s. 215.85, each district school board, Florida College System institution board of trustees, and university board of trustees shall adopt written policies prescribing the accounting and control procedures under which any funds under their control are allowed to be moved by electronic transaction for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment. Electronic transactions shall comply with the provisions of chapter 668. *However, a district school board is exempt from the requirements of s. 668.50(18)(b).*

Section 15. Subsections (1) and (3) of section 1011.03, Florida Statutes, are amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

(1) Each district school board shall cause a summary of its tentative budget, including the proposed millage levies as provided for by law, to be posted on the district's official website *or on a publicly accessible website as provided in s. 50.0311* ~~and advertised once in a newspaper of general circulation published in the district or to be posted at the courthouse if there be no such newspaper~~.

(3) The board shall hold public hearings to adopt tentative and final budgets pursuant to s. 200.065. The hearings shall be primarily for the purpose of hearing requests and complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and proposed or adopted amendments thereto, if any. The tentative budget must be posted on the district's official website at least 2 days before the budget hearing held pursuant to s. 200.065 or other law. The final adopted budget must be posted on the district's official website within 30 days after adoption. The board shall require the superintendent to transmit ~~two copies of~~ the adopted budget to the Department of Education as prescribed by law and rules of the State Board of Education.

Section 16. Subsection (4) of section 1011.68, Florida Statutes, is amended to read:

1011.68 Funds for student transportation.—The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. 1002.33(17)(b), of students in membership in kindergarten through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

(4) No district shall use funds to purchase transportation equipment and supplies at prices which exceed those determined by the department to be the lowest which can be obtained, as prescribed in s. 1006.27(1). *A school district that is unable to purchase at such prices shall request from the department assistance with purchasing at such prices. The school district may exceed such prices if the department is unable to assist the school district with its purchase.*

Section 17. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) A school district may expend, subject to s. 200.065, up to *$200* ~~$175~~ per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 18. Subsection (3) of section 1012.05, Florida Statutes, is amended to read:

1012.05 Teacher recruitment and retention.—

(3)(a) Each school board shall adopt policies relating to mentors and support for first-time teachers*, which may include the* ~~based upon~~ guidelines issued by the Department of Education.

(b) By September 15 ~~and February 15~~ each school year, each school district shall electronically submit accurate public school e-mail addresses for all instructional and administrative personnel, as identified in s. 1012.01(2) and (3), to the Department of Education.

Section 19. Section 1012.07, Florida Statutes, is amended to read:

1012.07 Identification of critical teacher shortage areas.—The term "critical teacher shortage area" means high-need content areas and high-priority location areas identified by the State Board of Education. The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to annually identify critical teacher shortage areas. The state board must consider current and emerging educational requirements and workforce demands in determining critical teacher shortage areas. School grade levels may also be designated critical teacher shortage areas. Individual district school boards may identify and submit other critical teacher shortage areas. Such submissions must be aligned to current and emerging educational requirements and workforce demands in order to be approved by the State Board of Education. High-priority location areas *must* ~~shall~~ be in high-density, low-economic urban schools; low-density, low-economic rural schools; and schools that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34. *The State Board of Education shall develop strategies to address critical teacher shortage areas.*

Section 20. Paragraph (c) of subsection (1) of section 1012.22, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(c) Compensation and salary schedules.—

1. Definitions.—As used in this paragraph:

a. "Adjustment" means an addition to the base salary schedule that is not a bonus and becomes part of the employee's permanent base salary and shall be considered compensation under s. 121.021(22).

b. "Grandfathered salary schedule" means the salary schedule or schedules adopted by a district school board before July 1, 2014, pursuant to subparagraph 4.

c. "Instructional personnel" means instructional personnel as defined in s. 1012.01(2)(a)-(d), excluding substitute teachers.

d. "Performance salary schedule" means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. "Salary schedule" means the schedule or schedules used to provide the base salary for district school board personnel.

f. "School administrator" means a school administrator as defined in s. 1012.01(3)(c).

g. "Supplement" means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee's continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:

a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.

b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may ~~not~~ use advanced degrees in setting a salary schedule for instructional personnel or school administrators *if* ~~hired on or after July 1, 2011, unless~~ the advanced degree is held in the individual's area of certification ~~and is only a salary supplement~~.

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 5. Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule shall be compensated pursuant to the performance salary schedule once they have received the appropriate performance evaluation for this purpose.

a. Base salary.—The base salary shall be established as follows:

(I) The base salary for instructional personnel or school administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

b. Salary adjustments.—Salary adjustments for highly effective or effective performance shall be established as follows:

(I) The annual salary adjustment under the performance salary schedule for an employee rated as highly effective must be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.

(II) The annual salary adjustment under the performance salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

(III) A salary schedule shall not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.

c. Salary supplements.—In addition to the salary adjustments, each district school board shall provide for salary supplements for activities that must include, but are not limited to:

(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in critical teacher shortage areas. Statewide critical teacher shortage areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of critical shortage within the school district for purposes of this sub-sub-subparagraph and may remove areas identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board's ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

(3)(a) Collective bargaining.—Notwithstanding provisions of chapter 447 related to district school board collective bargaining, collective bargaining may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

1. Providing incentives to effective and highly effective teachers.

2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.

3. Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.

4. Implementing school safety plans and requirements.

5. Implementing staff and student recognition programs.

6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.

7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.

8. The school district's calendar.

(b) Appearances before the board.—If a district school superintendent appears before the state board to provide an update under s. 1011.62(14)(e), the state board must require that the president of the collective bargaining unit that represents the school district also must appear.

Section 21. Paragraph (e) of subsection (3) of section 1012.56, Florida Statutes, is amended, and paragraph (g) is added to subsection (7) of that section, to read:

1012.56 Educator certification requirements.—

(3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:

(e) Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination *and the SAT, ACT, and Classic Learning Test*. Passing scores identified in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations; or

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions. The requirement of mastery of general knowledge shall be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective under s. 1012.34 for each of the last 3 years.

(7) TYPES AND TERMS OF CERTIFICATION.—

(g) A certificateholder may request that her or his certificate be placed in an inactive status. A certificate that has been inactive may be reactivated upon application to the department. The department shall prescribe, by rule, professional learning requirements as a condition of reactivating a certificate that has been inactive for more than 1 year.

At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed.

Section 22. Subsections (1) and (2) and paragraph (a) of subsection (4) of section 1012.2315, Florida Statutes, are amended to read:

1012.2315 Assignment of teachers.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds disparities between teachers assigned to teach in a majority of schools that do not need improvement and schools that do need improvement pursuant to s. 1008.33. The disparities may be found in the assignment of *inexperienced* ~~temporarily certified~~ teachers, teachers in need of improvement, and out-of-field teachers and in the performance of the students. It is the intent of the Legislature that district school boards have flexibility through the collective bargaining process to assign teachers more equitably across the schools in the district.

(2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F".—

(a) A school district may not assign a higher percentage than the school district average of *inexperienced* ~~temporarily certified~~ teachers, teachers in need of improvement, or out-of-field teachers to schools graded "D" or "F" pursuant to s. 1008.34. *As used in this section, the term "inexperienced teacher" means a teacher who has been teaching for 3 years or less.*

(b)1. A school district may assign an individual newly hired as instructional personnel to a school that has earned a grade of "F" in the previous year or any combination of three consecutive grades of "D" or "F" in the previous 3 years pursuant to s. 1008.34 if the individual:

a. Has received an effective rating or highly effective rating in the immediate prior year's performance evaluation pursuant to s. 1012.34;

b. Has successfully completed or is enrolled in a teacher preparation program pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule, is provided with high quality mentoring during the first 2 years of employment, holds a certificate issued pursuant to s. 1012.56, and holds a probationary contract pursuant to s. 1012.335(2)(a); or

c. Holds a probationary contract pursuant to s. 1012.335(2)(a), holds a certificate issued pursuant to s. 1012.56, and has successful teaching experience, and if, in the judgment of the school principal, students would benefit from the placement of that individual.

2. As used in this paragraph, the term "mentoring" includes the use of student achievement data combined with at least monthly observations to improve the educator's effectiveness in improving student outcomes. Mentoring may be provided by a school district, a teacher preparation program approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule.

Each school district shall annually certify to the Commissioner of Education that the requirements in this subsection have been met. If the commissioner determines that a school district is not in compliance with this subsection, the State Board of Education *must* ~~shall~~ be notified and *must* ~~shall~~ take action pursuant to s. 1008.32 in the next regularly scheduled meeting to require compliance.

(4) COLLECTIVE BARGAINING.—

(a) Notwithstanding provisions of chapter 447 relating to district school board collective bargaining, collective bargaining provisions may not preclude a school district from providing incentives*, including from federal funds,* to high-quality teachers and assigning such teachers to low-performing schools.

Section 23. Paragraphs (a), (b), and (c) of subsection (2) and paragraph (a) of subsection (3) of section 1012.555, Florida Statutes, are amended to read:

1012.555 Teacher Apprenticeship Program.—

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

1. Have received an associate degree from an accredited postsecondary institution.

2. Have earned a cumulative grade point average of *2.5* ~~3.0~~ in that degree program.

3. Have successfully passed a background screening as provided in s. 1012.32.

4. Have received a temporary apprenticeship certificate as provided in s. 1012.56(7)(d).

(b) As a condition of participating in the program, an apprentice teacher must commit to spending *at least* the first 2 years in the classroom of a mentor teacher using team teaching strategies identified in s. 1003.03(5)(b) and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.

(c) An apprentice teacher must do both of the following:

1. Complete *at least* 2 years in an apprenticeship before being eligible to apply for a professional certificate established in s. 1012.56(7)(a). Completion of the Teacher Apprenticeship Program does not exempt an apprentice teacher from the requirements of s. 1012.56(2)(c).

2. Receive related instruction as provided in s. 446.051.

(3) A teacher who serves as a mentor in the apprenticeship program shall mentor his or her apprentice teacher using team teaching strategies and must, at a minimum, meet all of the following requirements:

(a) Have at least *5* ~~7~~ years of teaching experience in this state.

Section 24. Subsection (4) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

(4) ~~Each adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district or charter school. An additional annual certification and an additional annual contract may be awarded by the district or charter school at the district's or charter school's discretion but only if the applicant is rated effective or highly effective under s. 1012.34 during each year of teaching under adjunct teaching certification.~~ A school district and charter school may issue an adjunct teaching certificate for a part-time or full-time teaching position; however, an adjunct teaching certificate issued for a full-time teaching position is valid for no more than 5 years and is nonrenewable.

Section 25. Section 1012.575, Florida Statutes, is amended to read:

1012.575 Alternative preparation programs for certified teachers to add additional coverage.—A district school board, ~~or~~ an organization of private schools, ~~or~~ a consortium of charter schools with an approved professional learning system as described in s. 1012.98(7), *or the Florida Institute for Charter School Innovation* may design alternative teacher preparation programs to enable persons already certificated to add an additional coverage to their certificates. Each alternative teacher preparation program shall be reviewed and approved by the Department of Education to *ensure* ~~assure~~ that persons who complete the program are competent in the necessary areas of subject matter specialization. Two or more school districts may jointly participate in an alternative preparation program for teachers.

Section 26. Subsection (4) is added to section 1012.59, Florida Statutes, to read:

1012.59 Certification fees.—

(4) The State Board of Education shall waive initial subject area examination fees and certification fees for a teacher who holds a temporary or professional certificate in:

(a) Exceptional Student Education K–12 and who applies to add a subject coverage in Elementary Education K–6.

(b) Elementary Education K–6 and who applies to add a subject coverage in Exceptional Student Education K–12.

Section 27. *No later than December 1, 2024, the Commissioner of Education shall make recommendations to the Governor and the Legislature on policy and funding changes to enhance the development and retention of exceptional student education instructional personnel. In developing the recommendations, the commissioner shall consider, but is not limited to, all of the following:*

(1) Alternative certification in place of the Elementary Education K-6 certificate as an add-on for personnel certified in exceptional student education.

(2) Financial incentives, including stipends for teacher education students, loan forgiveness, and instructional personnel salary adjustments and supplements.

(3) Strategies to encourage high school students to consider exceptional student education, including through preapprenticeships and dual enrollment.

(4) Funding under the Florida Education Finance Program to support school district exceptional student education personnel and programs.

(5) Innovative staffing, including teacher mentoring and supports for certified personnel responsibilities for case management and for instruction.

Section 28. *Section 1012.72, Florida Statutes, is repealed.*

Section 29. *Section 1012.86, Florida Statutes, is repealed.*

Section 30. Paragraph (b) of subsection (5) and subsection (7) of section 1012.98, Florida Statutes, are amended to read:

1012.98 School Community Professional Learning Act.—

(5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:

1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning systems. A professional learning system must be reviewed and approved every 5 years. Any substantial revisions to the system *must* ~~shall~~ be submitted to the department for review and approval. The department shall establish a format for the review and approval of a professional learning system.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional learning system, shall also review

and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning certification and education competency program under s. 1012.56(8)(a).

5. Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog *must* ~~shall~~ be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards *shall* ~~must~~ submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional learning plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, *which* ~~that~~ address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning programs.

8. Provide for delivery of professional learning by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 *shall* ~~must~~ include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills *must* ~~shall~~ be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

(7) An organization of private schools or *a* consortium of charter schools *that has at least* ~~which has no fewer than~~ 10 member schools in this state, *that* ~~which~~ publishes and files with the Department of Education copies of its standards, and the member schools of which comply with ~~the provisions of~~ part II of chapter 1003~~,~~ relating to compulsory school attendance*;*~~, or~~ a public or private college or university with a teacher preparation program approved pursuant to s. 1004.04*; or the Florida Institute for Charter School Innovation*~~,~~ may also develop a professional learning system that includes a professional learning catalog for inservice activities. The system and inservice catalog must be submitted to the commissioner for approval pursuant to state board rules.

Section 31. Section 1013.15, Florida Statutes, is amended to read:

1013.15 Lease, rental, and lease-purchase of educational *plants, ancillary plants, and auxiliary* facilities and sites.—

(1) A board may lease any land, facilities, or educational plants owned by it to any person or entity for such term, for such rent, and upon such terms and conditions as the board determines to be in its best interests; any such lease may provide for the optional or binding purchase of the land, facilities, or educational plants by the lessee upon such terms and conditions as the board determines are in its best interests. A determination that any such land, facility, or educational plant so leased is unnecessary for educational purposes is not a prerequisite to the leasing or lease-purchase of such land, facility, or educational plant. *Before* ~~Prior to~~ entering into or executing any such lease, a board shall consider approval of the lease or lease-purchase agreement at a public meeting, at which a copy of the proposed agreement in its final form shall be available for inspection and review by the public, after due notice as required by law.

(2)(a) A district school board may rent or lease educational *plants, ancillary plants, and auxiliary* facilities and sites as defined in s. 1013.01. Educational *plants, ancillary plants, and auxiliary* facilities and sites rented or leased for 1 year or less shall be funded through the operations budget or funds derived from millage proceeds pursuant to s. 1011.71(2). A lease contract for 1 year or less, when extended or renewed beyond a year, becomes a multiple-year lease. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be authorized to be expended for multiple-year leases. All leased *educational plants, ancillary plants, and auxiliary* facilities and sites must be inspected *before* ~~prior to~~ occupancy by the authority having jurisdiction.

1. All newly leased spaces must be inspected and brought into compliance with the Florida Building Code pursuant to chapter 553 and the life safety codes pursuant to chapter 633, *before* ~~prior to~~ occupancy, using the board's operations budget or funds derived from millage proceeds pursuant to s. 1011.71(2).

2. Plans for renovation or remodeling of leased space shall conform to the Florida Building Code and the Florida Fire Prevention Code for educational occupancies or other occupancies, as appropriate and as required in chapters 553 and 633, *before* ~~prior to~~ occupancy.

3. All leased facilities must be inspected annually for firesafety deficiencies in accordance with the applicable code and have corrections made in accordance with s. 1013.12. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be used to correct deficiencies in leased space.

4. When the board declares that a public emergency exists, it may take up to 30 days to bring the leased facility into compliance with the requirements of State Board of Education rules.

(b) A board is authorized to lease-purchase educational *plants, ancillary plants, and auxiliary* facilities and sites as defined in s. 1013.01, *and a district school board is authorized to lease-purchase educational plants, ancillary plants, and auxiliary facilities and sites*. The lease-purchase of educational *plants, ancillary plants, and auxiliary* facilities and sites *must, where applicable, comply with* ~~shall be as required by~~ s. 1013.37, *subject to the authorization in s. 1013.385 to exempt certain facilities from the requirements of that section; must* ~~shall~~ be advertised for and receive competitive proposals and be awarded to the best proposer*,*~~,~~ and *must* ~~shall~~ be funded using current or other funds specifically authorized by law to be used for such purpose.

1. A district school board, by itself, or through a direct-support organization formed pursuant to s. 1001.453 or nonprofit educational organization or a consortium of district school boards, may, in developing a lease-purchase of educational *plants, ancillary plants, and auxiliary* facilities and sites provide for separately advertising for and receiving competitive bids or proposals on the construction of facilities and the selection of financing to provide the lowest cost funding available, so long as the board determines that such process would best serve the public interest and the *available* ~~pledged~~ revenues are limited to those authorized in *s. 1011.71(2)* ~~s. 1011.71(2)(c)~~.

2. All activities and information, including lists of individual participants, associated with agreements made pursuant to this section shall be subject to the provisions of chapter 119 and s. 286.011.

(c)1. The term of any lease-purchase agreement, including the initial term and any subsequent renewals, shall not exceed the useful life of the educational facilities and sites for which the agreement is made, or 30 years, whichever is less.

2. The initial term or any renewal term of any lease-purchase agreement shall expire on June 30 of each fiscal year, but may be automatically renewed annually, subject to a board making sufficient annual appropriations therefor. Under no circumstances shall the failure of a board to renew a lease-purchase agreement constitute a default or require payment of any penalty or in any way limit the right of a board to purchase or utilize educational *plants, ancillary plants, and auxiliary* facilities and sites similar in function to the educational *plants, ancillary plants, and auxiliary* facilities and sites that are the subject of the said lease-purchase agreement. Educational *plants, ancillary plants, and auxiliary* facilities and sites being acquired pursuant to a lease-purchase agreement shall be exempt from ad valorem taxation.

3. No lease-purchase agreement entered into pursuant to this subsection shall constitute a debt, liability, or obligation of the state or a board or shall be a pledge of the faith and credit of the state or a board.

4. Any lease-purchase agreement entered into pursuant to this subsection shall stipulate an annual rate which may consist of a principal component and an interest component, provided that the maximum interest rate of any interest component payable under any such lease-purchase agreement, or any participation or certificated portion thereof, shall be calculated in accordance with and be governed by the provisions of s. 215.84.

(3) Lease or lease-purchase agreements entered into by university boards of trustees shall comply with the provisions of ss. 1013.171 and 1010.62.

(4)(a) A board may rent or lease existing buildings, or space within existing buildings, originally constructed or used for purposes other than education, for conversion to use as educational facilities. Such buildings rented or leased for 1 year or less shall be funded through the operations budget or funds derived from millage pursuant to s. 1011.71(2). A rental agreement or lease contract for 1 year or less, when extended or renewed beyond a year, becomes a multiple-year rental or lease. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be authorized to be expended for multiple-year rentals or leases. Notwithstanding any other provisions of this section, if a building was constructed in conformance with all applicable building and life safety codes, it shall be deemed to meet the requirements for use and occupancy as an educational facility subject only to the provisions of this subsection.

(b) *Before* ~~Prior to~~ occupying a rented or a leased existing building, or space within an existing building, pursuant to this subsection, a school board shall, in a public meeting, adopt a resolution certifying that the following circumstances apply to the building proposed for occupancy:

1. Growth among the school-age population in the school district has created a need for new educational facilities in a neighborhood where there is little or no vacant land.

2. There exists a supply of vacant space in existing buildings that meet state minimum building and life safety codes.

3. Acquisition and conversion to use as educational facilities of an existing building or buildings is a cost-saving means of providing the needed classroom space as determined by the difference between the cost of new construction, including land acquisition and preparation and, if applicable, demolition of existing structures, and the cost of acquisition through rental or lease and conversion of an existing building or buildings.

4. The building has been examined for suitability, safety, and conformance with state minimum building and life safety codes. The building examination shall consist, at a minimum, of a review of existing documents, building site reconnaissance, and analysis of the building conducted by, or under the responsible charge of, a licensed structural engineer.

5. A certificate of evaluation has been issued by an appropriately licensed design professional which states that, based on available documents, building site reconnaissance, current knowledge, and design judgment in the professional's opinion, the building meets the requirements of state minimum building and life safety codes, provides safe egress of occupants from the building, provides adequate firesafety, and does not pose a substantial threat to life to persons who would occupy the building for classroom use.

6. The plans for conversion of the building were prepared by an appropriate design professional licensed in this state and the work of conversion was performed by contractors licensed in this state.

7. The conversion of the building was observed by an appropriate design professional licensed in this state.

8. The building has been reviewed, inspected, and granted a certificate of occupancy by the local building department.

9. All ceilings, light fixtures, ducts, and registers within the area to be occupied for classroom purposes were constructed or have been reconstructed to meet state minimum requirements.

Section 32. Subsection (1) of section 1013.16, Florida Statutes, is amended to read:

1013.16 Construction of facilities on leased property; conditions.—

(1) A board may construct or place educational facilities and ancillary facilities on land that is owned by any person after the board has acquired from the owner of the land a long-term lease for the use of this

land for a period of not less than ~~40 years or~~ the life expectancy of the permanent facilities constructed thereon~~, whichever is longer~~.

Section 33. Subsection (1) of section 1013.20, Florida Statutes, is amended to read:

1013.20 Standards for relocatables used as classroom space; inspections.—

(1) The State Board of Education shall adopt rules establishing standards for relocatables intended for long-term use as classroom space at a public elementary school, middle school, or high school. "Long-term use" means the use of relocatables at the same educational plant for a period of 4 years or more. Each relocatable acquired by a district school board after the effective date of the rules and intended for long-term use must comply with the standards. ~~District school boards shall submit a plan for the use of existing relocatables within the 5-year work program to be reviewed and approved by the commissioner by January 1, 2003. A progress report shall be provided by the commissioner to the Speaker of the House of Representatives and the President of the Senate each January thereafter.~~ Relocatables that fail to meet the standards ~~after completion of the approved plan~~ may not be used as classrooms. The standards shall protect the health, safety, and welfare of occupants by requiring compliance with the Florida Building Code or the State Requirements for Educational Facilities for existing relocatables, as applicable, to ensure the safety and stability of construction and onsite installation; fire and moisture protection; air quality and ventilation; appropriate wind resistance; and compliance with the requirements of the Americans with Disabilities Act of 1990. If appropriate and where relocatables are not scheduled for replacement, the standards must also require relocatables to provide access to the same technologies available to similar classrooms within the main school facility and, if appropriate, and where relocatables are not scheduled for replacement, to be accessible by adequate covered walkways. A relocatable that is subject to this section and does not meet the standards shall not be reported as providing satisfactory student stations in the Florida Inventory of School Houses.

Section 34. *Section 1013.21, Florida Statutes, is repealed.*

Section 35. Section 1013.31, Florida Statutes, is amended to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each *Florida College System institution and state university* board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the ~~school district or~~ Florida College System institution.

~~(a) Educational plant survey and localized need assessment for capital outlay purposes.—A survey recommendation is not required when a district uses funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes:~~

~~1. The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;~~

~~2. A taxpayer-approved bond referendum, to fund construction of an educational, auxiliary, or ancillary plant facility;~~

~~3. One-half cent sales surtax revenue;~~

~~4. One cent local governmental surtax revenue;~~

~~5. Impact fees;~~

~~6. Private gifts or donations; and~~

~~7. The district school tax levied pursuant to s. 1011.71(2).~~

(a)~~(b)~~ Survey preparation and required data.—Each survey *must* ~~shall~~ be conducted by the *Florida College System institution or state university* board or an agency employed by the board. Surveys *must* ~~shall~~ be reviewed and approved by the board, and a file copy *must* ~~shall~~ be submitted to the Department of Education or the Chancellor of the State University System, as appropriate. The survey report *must* ~~shall~~ include at least an inventory of existing educational and ancillary plants, including safe access facilities; recommendations for existing educational and ancillary plants; recommendations for new educational or ancillary plants, including the general location of each in coordination with the land use plan and safe access facilities; campus master plan update and detail for Florida College System institutions; ~~the utilization of school plants based on an extended school day or year-round operation;~~ and such other information as may be required by the Department of Education. This report may be amended, if conditions warrant, at the request of the department or commissioner.

(b)~~(c)~~ Required need assessment criteria for district, Florida College System institution, state university, and Florida School for the Deaf and the Blind plant surveys.—Educational plant surveys must use uniform data sources and criteria specified in this paragraph. Each revised educational plant survey and each new educational plant survey supersedes previous surveys.

~~1. The school district's survey must be submitted as a part of the district educational facilities plan defined in s. 1013.35. To ensure that the data reported to the Department of Education as required by this section is correct, the department shall annually conduct an onsite review of 5 percent of the facilities reported for each school district completing a new survey that year. If the department's review finds the data reported by a district is less than 95 percent accurate, within 1 year from the time of notification by the department the district must submit revised reports correcting its data. If a district fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district has corrected its reports so that they are not less than 95 percent accurate.~~

1.~~2.~~ Each survey of a special facility, joint-use facility, or cooperative career education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts and Florida College System institutions and by the Chancellor of the State University System for universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, Florida College System institutions, and universities, as appropriate. Projections of a school district's facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.

2.~~3.~~ Each Florida College System institution's survey must reflect the capacity of existing facilities as specified in the inventory maintained by the Department of Education. Projections of facility space needs must comply with standards for determining space needs as specified by rule of the State Board of Education. The 5-year projection of capital outlay student enrollment must be consistent with the annual report of capital outlay full-time student enrollment prepared by the Department of Education.

3.~~4.~~ Each state university's survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Chancellor of the State University System. Projections of facility space needs must be consistent with standards for determining space needs as specified by regulation of the Board of Governors. The projected capital outlay full-time equivalent student enrollment must be consistent with the 5-year planned enrollment cycle for the State University System approved by the Board of Governors.

4.~~5.~~ The district educational facilities plan of a school district and the educational plant survey of a Florida College System institution, state university, or the Florida School for the Deaf and the Blind may include space needs that deviate from approved standards for determining space needs if the deviation is justified by the district or institution and approved by the department or the Board of Governors, as appropriate, as necessary for the delivery of an approved educational program.

(c)~~(d)~~ Review and validation.—The Department of Education shall review and validate the surveys of school districts and Florida College System institutions, and the Chancellor of the State University System shall review and validate the surveys of universities, and any amendments thereto for compliance with the requirements of this chapter and shall recommend those in compliance for approval by the State Board of Education or the Board of Governors, as appropriate. ~~Annually, the department shall perform an in-depth analysis of a representative sample of each survey of recommended needs for five districts selected by the commissioner from among districts with the largest need-to-revenue ratio. For the purpose of this subsection, the need-to-revenue ratio is determined by dividing the total 5-year cost of projects listed on the district survey by the total 5-year fixed capital outlay revenue projections from state and local sources as determined by the department.~~ The commissioner may *condition the receipt of* ~~direct~~ fixed capital outlay funds provided from general revenue or from state trust funds *by district school boards* ~~to be withheld from districts~~ until such time as the *district school board submits a* survey *that* accurately projects facilities needs *as indicated by the Florida Inventory of School Houses, as compared with the district's capital outlay full-time equivalent enrollment, as determined by the department*.

(d)~~(e)~~ Periodic update of Florida Inventory of School Houses.—School districts shall periodically update their inventory of educational facilities as new capacity becomes available and as unsatisfactory space is eliminated. The State Board of Education shall adopt rules to determine the timeframe in which districts must provide a periodic update.

(2) Only the district school superintendent, Florida College System institution president, or the university president shall certify to the Department of Education a project's compliance with the requirements for expenditure of PECO funds prior to release of funds.

(a) Upon request for release of PECO funds for planning purposes, certification must be made to the Department of Education that the need for and location of the facility are in compliance with the board-approved survey recommendations, that the project meets the definition of a PECO project and the limiting criteria for expenditures of PECO funding, and that the plan is consistent with the local government comprehensive plan.

(b) Upon request for release of construction funds, certification must be made to the Department of Education that the need and location of the facility are in compliance with the board-approved survey recommendations, that the project meets the definition of a PECO project and the limiting criteria for expenditures of PECO funding, and that the construction documents meet the requirements of the Florida Building Code for educational facilities construction*, subject to the authorization in s. 1013.385 to exempt certain facilities from the requirements of s. 1013.37,* or other applicable codes as authorized in this chapter.

Section 36. Section 1013.385, Florida Statutes, is amended to read:

1013.385 School district construction flexibility.—

~~(1)~~ A district school board may, with a majority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more ~~of the~~ exceptions to the educational facilities construction requirements *to provide a school with* ~~provided in this section.~~

~~(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:~~

~~(a) Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.~~

~~(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.~~

~~(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.~~

~~(d) Site lighting, by approving construction specifications regarding site lighting that:~~

~~1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.~~

~~2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.~~

~~3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot candle.~~

~~(e) Any other provisions that limit~~ the ability ~~of a school~~ to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18)*. When a hurricane evacuation shelter deficit, as determined by the Division of Emergency Management, in the regional planning council region in which the county is located makes public shelter design criteria applicable, any exceptions to the public shelter design criteria remain subject to the concurrence of the applicable local emergency management agency or the Division of Emergency Management. A district school board may not be required to build more emergency-shelter space than identified as needed in the statewide emergency shelter plan* ~~so long as the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan~~.

Section 37. Paragraph (e) of subsection (1) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques for school districts and Florida College System institutions.—

(1) District school boards and boards of trustees of Florida College System institutions may employ procedures to contract for construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities, which include, but are not limited to:

(e) Day-labor contracts not exceeding *$600,000* ~~$280,000~~ for construction, renovation, remodeling, or maintenance of existing facilities. This amount shall be adjusted annually based upon changes in the Consumer Price Index.

Section 38. Section 1013.48, Florida Statutes, is amended to read:

1013.48 Changes in construction requirements after award of contract.—The board may, at its option and by written policy duly adopted and entered in its official minutes, authorize the superintendent or president or other designated individual to approve change orders in the name of the board for preestablished amounts. Approvals *must* ~~shall~~ be for the purpose of expediting the work in progress and *must* ~~shall~~ be reported to the board and entered in its official minutes. ~~For accountability, the school district shall monitor and report the impact of change orders on its district educational facilities plan pursuant to s. 1013.35.~~

Section 39. Paragraph (e) of subsection (6) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(e) Notwithstanding the requirements of this subsection, an unfinished construction project for new construction of educational plant space that was started on or before July 1, *2028* ~~2026~~, is exempt from the total cost per student station requirements established in paragraph (b).

Section 40. Subsection (19) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(19) Each board of trustees shall appoint, suspend, or remove the president of the Florida College System institution. The board of trustees may appoint a search committee. The board of trustees shall conduct annual evaluations of the president in accordance with rules of the State Board of Education and submit such evaluations to the State Board of Education for review. The evaluation must address the achievement of the performance goals established by the accountability process implemented pursuant to s. 1008.45 ~~and the performance of the president in achieving the annual and long-term goals and objectives established in the Florida College System institution's employment accountability program implemented pursuant to s. 1012.86~~.

Section 41. Subsection (22) of section 1001.65, Florida Statutes, is amended to read:

1001.65 Florida College System institution presidents; powers and duties.—The president is the chief executive officer of the Florida College System institution, shall be corporate secretary of the Florida College System institution board of trustees, and is responsible for the operation and administration of the Florida College System institution. Each Florida College System institution president shall:

(22) Submit an annual employment accountability plan to the Department of Education ~~pursuant to the provisions of s. 1012.86~~.

Section 42. Paragraph (i) of subsection (2) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

(2) COMPLIANCE WITH STATUTES AND RULES.—Each academically high-performing school district shall comply with all of the provisions in chapters 1000-1013, and rules of the State Board of Education which implement these provisions, pertaining to the following:

(i) Those statutes pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for portables, ~~and s. 1013.21, relating to the use of relocatable facilities that exceed 20 years of age,~~ are eligible for exemption.

Section 43. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Program Initiative.—The Principal Autonomy Program Initiative is created within the Department of Education. The purpose of the program is to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school, as well as other schools, in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with the district school board for participation in the program.

(3) EXEMPTION FROM LAWS.—

(b) A participating school or a school operated by a principal pursuant to subsection (5) shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

2. Those laws relating to the student assessment program and school grading system, including chapter 1008.

3. Those laws relating to the provision of services to students with disabilities.

4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.

5. Those laws relating to student health, safety, and welfare.

6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

7. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level for a participating school.

8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

10. Section 1012.335, relating to annual contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.

11. Section 1012.34, relating to personnel evaluation procedures and criteria.

12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, *is* ~~and s. 1013.21, relating to the use of relocatable facilities exceeding 20 years of age,~~ ~~are~~ eligible for exemption.

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).

Section 44. Paragraph (b) of subsection (1) of section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

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

(b) "District facilities work program" means the 5-year listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, which is required in order to:

1. Properly maintain the educational plant and ancillary facilities of the district.

2. Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs ~~in accordance with the goal in s. 1013.21~~.

Section 45. This act shall take effect July 1, 2024.

And the title is amended as follows:

Remove everything before the enacting clause and insert: An act relating to deregulation of public schools; amending s. 200.065, F.S.; requiring a district school board to advertise its intent to adopt a tentative budget on a publicly available website if the district school board does not advertise such intent in a newspaper of general circulation; defining the term "publicly accessible website"; requiring certain information relating to a postponed hearing to be posted on a school district website under certain circumstances; amending s. 252.38, F.S.; revising the requirements for certain district school boards during declared state or local emergencies and at the request of specified entities; amending s. 316.173, F.S.; revising requirements for signage that must be posted on certain school buses; providing an additional use for specified civil penalties; amending s. 1001.372, F.S.; revising the ways due public notice may be met for district school board meetings; amending s. 1001.49, F.S.; revising the general powers of district school

superintendents to include establishing a process for the review and approval of certain policies and procedures through the delegated authority of district school boards; amending s. 1002.20, F.S.; revising a requirement relating to how a parent is informed of placement of a student in a specified program; revising a requirement relating to how a parent is informed of a student's suspension; deleting a requirement that an economic security report of employment and earning outcomes be provided to students; amending s. 1002.55, F.S.; requiring newly hired prekindergarten instructors to complete specified training within a certain timeframe; deleting obsolete language; amending s. 1003.53, F.S.; authorizing district school boards to adopt a policy relating to parental notification methods; providing requirements for such policy; amending s. 1004.85, F.S.; revising the requirements for participants in certain educator preparation programs; amending s. 1004.88, F.S.; authorizing the Florida Institute for Charter School Innovation to develop a professional learning system; repealing s. 1006.025, F.S., relating to guidance services; amending s. 1006.09, F.S.; authorizing district school boards to adopt a policy relating to parental notification methods; providing requirements for such policy; amending s. 1010.02, F.S.; providing financial reporting requirements for certain school districts; amending s. 1010.11, F.S.; providing that school districts are exempt from certain requirements relating to electronic transfer of funds; amending s. 1011.03, F.S.; requiring a district school board to publish its tentative budget on a publicly accessible website; deleting a requirement for a district school board to publish its tentative budget in a newspaper or at a courthouse under certain circumstances; amending s. 1011.68, F.S.; requiring certain school districts to request specified assistance from the Department of Education relating to the purchase of transportation equipment and supplies; authorizing such school districts to purchase such equipment and supplies at specified prices under certain circumstances; amending s. 1011.71, F.S.; revising the amount of funds school districts may expend from specified revenue and for certain purposes; amending s. 1012.05, F.S.; authorizing, rather than requiring, district school boards to base certain polices on guidelines from the department; revising the frequency with which school districts must submit certain information to the department; amending s. 1012.07, F.S.; requiring the State Board of Education to develop strategies to address critical teacher shortages; amending s. 1012.22, F.S.; authorizing district school boards to use advanced degrees in setting salary schedules for specified personnel; providing that collective bargaining may not preclude a district school board from carrying out specified duties; providing that if a superintendent appears before the State Board of Education for a specified purpose, the president of the school district bargaining unit also must appear; amending s. 1012.56, F.S.; authorizing specified assessments to be used to demonstrate mastery of general knowledge for certain educator certification requirements; providing for the placement of an educator certificate in an inactive status; providing requirements for returning an educator certificate to active status; amending s. 1012.2315, F.S.; revising legislative findings and intent; revising school district prohibitions relating to the assignment of certain teachers; defining the term "inexperienced teacher"; providing that certain prohibitions relating to the provision of school district incentives apply to incentives using federal funds; amending s. 1012.555, F.S.; revising requirements for individuals to participate in the Teacher Apprenticeship Program; amending s. 1012.57, F.S.; revising provisions relating to the validity period of adjunct teaching certificates; amending s. 1012.575, F.S.; providing that certain provisions relating to alternative teacher preparation programs also apply to the Florida Institute for Charter School Innovation; amending s. 1012.59, F.S.; providing examination and certification fee waivers for certain teachers; by a specified date, requiring the Commissioner of Education to make certain recommendations relating to the development and retention of exceptional student education instructional personnel to the Governor and Legislature; repealing s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; repealing s. 1012.86, F.S., relating to the Florida College System institution employment equity accountability program; amending s. 1012.98, F.S.; providing that provisions relating to the development of a professional learning system apply to the Florida Institute for Charter School Innovation; amending s. 1013.15, F.S.; authorizing district school boards to rent or lease specified plants and facilities and sites; providing that the lease-purchase of certain plants and facilities and sites is exempt from certain requirements; amending s. 1013.16, F.S.; revising minimum lease term requirements for land for certain construction projects; amending s. 1013.20, F.S.; deleting a district school board requirement to plan for the use of relocatables; deleting a requirement for the commissioner to provide a progress report to the Legislature; repealing s. 1013.21, F.S., relating to reduction of relocatable facilities in use; amending s. 1013.31, F.S.; requiring each Florida College System institution board of trustees and state university board of trustees to arrange for educational plant surveys; deleting provisions relating to when an educational plant survey recommendation is not required; requiring Florida College System institution and state university boards, but not district school boards, to participate in specified surveys; deleting a requirement for school districts to submit certain data to the department; revising requirements for what a survey report must include; deleting a requirement that a school district's survey must be submitted as part of the district educational facilities plan; deleting a requirement for the department to perform an analysis of such surveys; revising requirements for a facilities needs survey submitted by a district school board; requiring that the release of funds for a PECO project be subject to certain authorizations; amending s. 1013.385, F.S.; deleting requirements for a resolution relating to educational facilities construction which may be adopted by district school boards; providing that exceptions to requirements for public shelter design criteria remain subject to certain emergency management provisions; providing that a school board may not be required to build more emergency-shelter space than identified as needed; amending s. 1013.45, F.S.; revising the limit for specified day-labor contracts that district school boards and boards of trustees of Florida College System institutions may use; amending s. 1013.48, F.S.; deleting a requirement that school districts monitor and report the impact of certain change orders; amending s. 1013.64, F.S.; revising the requirements for a construction project to be exempt from cost requirements; amending ss. 1001.64, 1001.65, 1003.621, 1011.6202, and 1013.35, F.S.; conforming cross-references to changes made by the act; providing an effective date.

On motion by Senator Hutson, the Senate concurred in **House Amendment 1 (568137)**.

CS for SB 7002 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Baxley, Perry

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 364, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 364—A bill to be entitled An act relating to regulatory assessment fees; amending s. 120.80, F.S.; exempting certain rules adopted by the Florida Public Service Commission relating to regulatory assessment fees from the requirement of legislative ratification; providing an effective date.

House Amendment 1 (281177) (with title amendment)—Remove lines 21-22 and insert: *120.541(3)* ~~s. 120.541~~. This subparagraph expires July 1, *2028* ~~2024~~.

Section 2. This act shall take effect July 1, 2024.

And the title is amended as follows:

Remove lines 2-6 and insert: An act relating to Public Service Commission rules; amending s. 120.80, F.S.; revising the expiration date and scope of an exemption from certain provisions relating to statements of estimated regulatory costs for certain rules adopted by the Public Service Commission; providing an

On motion by Senator Collins, the Senate concurred in **House Amendment 1 (281177)**.

SB 364 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Baxley, Perry

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 92, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 92—A bill to be entitled An act relating to the Yacht and Ship Brokers' Act; amending s. 326.002, F.S.; revising the definition of the term "yacht"; amending s. 326.004, F.S.; exempting a person who conducts business as a broker or salesperson in another state from licensure in this state for specified transactions; requiring, rather than authorizing, the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation to deny licenses for applicants who fail to meet certain requirements; revising requirements for licensure as a broker; providing an effective date.

House Amendment 1 (642737) (with title amendment)—Remove lines 38-56 and insert:

(6) The division *must* ~~may~~ deny a license to any applicant who does not:

(a) Furnish proof satisfactory to the division that he or she is of good moral character.

(b) Certify that he or she has never been convicted of a felony.

(c) Post the bond required by the Yacht and Ship Brokers' Act.

(d) Demonstrate that he or she is a resident of this state or that he or she conducts business in this state.

(e) Furnish a full set of fingerprints taken within the 6 months immediately preceding the submission of the application.

(f) Have a current license and has operated as a broker or salesperson without a license.

(8) A person may not be licensed as a broker unless he or she has been *licensed as* a salesperson *and can demonstrate that he or she has been directly involved in at least four transactions that resulted in the sale of a yacht or can certify that he or she has obtained at least 20 education*

And the title is amended as follows:

Remove lines 11-12 and insert: deny licenses based on certain criteria; revising requirements for licensure as a

On motion by Senator Hooper, the Senate concurred in **House Amendment 1 (642737)**.

SB 92 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Baxley, Perry

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 536, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 536—A bill to be entitled An act relating to community-based child welfare agencies; amending s. 409.016, F.S.; defining the term "management functions"; amending s. 409.987, F.S.; revising requirements for contracts the Department of Children and Families has with community-based care lead agencies; providing duties for board members of lead agencies; requiring that lead agencies ensure that board members participate in certain annual training; requiring the posting of a fidelity bond; revising the definition of the term "conflict of interest"; defining the term "related party"; requiring the lead agency's board of directors to disclose to the department any known actual or potential conflicts of interest; prohibiting a lead agency from entering into a contract or being a party to any transaction with related parties if a conflict of interest is not properly disclosed; prohibiting a lead agency from entering into a contract or being a party to any transaction with related parties for officer-level or director-level staffing to perform management functions; requiring the contract with the department and the lead agency to specify the administrative functions that the lead agency may subcontract; authorizing a lead agency to enter into certain contracts or be a party to certain transactions, provided that a certain requirement for fees, rates, and prices paid is met and any conflict of interest is properly disclosed; requiring department contracts to impose contractual penalties on lead agencies for undi-

sclosed conflicts of interest; providing applicability; requiring certain contracts to be reprocured; authorizing the department to recoup lead agency expenses for the execution of certain contracts; amending s. 409.988, F.S.; revising lead agency duties; repealing s. 409.991, F.S., relating to allocation of funds for community-based care lead agencies; creating s. 409.9913, F.S.; defining the terms "core services funding" and "operational and fixed costs"; requiring the department, in collaboration with the lead agencies and providers of child welfare services, to develop a specific funding methodology for the allocation of core services which must meet certain criteria; requiring the lead agencies and providers of child welfare services to submit to the department certain financial information; requiring the department to submit to the Governor and the Legislature certain reports by specified dates; providing construction; authorizing the department to include certain rates and total allocations in certain reports; requiring the Legislature to allocate funding to the lead agencies with due consideration of the specified funding methodology, beginning with a specified fiscal year; prohibiting the department from changing a lead agency's allocation of funds provided in the General Appropriations Act without legislative approval; authorizing the department to approve certain risk pool funding for a lead agency; requiring the department to submit to the Governor and the Legislature certain monthly reports for a specified period of time; amending s. 409.992, F.S.; revising requirements for lead agency practices in the procurement of commodities and contractual services; requiring the department to impose certain penalties for a lead agency's noncompliance with applicable procurement law; requiring the contract between the department and the lead agency to specify the rights and obligations with regard to real property held by the lead agency during the term of the contract; providing applicability of certain limitations on the salaries of community-based care lead agency administrative employees; amending s. 409.994, F.S.; revising the conditions under which the department may petition a court for the appointment of a receiver for a community-based care lead agency; amending s. 409.996, F.S.; revising requirements for contracts between the department and lead agencies; revising the actions the department may take under certain circumstances; making a technical change; providing duties of the department; requiring the department, by specified dates, to submit certain reports to the Governor and the Legislature; providing an effective date.

House Amendment 1 (126347) (with title amendment)—Remove lines 107-542 and insert: year contracts with lead agencies. *The department may extend a contract for 1 to 5 years, in accordance with s. 287.057, only if a lead agency has met performance expectations within the monitoring evaluation.*

(4) In order to serve as a lead agency, an entity must:

(a) Be organized as a Florida corporation or a governmental entity.

(b) Be governed by a board of directors or a board committee composed of board members. *The board of directors or board committee shall provide oversight and ensure accountability and transparency for the system of care. The board of directors or board committee shall provide fiduciary oversight to prevent conflicts of interest, promote accountability and transparency, and protect state and federal funding from misuse. The board of directors shall act in accordance with s. 617.0830.* The membership of the board of directors or board committee must be described in the bylaws or articles of incorporation of each lead agency, which must provide that at least 75 percent of the membership of the board of directors or board committee must *be composed* ~~consist~~ of persons residing in this state, and at least 51 percent of the state residents on the board of directors must reside within the service area of the lead agency. *The lead agency shall ensure that its board members, directors, and officers participate in annual training related to their responsibilities. The department shall set forth minimum training criteria in the contracts with the lead agencies.* However, for procurements of lead agency contracts initiated on or after July 1, 2014:

1. At least 75 percent of the membership of the board of directors must *be composed* ~~consist~~ of persons residing in this state, and at least 51 percent of the membership of the board of directors must *be composed* ~~consist~~ of persons residing within the service area of the lead agency. If a board committee governs the lead agency, 100 percent of its membership must *be composed* ~~consist~~ of persons residing within the service area of the lead agency.

2. The powers of the board of directors or board committee include, but are not limited to, approving the lead agency's budget and setting the lead agency's operational policy and procedures. A board of directors must additionally have the power to hire the lead agency's executive director, unless a board committee governs the lead agency, in which case the board committee must have the power to confirm the selection of the lead agency's executive director.

(c) Demonstrate financial responsibility through an organized plan for regular fiscal audits and the posting of a performance bond.

(7)(a) As used in this subsection, the term:

1. "Activity" includes, but is not limited to, a contract for goods and services, a contract for the purchase of any real or tangible property, or an agreement to engage with a lead agency for the benefit of a third party in exchange for an interest in real or tangible property, a monetary benefit, or an in-kind contribution.

2. "Conflict of interest" means when a board member*, director,* or ~~an~~ officer, or a relative of a board member*, director,* or ~~an~~ officer, of a lead agency does any of the following:

a. Enters into a contract or other transaction for goods or services with the lead agency.

b. Holds a direct or indirect interest in a corporation, limited liability corporation, partnership, limited liability partnership, or other business entity that conducts business with the lead agency or proposes to enter into a contract or other transaction with the lead agency. For purposes of this paragraph, the term "indirect interest" has the same meaning as in s. 112.312.

c. Knowingly obtains a direct or indirect personal, financial, professional, or other benefit as a result of the relationship of such board member*, director,* or officer, or relative of the board member*, director,* or officer, with the lead agency. For purposes of this paragraph, the term "benefit" does not include per diem and travel expenses paid or reimbursed to board members*, directors,* or officers of the lead agency in connection with their service on the board.

3. "Related party" means any entity of which a director or an officer of the entity is also directly or indirectly related to, or has a direct or indirect financial or other material interest in, the lead agency. The term also includes any subsidiary firm or joint venture.

4. ~~3.~~ "Relative" means a relative within the third degree of consanguinity by blood or marriage.

(b)1. For any activity that is presented to the board of a lead agency for its initial consideration and approval ~~after July 1, 2021~~, or any activity that involves a contract that is being considered for renewal ~~on or after July 1, 2021, but before January 1, 2022~~, a board member*, a director,* or an officer of a lead agency shall disclose to the board any activity that may reasonably be construed to be a conflict of interest before such activity is initially considered and approved or a contract is renewed by the board. A rebuttable presumption of a conflict of interest exists if the activity was acted on by the board without prior notice as required under paragraph (c). *The board shall disclose any known actual or potential conflicts to the department.*

2. *A lead agency may not enter into a contract or be a party to any transaction with related parties if a conflict of interest is not properly disclosed. A lead agency may not enter into a contract with a related party for officer or director level staffing to perform management functions. The contract with the department and lead agency must specify the administrative functions and services that the lead agency will subcontract* ~~For contracts with a lead agency which are in existence on July 1, 2021, and are not subject to renewal before January 1, 2022, a board member or an officer of the lead agency shall disclose to the board any activity that may reasonably be construed to be a conflict of interest under this section by December 31, 2021~~.

3. Subject to the requirements of subparagraph 2., a lead agency may enter into a contract or be a party to any transaction with related parties as long as the fee, rate, or price paid by the lead agency for the commodities or services being procured does not exceed the fair market value for such commodities or services. The lead agency shall disclose any known actual or potential conflicts to the department.

(g) All department contracts with lead agencies must contain the following contractual penalty provisions:

1. Penalties in the amount of $5,000 per occurrence shall be imposed for each known and potential conflict of interest, as described in paragraph (b), which is not disclosed to the department.

2. If a contract is executed for which a conflict of interest was not disclosed to the department before execution of the contract, the following penalties apply:

a. A penalty in the amount of $10,000 for a first offense.

b. A penalty in the amount of $15,000 for a second or subsequent offense.

3. The penalties for failure to disclose a conflict of interest under subparagraphs 1. and 2. apply to any contract entered into, regardless of the method of procurement, including, but not limited to, formal procurement, single-source contracts, and contracts that do not meet the minimum threshold for formal procurement.

4. A contract procured for which a conflict of interest was not disclosed to the department before execution of the contract shall be reprocured. The department shall recoup from the lead agency expenses related to a contract that was executed without disclosure of a conflict of interest.

Section 3. Paragraphs (c), (j), and (k) of subsection (1) of section 409.988, Florida Statutes, are amended to read:

409.988 Community-based care lead agency duties; general provisions.—

(1) DUTIES.—A lead agency:

(c) Shall follow the financial guidelines developed by the department and *shall comply with regular, independent auditing of its financial activities, including any requests for records associated with such financial audits within the timeframe established by the department or its contracted vendors* ~~provide for a regular independent auditing of its financial activities~~. *The results of the financial audit must* ~~Such financial information shall~~ be provided to the community alliance established under s. 20.19(5).

(j) May subcontract for the provision of services*, excluding with a related party for officer or director level staffing to perform management functions,* required by the contract with the lead agency and the department; however, the subcontracts must specify how the provider will contribute to the lead agency meeting the performance standards established pursuant to the child welfare results-oriented accountability system required by s. 409.997. The lead agency shall directly provide no more than 35 percent of all child welfare services provided unless it can demonstrate a need~~,~~ within the lead agency's geographic service area *in which there is a lack of qualified providers available to perform the necessary services. The approval period to exceed the threshold must be limited to 2 years and must be renewed following the process outlined in this section*~~, to exceed this threshold~~. The local community alliance in the geographic service area in which the lead agency is seeking to exceed the threshold shall review the lead agency's justification for need and recommend to the department whether the department should approve or deny the lead agency's request for an exemption from the services threshold. If there is not a community alliance operating in the geographic service area in which the lead agency is seeking to exceed the threshold, such review and recommendation shall be made by representatives of local stakeholders, including at least one representative from each of the following:

1. The department.

2. The county government.

3. The school district.

4. The county United Way.

5. The county sheriff's office.

6. The circuit court corresponding to the county.

7. The county children's board, if one exists.

(k) Shall publish on its website by the 15th day of each month at a minimum the data specified in subparagraphs *1.-10.* ~~1. 5.~~, calculated using a standard methodology determined by the department, for the preceding calendar month regarding its case management services. The following information shall be reported by each individual subcontracted case management provider, by the lead agency, if the lead agency provides case management services, and in total for all case management services subcontracted or directly provided by the lead agency:

1. The average caseload of case managers, including only filled positions;

2. The total number and percentage of case managers who have 25 or more cases on their caseloads;

3. The turnover rate for case managers and case management supervisors for the previous 12 months;

4. The percentage of required home visits completed; ~~and~~

5. Performance on outcome measures required pursuant to s. 409.997 for the previous 12 months*;*~~.~~

6. The number of unlicensed placements for the previous month;

7. The percentages and trends for foster parent and group home recruitment and licensure for the previous month;

8. The percentage of families being served through family support, in-home, and out-of-home services for the previous month;

9. The percentage of cases that converted from nonjudicial to judicial for the previous month; and

10. Children's legal service staffing rates.

Section 4. *Section 409.991, Florida Statutes, is repealed.*

Section 5. Section 409.9913, Florida Statutes, is created to read:

409.9913 Funding methodology to allocate funding to lead agencies.—

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

(a) "Core services funding" means all funds allocated to lead agencies. The term does not include any of the following:

1. Funds appropriated for independent living services.

2. Funds appropriated for maintenance adoption subsidies.

3. Funds allocated by the department for child protective investigation service training.

4. Nonrecurring funds.

5. Designated mental health wrap-around service funds.

6. Funds for special projects for a designated lead agency.

7. Funds appropriated for the Guardianship Assistance Program established under s. 39.6225.

(b) "Operational and fixed costs" means:

1. Administrative expenditures, including, but not limited to, information technology and human resources functions.

2. Lease payments.

3. Asset depreciation.

4. Utilities.

5. Administrative components of case management.

6. Mandated activities such as training, quality improvement, or contract management.

(2) The department shall develop, in collaboration with lead agencies and providers of child welfare services, a funding methodology for allocating core services funding to lead agencies which, at a minimum:

(a) Is actuarially sound.

(b) Is reimbursement based.

(c) Is designed to incentivize efficient and effective lead agency operation, prevention, family preservation, and permanency.

(d) Considers variable costs, including, but not limited to, direct costs for in-home and out-of-home care for children served by the lead agencies, prevention services, and operational and fixed costs.

(e) Is scaled regionally for cost-of-living factors.

(3) The lead agencies and providers of child welfare services shall submit any detailed cost and expenditure data that the department requests for the development of the funding methodology.

(4) The department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2024, which, at a minimum:

(a) Describes a proposed funding methodology and formula that will provide for the annual budget of each lead agency, including, but not limited to, how the proposed methodology will meet the criteria in subsection (2).

(b) Describes the data used to develop the methodology, and the data that will be used to annually calculate the proposed lead agency budget.

(c) Specifies proposed rates and total allocations for each lead agency. The allocations must ensure that the total of all amounts allocated to lead agencies under the funding methodology does not exceed the total amount appropriated to lead agencies in the General Appropriations Act in the 2024-2025 fiscal year.

(d) Provides risk mitigation recommendations that ensure that lead agencies do not experience a reduction in funding that would be detrimental to operations or result in a reduction in services to children.

(5) By October 31 of each year, beginning in 2025, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes recommendations for adjustments to the funding methodology for the next fiscal year, using the criteria in subsection (2) and basing the recommendations on, at a minimum, updated expenditure data, cost-of-living adjustments, market dynamics, or other catchment area variations. The total of all amounts proposed for allocation to lead agencies under the funding methodology for the next fiscal year may not exceed the total amount appropriated for core services funding in the current fiscal year's General Appropriations Act. The funding methodology must include risk mitigation strategies that ensure that lead agencies do not experience a reduction in funding that would be detrimental to operations or result in a reduction in services to children.

(6)(a) The requirements of this section do not replace, and must be in addition to, any requirements of chapter 216, including, but not limited to, submission of final legislative budget requests by the department under s. 216.023.

(b) The data and reports required under subsections (4) and (5) may also include proposed rates and total allocations for each lead agency which reflect any additional core services funding for lead agencies which is requested by the department under s. 216.023.

(7)(a) Beginning with the 2025-2026 fiscal year, the Legislature shall allocate funding to lead agencies through the General Appropriations Act with due consideration of the funding methodology developed under this section.

(b) The department may not change the allocation of funds to a lead agency as provided in the General Appropriations Act without legislative approval. The department may approve additional risk pool funding for a lead agency as provided under s. 409.990.

(8) The department shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly reports from July through October 2024, which provide updates on activities and progress in developing the funding methodology.

Section 6. Subsections (1) and (3) of section 409.992, Florida Statutes, are amended to read:

409.992 Lead agency expenditures.—

(1) The procurement of commodities or contractual services by lead agencies *is* ~~shall be~~ governed by the financial guidelines developed by the department and must comply with applicable state and federal law and follow good business practices. Pursuant to s. 11.45, the Auditor General may provide technical advice in the development of the financial guidelines.

(a)1. Lead agencies shall competitively procure all contracts, consistent with the federal simplified acquisition threshold.

2. Lead agencies shall competitively procure all contracts in excess of $35,000 with related parties.

3. Financial penalties or sanctions, as established by the department and incorporated into the contract, shall be imposed by the department for noncompliance with applicable local, state, or federal law for the procurement of commodities or contractual services.

(b) The contract between the department and the lead agency for the provision of child protection and child welfare services must delineate the rights and obligations of the parties concerning the acquisition, transfer, or other disposition of real property held by the lead agency during the term of the contract. This paragraph applies prospectively to new contracts entered into between the department and a lead agency for the provision of child protection and child welfare services on or after July 1, 2024.

(3) Notwithstanding any other provision of law, a community-based care lead agency administrative employee may not receive a salary, whether base pay or base pay combined with any bonus or incentive payments, in excess of 150 percent of the annual salary paid to the secretary of the Department of Children and Families from state-appropriated funds, including state-appropriated federal funds. *This limitation applies regardless of the number of community-based care contracts a community-based care lead agency may execute with the department.* This subsection does not prohibit any party from providing cash that is not from appropriated state funds to a community-based care lead agency administrative employee.

Section 7. Paragraph (d) of subsection (1) of section 409.994, Florida Statutes, is amended to read:

409.994 Community-based care lead agencies; receivership.—

(1) The Department of Children and Families may petition a court of competent jurisdiction for the appointment of a receiver for a community-based care lead agency established pursuant to s. 409.987 if any of the following conditions exist:

(d) The lead agency cannot meet*, or is unlikely to meet,* its current financial obligations to its employees, contractors, or foster parents. Issuance of bad checks or the existence of delinquent obligations for payment of salaries, utilities, or invoices for essential services or commodities *constitutes* ~~shall constitute~~ prima facie evidence that the lead agency lacks the financial ability to meet its financial obligations.

Section 8. Paragraph (d) of subsection (1) of section 409.996, Florida Statutes, is amended to read:

409.996 Duties of the Department of Children and Families.—The department shall contract for the delivery, administration, or management of care for children in the child protection and child welfare system. In doing so, the department retains responsibility for the quality of contracted services and programs and shall ensure that, at a minimum, services are delivered in accordance with applicable federal

and state statutes and regulations and the performance standards and metrics specified in the strategic plan created under s. 20.19(1).

(1) The department shall enter into contracts with lead agencies for the performance of the duties by the lead agencies established in s. 409.988. At a minimum, the contracts must do all of the following:

(d) Provide for *contractual actions* ~~tiered interventions and graduated penalties~~ for failure to comply with contract terms or in the event of performance deficiencies*, as determined appropriate by the department*.

1. Such *contractual actions must* ~~interventions and penalties shall~~ include, but are not limited to:

a.~~1.~~ Enhanced monitoring and reporting.

b.~~2.~~ Corrective action plans.

c.~~3.~~ Requirements to accept technical assistance and consultation from the department under subsection (6).

d.~~4.~~ Financial penalties, *as a matter of contract. The financial penalties assessed by the department on the lead agency revert to the state* ~~which shall require a lead agency to reallocate funds from administrative costs to direct care for children~~.

e.~~5.~~ Early termination of contracts, as provided in *s. 402.7305(3)(f)* ~~s. 402.1705(3)(f)~~.

2. No later than January 1, 2025, the department shall ensure that each lead agency contract executed includes a list of financial penalties for failure to comply with contractual requirements.

Section 9. *The Department of Children and Families shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on rules and policies adopted and other actions taken to implement the requirements of this act. The first such report must be due September 30, 2024, and the second such report must be due February 1, 2025.*

Section 10. *There is established the Future of Child Protection Contracting and Funding Working Group. The Department of Children and Families shall convene the working group and shall be responsible for producing and submitting a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 15, 2025.*

(1) The report must, at a minimum:

(a) Examine the current contracting methods for the provision of all foster care and related services.

(b) Identify any barriers or deficiencies in creating local ownership and governance of such services.

(c) Assess the implications of a 10 percent cap on administrative costs.

(d) Evaluate barriers to entry in the procurement of managed care networks.

(e) Consider the unique regional needs of children and families at risk of abuse and neglect.

(f) Recommend changes to existing laws, rules, and policies necessary to implement the working group's recommendations.

(2) The secretary of the Department of Children and Families, or his or her designee, shall chair the working group and shall invite the following persons to participate as a member of the working group:

(a) The Secretary of the Agency for Health Care Administration, or his or her designee.

(b) The secretary of the Department of Management Services, or his or her designee.

(c) A member of the Florida Coalition for Children, Inc., or his or her designee.

(d) A current contractor for lead agency child protection services.

(e) Two representatives of a direct provider of child protection or child welfare services.

(f) A member of the Family Law Section of The Florida Bar or a member of the court exercising jurisdiction over family law matters.

(g) A representative of a for-profit managed care entity.

(h) A representative from a State University System school of business.

(i) A representative from the Florida Institute for Child Welfare.

(j) Any additional members as the department deems appropriate.

(3) The working group shall terminate immediately after the secretary of the Department of Children and Families submits the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

And the title is amended as follows:

Remove lines 5-83 and insert: authorizing the Department of Children and Families to extend contracts with community-based care lead agencies under certain circumstances; revising requirements for an entity to serve as a lead agency; providing duties for board members and board of directors of lead agencies; requiring that lead agencies ensure that board members participate in certain annual training; revising the definition of the term "conflict of interest"; defining the term "related party"; requiring the lead agency's board of directors to disclose any known or potential conflicts of interest; prohibiting a lead agency from entering into a contract or being a party to any transaction with related parties if a conflict of interest is not properly disclosed; prohibiting a lead agency from entering into a contract or being a party to any transaction with related parties for officer or director level staffing to perform management functions; removing obsolete language; authorizing a lead agency to enter into certain contracts or be a party to certain transactions under certain circumstances; requiring department contracts with lead agencies to include certain contractual penalty provisions; specifying the contractual penalties; providing applicability; requiring certain contracts to be reprocured; requiring the department to recoup lead agency expenses for the execution of certain contracts; amending s. 409.988, F.S.; revising lead agency duties and authority; repealing s. 409.991, F.S., relating to allocation of funds for community-based care lead agencies; creating s. 409.9913, F.S.; providing definitions; requiring the department, in collaboration with the lead agencies and providers of child welfare services, to develop a specific funding methodology for the allocation of core services which meets certain criteria; requiring the lead agencies and providers of child welfare services to submit to the department certain financial information for the development of the funding methodology; requiring the department to submit to the Governor and the Legislature certain reports by the established deadlines; subjecting the allocation of core services to the requirements of ch. 216, F.S.; authorizing the department to include certain rates and total allocations in certain reports; requiring the Legislature to allocate funding to the lead agencies with due consideration of the funding methodology, beginning with the 2025-2026 fiscal year; prohibiting the department from changing a lead agency's allocation of funds provided in the General Appropriations Act without legislative approval; authorizing the department to approve certain risk pool funding for a lead agency; requiring the department to submit to the Governor and the Legislature certain reports by the established deadlines; amending s. 409.992, F.S.; revising requirements for lead agency practices in the procurement of commodities and contractual services; requiring the department to impose certain penalties for a lead agency's noncompliance with applicable procurement law; requiring a contract between the department and a lead agency to specify the rights and obligations to real property held by the lead agency during the term of the contract; providing applicability; providing applicability of certain limitations on the salaries of community-based care lead agency administrative employees; amending s. 409.994, F.S.; revising the conditions under which the department may petition a court for the appointment of a receiver for a community-based care lead agency; amending s. 409.996, F.S.; revising requirements for contracts between the department and lead agencies; making a technical change; providing duties of the department; providing reporting requirements; re-

quiring the department to convene a working group to submit a certain report to the Governor and the Legislature by a certain date; providing membership and termination of the working group; providing an effective

On motion by Senator Garcia, the Senate refused to concur in the **House Amendment 1 (126347)** to **CS for CS for CS for SB 536** and the House was requested to recede. The action of the Senate was certified to the House.

SPECIAL ORDER CALENDAR, continued

On motion by Senator Burgess—

CS for CS for HB 49—A bill to be entitled An act relating to employment and curfew of minors; amending s. 450.081, F.S.; revising certain employment restrictions for minors 16 and 17 years of age; revising the age at which certain employment restrictions apply; amending s. 877.25, F.S.; requiring a curfew adopted by county or municipal ordinance to include certain exceptions; providing an effective date.

—was read the second time by title.

The Committee on Rules recommended the following amendment which was moved by Senator Burgess:

Amendment 1 (736582) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 450.081, Florida Statutes, is amended to read:

450.081 Hours of work in certain occupations.—

(1)(a) Minors 15 years of age or younger *may* ~~shall~~ not be employed, permitted, or suffered to work*:*

1. Before 7 a.m. or after 7 p.m. when school is scheduled the following day. ~~Or~~

2. For more than 15 hours in any one week *when school is in session*.

(b) On any school day, minors 15 years of age or younger who are not enrolled in a career education program *may* ~~shall~~ not be gainfully employed for more than 3 hours, unless there is no session of school the following day.

(c)~~(b)~~ During holidays and summer vacations, minors 15 years of age or younger *may* ~~shall~~ not be employed, permitted, or suffered to work before 7 a.m. or after 9 p.m., for more than 8 hours in any one day, or for more than 40 hours in any one week.

(2)*(a)* Minors 16 and 17 years of age *may* ~~shall~~ not be employed, permitted, or suffered to work*:*

1. Before 6:30 a.m. or after *11 p.m.* ~~11:00 p.m.~~ *when school is scheduled the following day.* ~~or~~

2. For more than 8 hours in any one day when school is scheduled the following day*, except when the day of work is on a holiday or Sunday*.

3. For more than 30 hours in any one week when school is in session~~, minors 16 and 17 years of age shall not work more than 30 hours in any one week~~. *However, a minor's parent or custodian, or the school superintendent or his or her designee, may waive the limitation imposed in this subparagraph on a form prescribed by the department and provided to the minor's employer.*

(b) On any school day, minors 16 and 17 years of age who are not enrolled in a career education program *may* ~~shall~~ not be gainfully employed during school hours.

(3) Minors *15* ~~17~~ years of age or younger *may* ~~shall~~ not be employed, permitted, or suffered to work in any gainful occupation for more than 6 consecutive days in any one week.

(4) Minors *15* ~~17~~ years of age or younger *may* ~~shall~~ not be employed, permitted, or suffered to work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period; and for the purposes of this law, *a* ~~no~~ period of less than 30 minutes *is not* ~~shall be~~ deemed to interrupt a continuous period of work. *Minors 16 and 17 years of age who are employed, permitted, or suffered to work for 8 hours or more in any one day as authorized by this section may not be employed, permitted, or suffered to work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period.*

(5) ~~The provisions of~~ Subsections (1)-(4) *do* ~~shall~~ not apply to:

(a) Minors 16 and 17 years of age who have graduated from high school or received a high school equivalency diploma.

(b) Minors who are within the compulsory school attendance age limit *and* who hold a valid certificate of exemption issued by the school superintendent or his or her designee pursuant to ~~the provisions of~~ s. 1003.21(3).

(c) Minors enrolled in *an* ~~a public~~ educational institution who qualify on a hardship basis, such as economic necessity or family emergency. ~~Such determination shall be made by~~ The school superintendent or his or her designee *shall make such determination and issue*~~, and~~ a waiver of hours ~~shall be issued~~ to the minor and the employer. The form and contents thereof shall be prescribed by the department.

(d) *Minors 16 and 17 years of age who are in a home education program or are enrolled in an approved virtual instruction program in which the minor is separated from the teacher by time only.*

(e) Minors ~~Children~~ in domestic service in private homes, *minors* ~~children~~ employed by their parents, or pages in the Florida Legislature.

(6) The department may grant a waiver of the restrictions imposed by this section pursuant to s. 450.095.

(7)~~(6)~~ The presence of *a* ~~any~~ minor in any place of employment during working hours *is* ~~shall be~~ prima facie evidence of his or her employment therein.

(8) An employer who requires, schedules, or otherwise causes a minor to be employed, permitted, or suffered to work in violation of this section commits a violation of the law, punishable as provided in s. 450.141.

Section 2. This act shall take effect July 1, 2024.

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 employment of minors; amending s. 450.081, F.S.; removing certain employment restrictions for minors 16 and 17 years of age; revising the age at which certain employment restrictions apply; providing for the waiver of a specified restriction by specified persons; restricting the amount of continuous hours certain minors may work without a break for a minimum specified time period; providing applicability; authorizing the department to grant a waiver of the restrictions imposed under the act; providing penalties; making technical changes; providing an effective date.

Senator Thompson moved the following amendments to **Amendment 1 (736582)** which failed:

Amendment 1A (364678)—Delete line 39 and insert:

(3) Minors 17 years of age or younger *may* ~~shall~~ not be

Amendment 1B (634826)—Delete lines 68-71.

Senator Torres moved the following amendment to **Amendment 1 (736582)** which failed:

Amendment 1C (979248) (with title amendment)—Between lines 83 and 84 insert:

Section 2. Section 450.166, Florida Statutes, is created to read:

450.166 Complaints, investigations, and penalties.—The department shall adopt rules for employers who employ minors, which must include:

(1) Procedures for reporting complaints relating to violations under s. 450.081;

(2) Procedures for investigating complaints relating to violations under s. 450.081; and

(3) Penalties for violations under s. 450.081.

And the title is amended as follows:

Delete lines 100-102 and insert: authorizing the Department of Business and Professional Regulation to grant a waiver of the restrictions imposed under the act; providing penalties; making technical changes; creating s. 450.166, F.S.; requiring the department to adopt certain rules for employers who employ minors; providing an

Amendment 1 (736582) was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 49**, as amended, was placed on the calendar of Bills on Third Reading.

CS for HB 1317—A bill to be entitled An act relating to patriotic organizations; creating s. 1001.433, F.S.; defining the term "patriotic organization"; authorizing school districts to allow representatives of patriotic organizations certain opportunities to speak to students, distribute certain materials, and provide certain displays relating to the patriotic organizations; requiring certain school districts to provide the date and time for such patriotic organizations to speak with students, distribute such materials, and provide certain displays; authorizing patriotic organizations to be provided certain access to school buildings and properties under certain circumstances; providing applicability; providing an effective date.

—was read the second time by title.

The Committee on Fiscal Policy recommended the following amendment which was moved by Senator Wright:

Amendment 1 (231634) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 1001.433, Florida Statutes, is created to read:

1001.433 Patriotic organizations.—

(1) As used in this section, the term "patriotic organization" means a youth membership organization serving young people under the age of 21 which is listed in Title 36, U.S.C., as it existed on January 1, 2020, with an educational purpose that promotes patriotism and civic involvement.

(2)(a) Each school district may:

1. Allow a representative of a patriotic organization the opportunity, during school hours and instructional time, to speak with and distribute informational materials in a classroom setting to students, to encourage participation in the patriotic organization and its activities, and to inform students of how the patriotic organization may further the students' educational interests and civic involvement and better the students' school and community and themselves.

2. Provide opportunities for a patriotic organization to provide displays at schools within the district for student recruitment. Such displays may include informational flyers and the use of other existing communication channels.

(b) If a school district authorizes a representative of a patriotic organization to speak with and distribute informational materials to students and provide displays pursuant to paragraph (a), the school district:

1. Must provide a specific date and time for the patriotic organization to speak to students at schools within the district after the patriotic organization has provided reasonable notice of its intent to speak to students and provide displays.

2. Must notify parents or guardians of each patriotic organization's expected presentation and the option to withhold consent for their child participating in such presentation.

(3) A school district may not discriminate against an organization in subsection (1) in the use of any school building or property for the purposes of paragraphs (2)(a) and (b), if such activities occur outside of the school day.

(4) A school district that allows a patriotic organization to speak with and distribute informational materials to students or use school buildings or property pursuant to this section is not required to provide equal access to an organization that is not designated as a patriotic organization.

Section 2. This act shall take effect July 1, 2024.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to patriotic organizations; creating s. 1001.433, F.S.; defining the term "patriotic organization"; authorizing school districts to allow representatives of patriotic organizations to speak to students, distribute certain materials, and provide opportunities for certain displays relating to the patriotic organizations; requiring certain school districts to provide a date and time for such patriotic organizations to speak with students, distribute materials, and provide certain displays; specifying certain requirements if a school district allows a patriotic organization to present at the school; prohibiting a school district from discriminating against certain organizations in the use of a school building or property under certain circumstances; authorizing patriotic organizations to be provided certain access to school buildings and properties under certain circumstances; providing construction; providing an effective date.

Senator Wright moved the following amendment to **Amendment 1 (231634)** which was adopted:

Amendment 1A (773622)—Delete lines 8-12 and insert:

(1) As used in this section, the term "patriotic organization" means a youth membership organization serving young people under the age of 21 with an educational purpose that promotes patriotism and civic involvement which is listed in Title 36, U.S.C. ss. 30101, 30901, 31101, 40301, 70901, 80301, 130501, 140101, and 154101.

Amendment 1 (231634), as amended, was adopted.

On motion by Senator Wright, by two-thirds vote, **CS for HB 1317**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Baxley

CS for HJR 7017—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution and the creation of a new section in Article XII of the State Constitution to require an annual adjustment to the value of certain homestead exemptions and provide an effective date.

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

That the following amendment to Section 6 of Article VII and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a)*(1)* Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, *as follows:*

a. Up to the assessed valuation of twenty-five thousand dollars*;* and~~,~~

b. For all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(2) The twenty-five thousand dollar amount of assessed valuation exempt from taxation provided in subparagraph (a)(1)b. shall be adjusted annually on January 1 of each year for inflation using the percent change in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive.

(3) The amount of assessed valuation exempt from taxation for which every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another person legally or naturally dependent upon the owner, is eligible, and which applies solely to levies other than school district levies, that is added to this constitution after January 1, 2025, shall be adjusted annually on January 1 of each year for inflation using the percent change in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive, beginning the year following the effective date of such exemption.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant either or both of the following additional homestead tax exemptions:

(1) An exemption not exceeding fifty thousand dollars to a person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, who has attained age sixty-five, and whose household income, as defined by general law, does not exceed twenty thousand dollars; or

(2) An exemption equal to the assessed value of the property to a person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars, as determined in the first tax year that the owner applies and is eligible for the exemption, and who has maintained thereon the permanent residence of the owner for not less than twenty-five years, who has attained age sixty-five, and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant these additional exemptions, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e)(1) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this paragraph, an applicant must submit to the county property appraiser, by March 1, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years.

(2) If a veteran who receives the discount described in paragraph (1) predeceases his or her spouse, and if, upon the death of the veteran, the surviving spouse holds the legal or beneficial title to the homestead property and permanently resides thereon, the discount carries over to the surviving spouse until he or she remarries or sells or otherwise disposes of the homestead property. If the surviving spouse sells or otherwise disposes of the property, a discount not to exceed the dollar amount granted from the most recent ad valorem tax roll may be transferred to the surviving spouse's new homestead property, if used as his or her permanent residence and he or she has not remarried.

(3) This subsection is self-executing and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to:

(1) The surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

(2) The surviving spouse of a first responder who died in the line of duty.

(3) A first responder who is totally and permanently disabled as a result of an injury or injuries sustained in the line of duty. Causal connection between a disability and service in the line of duty shall not be presumed but must be determined as provided by general law. For purposes of this paragraph, the term "disability" does not include a chronic condition or chronic disease, unless the injury sustained in the line of duty was the sole cause of the chronic condition or chronic disease.

As used in this subsection and as further defined by general law, the term "first responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic,

and the term "in the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII

SCHEDULE

Annual adjustment to homestead exemption value.—This section and the amendment to Section 6 of Article VII requiring an annual adjustment for inflation of specified homestead exemptions shall take effect January 1, 2025.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII

ANNUAL ADJUSTMENTS TO THE VALUE OF CERTAIN HOMESTEAD EXEMPTIONS.—Proposing an amendment to the State Constitution to require an annual adjustment for inflation to the value of current or future homestead exemptions that apply solely to levies other than school district levies and for which every person who has legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another person legally or naturally dependent upon the owner is eligible. This amendment takes effect January 1, 2025.

—was read the second time by title.

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

Senator Pizzo moved the following amendment:

Amendment 1 (886948) (with ballot and title amendments)—Delete lines 45-164 and insert:
shall be adjusted every five years on January 1 for inflation using the percent change in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive. The amount of such adjustment may not exceed three percent (3%).

(3) The amount of assessed valuation exempt from taxation for which every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another person legally or naturally dependent upon the owner, is eligible, and which applies solely to levies other than school district levies, that is added to this constitution after January 1, 2025, shall be adjusted every five years on January 1 for inflation using the percent change in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive, beginning the year following the effective date of such exemption. The amount of such adjustment may not exceed three percent (3%).

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant either or both of the following additional homestead tax exemptions:

(1) An exemption not exceeding fifty thousand dollars to a person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, who has attained age sixty-five, and whose household income, as defined by general law, does not exceed twenty thousand dollars; or

(2) An exemption equal to the assessed value of the property to a person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars, as determined in the first tax year that the owner applies and is eligible for the exemption, and who has maintained thereon the permanent residence of the owner for not less than twenty-five years, who has attained age sixty-five, and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant these additional exemptions, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e)(1) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this paragraph, an applicant must submit to the county property appraiser, by March 1, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years.

(2) If a veteran who receives the discount described in paragraph (1) predeceases his or her spouse, and if, upon the death of the veteran, the surviving spouse holds the legal or beneficial title to the homestead property and permanently resides thereon, the discount carries over to the surviving spouse until he or she remarries or sells or otherwise disposes of the homestead property. If the surviving spouse sells or otherwise disposes of the property, a discount not to exceed the dollar amount granted from the most recent ad valorem tax roll may be transferred to the surviving spouse's new homestead property, if used as his or her permanent residence and he or she has not remarried.

(3) This subsection is self-executing and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to:

(1) The surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

(2) The surviving spouse of a first responder who died in the line of duty.

(3) A first responder who is totally and permanently disabled as a result of an injury or injuries sustained in the line of duty. Causal connection between a disability and service in the line of duty shall not be presumed but must be determined as provided by general law. For purposes of this paragraph, the term "disability" does not include a chronic condition or chronic disease, unless the injury sustained in the line of duty was the sole cause of the chronic condition or chronic disease.

As used in this subsection and as further defined by general law, the term "first responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic,

and the term "in the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

ARTICLE XII

SCHEDULE

Adjustments to homestead exemption value.—This section and the amendment to Section 6 of Article VII requiring an adjustment every five years for inflation of specified homestead

And the ballot statement is amended as follows:

Delete lines 172-174 and insert: ADJUSTMENTS TO THE VALUE OF CERTAIN HOMESTEAD EXEMPTIONS.—Proposing an amendment to the State Constitution to require an adjustment every 5 years for inflation to the value of

And the title is amended as follows:

Delete line 5 and insert: Constitution to require certain adjustments to the

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

Senator Pizzo moved the following amendment to **Amendment 1 (886948)** which failed:

Amendment 1A (628714)—Delete lines 5-6 and insert:
shall be adjusted for inflation every 5 years, beginning January 1, 2025, using the average percentage change over the preceding 5 years in the Consumer Price Index for All

Amendment 1 (886948) failed.

SENATOR HUTSON PRESIDING

On motion by Senator Ingoglia, by two-thirds vote, **CS for HJR 7017** was read the third time by title, passed by the required constitutional three-fifths vote of the membership, and certified to the House. The vote on passage was:

Yeas—25

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

Nays—15

Berman	Jones	Rouson
Book	Osgood	Stewart
Davis	Pizzo	Thompson
Gruters	Polsky	Torres
Hooper	Powell	Wright

CS for HB 7019—A bill to be entitled An act relating to exemption of homesteads; amending s. 196.031, F.S.; requiring the value of a certain homestead exemption be adjusted annually; creating s. 218.136, F.S.; requiring the Legislature to appropriate funds for a specified purpose; requiring such funds be distributed in a specified manner; requiring specified counties to apply for such distribution; providing requirements for application; providing a specified calculation to be used to determine funding; providing for a reversion of funds in specified circumstances; authorizing the Department of Revenue to adopt emergency rules; providing applicability; providing a contingent effective date.

—was read the second time by title.

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

Senator Pizzo moved the following amendment:

Amendment 1 (847706) (with title amendment)—Delete lines 27-71 and insert:
shall be adjusted every 5 years on January 1 for inflation using the percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive.

Section 2. Section 218.136, Florida Statutes, is created to read:

218.136 Offset for ad valorem revenue loss affecting fiscally constrained counties and municipalities located within such counties.—

(1) Beginning in fiscal year 2025-2026, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), and the municipalities located within such counties, which occur as a direct result of the implementation of revisions of s. 6(a) of Art. VII of the State Constitution approved in the November 2024 general election. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties and the municipalities located within such counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision of s. 6(a) of Art. VII of the State Constitution.

(2) On or before November 15 of each year, each fiscally constrained county or a municipality located within such county shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the county's or municipality's estimated reduction in ad valorem tax revenue in the form and manner prescribed by the Department of Revenue. The documentation must include an estimate of the reduction in taxable value directly attributable to revisions of s. 6(a) of Art. VII of the State Constitution approved in the November 2024 general election for all county or municipal taxing jurisdictions within the county or municipality and shall be prepared by the property appraiser in each fiscally constrained county or a municipality located within such county. The documentation must also include the county or municipal millage rates applicable in all such jurisdictions for the current year and the prior year, rolled-back rates determined as provided in s. 200.065 for each county or municipal taxing jurisdiction, and maximum millage rates that could have been levied by majority vote pursuant to s. 200.065(5). For purposes of this section, each fiscally constrained county's or municipality's reduction in ad valorem tax revenue shall be calculated as 95 percent of the estimated reduction in taxable value multiplied by the lesser of the 2024 applicable millage rate or the applicable millage rate for each county or municipal taxing jurisdiction in the current year. If a fiscally constrained county or a municipality within such county fails to apply for the distribution, its

And the title is amended as follows:

Delete lines 4-8 and insert: homestead exemption be adjusted at specified intervals; creating s. 218.136, F.S.; requiring the Legislature to appropriate funds for a specified purpose; requiring that such funds be distributed in a specified manner; requiring specified counties and municipalities to apply for such

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

Senator Pizzo moved the following amendment to **Amendment 1 (847706)** which failed:

Amendment 1A (532042) (with title amendment)—Delete lines 5-10 and insert:
shall be adjusted for inflation every 5 years, beginning January 1, 2025, using the average percentage change over the preceding 5 years in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive. The amount of such adjustment may not exceed 3 percent.

And the title is amended as follows:

Delete line 62 and insert: intervals; prohibiting such adjustment from exceeding a certain amount; creating s. 218.136, F.S.; requiring the

The vote was:

Yeas—15

Berman	Garcia	Powell
Book	Hooper	Rouson
Bradley	Osgood	Stewart
Calatayud	Pizzo	Thompson
Davis	Polsky	Torres

Nays—24

Madam President	Burton	Martin
Albritton	Collins	Mayfield
Avila	DiCeglie	Perry
Baxley	Grall	Rodriguez
Boyd	Gruters	Simon
Brodeur	Harrell	Trumbull
Broxson	Hutson	Wright
Burgess	Ingoglia	Yarborough

Amendment 1 (847706) failed.

On motion by Senator Ingoglia, by two-thirds vote, **CS for HB 7019** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—26

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

Nays—14

Berman	Jones	Rouson
Book	Osgood	Simon
Davis	Pizzo	Stewart
Gruters	Polsky	Torres
Hooper	Powell	

CS for CS for SB 1716—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising a requirement for certain flood insurance; revising circumstances under which certain insurers' associations must levy market equalization surcharges on policyholders; deleting obsolete language; authorizing the Office of Insurance Regulation to evaluate whether there is a reasonable degree of competition within certain zip codes; providing that certain structures located within certain zip codes are eligible for coverage from the corporation; providing that certain accounts for Citizens Property Insurance Corporation revenues, assets, liabilities, losses, and expenses are now maintained as the Citizens account; revising the requirements for certain coverages by the corporation; requiring the inclusion of quota share primary insurance in certain policies; deleting provisions relating to legislative goals; conforming provisions to changes made by the act; revising provisions relating to deficits in certain accounts; revising the definition of the term "assessments"; deleting provisions relating to surcharges and regular assessments upon determination of projected deficits; deleting provisions relating to funds available to the corporation as sources of revenue and bonds; deleting definitions; deleting provisions relating to the duties of the Florida Surplus Lines Service Office; deleting provisions relating to disposition of excess amounts of assessments and surcharges; defining the terms "approved surplus lines insurer" and "primary residence"; providing applicability of certain provisions relating to personal lines residential risks coverage by the corporation; providing that certain personal lines residential risks are not eligible for any policy issued by the corporation; providing an exception; providing that certain personal lines residential risks are not eligible for coverage with the corporation under certain circumstances; providing an exception; providing that certain risks are eligible for certain standard policies; providing that certain risks are eligible for certain basic polices; requiring the department to determine the type of policy to be provided on the basis of certain standards and practices; providing that certain policyholders do not remain eligible for coverage from the corporation; requiring the insurer to pay the producing agent of record a certain amount or make certain offers under certain circumstances; providing that the producing agent of record is entitled to retain certain commission on the policy; requiring the insurer to pay the producing agent of record a certain amount or make certain offers under certain circumstances; revising the corporation's plan of operation; revising the required statements from applicants for coverage; revising the duties of the executive director of the corporation; authorizing the executive director to assign and appoint designees; deleting an applicability provision relating to bond requirements; revising the personal lines polices that are not subject to certain rate limitations; deleting provisions relating to certain insurer assessment deferments; deleting provisions relating to the intangibles of and coverage by the Florida Windstorm Underwriting Association and the corporation coastal account; authorizing the corporation and certain persons to make specified information obtained from underwriting files and confidential claims files available to licensed surplus lines agents; prohibiting such agents from using such information for specified purposes; providing applicability of provisions relating to take-out offers that are part of applications to participate in depopulation; authorizing the corporation to share its claims data with a specified entity; authorizing the corporation to take certain actions relating to trademarks, copyrights, or patents; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 627.3518, F.S.; revising eligibility requirements for policyholders at renewal and for applicants for new coverage; defining the term "primary residence"; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1716**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1503** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for HB 1503—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising circumstances under which certain insurers' association shall levy market equalization surcharges on policyholders; removing obsolete language; providing that certain accounts for Citizens Property Insurance Corporation revenues, assets, liability, losses, and expenses are now maintained as the Citizens account; revising the requirements for certain coverages by the corporation; requiring the inclusion of quota share primary insurance in certain policies; removing provisions relating to legislative goals; conforming provisions to changes made by the act; revising the definition of the term "assessments"; removing provisions relating to surcharges and regular assessments upon determination of certain accounts' projected deficits; removing provisions relating to funds available to the corporation as sources of revenue and bonds; removing definitions; removing provisions relating to the duties of the Florida Surplus Lines Service Office; removing provisions relating to disposition of excess amounts of assessments and surcharges; providing definitions; specifying that certain provisions apply to personal lines residential risks that are primary residences and to personal lines residential risks that are not primary residences; providing that comparisons of comparable coverages under certain personal lines residential risks and commercial lines residential risks do not apply to policies that do not cover primary residences; providing that certain risks that could not be insured under standard policies are eligible for certain basic policies; authorizing policies that are removed from the corporation through assumption agreements to remain on the corporation's policy forms through the end of policy terms; providing duties of the insurers relating to producing agents of record under certain circumstances; revising the corporation's plan of operation; revising the

required statements from applicants for coverage; revising the duties of the executive director of the corporation; authorizing the executive director to assign and appoint designees; removing a nonapplicability provision relating to bond requirements; removing obsolete language; authorizing insurers' assessable insureds to be relieved from assessments under certain circumstances; removing provisions relating to certain insurer assessment deferments; removing provisions relating to the intangibles of and coverage by the Florida Windstorm Underwriting Association and the corporation coastal account; authorizing the corporation and certain persons to make specified information obtained from underwriting files and confidential claims files available to licensed surplus lines agents; prohibiting such agents from using such information for specified purposes; authorizing the corporation to share its claims data with a specified entity; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; conforming cross-references; providing the corporation authority relating to patents, copyrights, and trademarks; amending s. 627.3518, F.S.; providing nonapplicability of provisions relating to noneligibility for coverage by the corporation; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1716** and read the second time by title.

Senator Boyd moved the following amendment:

Amendment 1 (607656) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective upon becoming a law, paragraph (aa) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(aa) Except as otherwise provided in this paragraph, the corporation shall require the securing and maintaining of flood insurance as a condition of coverage of a personal lines residential risk. The insured or applicant must execute a form approved by the office affirming that flood insurance is not provided by the corporation and that if flood insurance is not secured by the applicant or insured from an insurer other than the corporation and in addition to coverage by the corporation, the risk will not be eligible for coverage by the corporation. The corporation may deny coverage of a personal lines residential risk to an applicant or insured who refuses to secure and maintain flood insurance. The requirement to purchase flood insurance shall be implemented as follows:

1. Except as provided in subparagraphs 2. and 3., all personal lines residential policyholders must have flood coverage in place for policies effective on or after:

a. January 1, 2024, for a structure that has a dwelling replacement cost of $600,000 or more.

b. January 1, 2025, for a structure that has a dwelling replacement cost of $500,000 or more.

c. January 1, 2026, for a structure that has a dwelling replacement cost of $400,000 or more.

d. January 1, 2027, for all other personal lines residential property insured by the corporation.

2. All personal lines residential policyholders whose property insured by the corporation is located within the special flood hazard area defined by the Federal Emergency Management Agency must have flood coverage in place:

a. At the time of initial policy issuance for all new personal lines residential policies issued by the corporation on or after April 1, 2023.

b. By the time of the policy renewal for all personal lines residential policies renewing on or after July 1, 2023.

3. Policyholders are not required to purchase flood insurance as a condition for maintaining the following policies issued by the corporation:

a. Policies that do not provide coverage for the peril of wind.

b. Policies that provide coverage under a condominium unit owners form.

The flood insurance required under this paragraph must meet, at a minimum, the *dwelling* coverage available from the National Flood Insurance Program or the requirements of ~~subparagraphs~~ s. 627.715(1)(a)1., 2., and 3.

Section 2. Present subsection (7) of section 627.351, Florida Statutes, is redesignated as subsection (8), a new subsection (7) is added to that section, paragraph (nn) is added to subsection (6) of that section, and paragraph (b) of subsection (2) and paragraphs (a), (b), (c), (e), (o), (p), (q), (v), (w), (x), (z), and (ii) of subsection (6) of that section are amended, to read:

627.351 Insurance risk apportionment plans.—

(2) WINDSTORM INSURANCE RISK APPORTIONMENT.—

(b) The department shall require all insurers holding a certificate of authority to transact property insurance on a direct basis in this state, other than joint underwriting associations and other entities formed pursuant to this section, to provide windstorm coverage to applicants from areas determined to be eligible pursuant to paragraph (c) who in good faith are entitled to, but are unable to procure, such coverage through ordinary means; or it shall adopt a reasonable plan or plans for the equitable apportionment or sharing among such insurers of windstorm coverage, which may include formation of an association for this purpose. As used in this subsection, the term "property insurance" means insurance on real or personal property, as defined in s. 624.604, including insurance for fire, industrial fire, allied lines, farmowners multiperil, homeowners multiperil, commercial multiperil, and mobile homes, and including liability coverages on all such insurance, but excluding inland marine as defined in s. 624.607(3) and excluding vehicle insurance as defined in s. 624.605(1)(a) other than insurance on mobile homes used as permanent dwellings. The department shall adopt rules that provide a formula for the recovery and repayment of any deferred assessments.

1. For the purpose of this section, properties eligible for such windstorm coverage are defined as dwellings, buildings, and other structures, including mobile homes which are used as dwellings and which are tied down in compliance with mobile home tie-down requirements prescribed by the Department of Highway Safety and Motor Vehicles pursuant to s. 320.8325, and the contents of all such properties. An applicant or policyholder is eligible for coverage only if an offer of coverage cannot be obtained by or for the applicant or policyholder from an admitted insurer at approved rates.

2.a.(I) All insurers required to be members of such association shall participate in its writings, expenses, and losses. Surplus of the association shall be retained for the payment of claims and shall not be distributed to the member insurers. Such participation by member insurers shall be in the proportion that the net direct premiums of each member insurer written for property insurance in this state during the preceding calendar year bear to the aggregate net direct premiums for property insurance of all member insurers, as reduced by any credits for voluntary writings, in this state during the preceding calendar year. For the purposes of this subsection, the term "net direct premiums" means direct written premiums for property insurance, reduced by premium for liability coverage and for the following if included in allied lines: rain and hail on growing crops; livestock; association direct premiums booked; National Flood Insurance Program direct premiums; and similar deductions specifically authorized by the plan of operation and approved by the department. A member's participation shall begin on the first day of the calendar year following the year in which it is issued a certificate of authority to transact property insurance in the state and shall terminate 1 year after the end of the calendar year during which it no longer holds a certificate of authority to transact property insurance in the state. The commissioner, after review of annual statements, other reports, and any other statistics that the commissioner deems necessary, shall certify to the association the aggregate direct premiums written for property insurance in this state by all member insurers.

(II) Effective July 1, 2002, the association shall operate subject to the supervision and approval of a board of governors who are the same individuals that have been appointed by the Treasurer to serve on the board of governors of the Citizens Property Insurance Corporation.

(III) The plan of operation shall provide a formula whereby a company voluntarily providing windstorm coverage in affected areas will be relieved wholly or partially from apportionment of a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II).

(IV) A company which is a member of a group of companies under common management may elect to have its credits applied on a group basis, and any company or group may elect to have its credits applied to any other company or group.

(V) There shall be no credits or relief from apportionment to a company for emergency assessments collected from its policyholders under sub-sub-subparagraph d.(III).

(VI) The plan of operation may also provide for the award of credits, for a period not to exceed 3 years, from a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II) as an incentive for taking policies out of the Residential Property and Casualty Joint Underwriting Association. In order to qualify for the exemption under this sub-sub-subparagraph, the take-out plan must provide that at least 40 percent of the policies removed from the Residential Property and Casualty Joint Underwriting Association cover risks located in Miami-Dade, Broward, and Palm Beach Counties or at least 30 percent of the policies so removed cover risks located in Miami-Dade, Broward, and Palm Beach Counties and an additional 50 percent of the policies so removed cover risks located in other coastal counties, and must also provide that no more than 15 percent of the policies so removed may exclude windstorm coverage. With the approval of the department, the association may waive these geographic criteria for a take-out plan that removes at least the lesser of 100,000 Residential Property and Casualty Joint Underwriting Association policies or 15 percent of the total number of Residential Property and Casualty Joint Underwriting Association policies, provided the governing board of the Residential Property and Casualty Joint Underwriting Association certifies that the take-out plan will materially reduce the Residential Property and Casualty Joint Underwriting Association's 100-year probable maximum loss from hurricanes. With the approval of the department, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association.

b. Assessments to pay deficits in the association under this subparagraph shall be included as an appropriate factor in the making of rates as provided in s. 627.3512.

c. The Legislature finds that the potential for unlimited deficit assessments under this subparagraph may induce insurers to attempt to reduce their writings in the voluntary market, and that such actions would worsen the availability problems that the association was created to remedy. It is the intent of the Legislature that insurers remain fully responsible for paying regular assessments and collecting emergency assessments for any deficits of the association; however, it is also the intent of the Legislature to provide a means by which assessment liabilities may be amortized over a period of years.

d.(I) When the deficit incurred in a particular calendar year is 10 percent or less of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the deficit.

(II) When the deficit incurred in a particular calendar year exceeds 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the greater of 10 percent of the deficit or 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for member insurers. Any remaining deficit shall be recovered through emergency assessments under sub-sub-subparagraph (III).

(III) Upon a determination by the board of directors that a deficit exceeds the amount that will be recovered through regular assessments on member insurers, pursuant to sub-sub-subparagraph (I) or sub-sub-subparagraph (II), the board shall levy, after verification by the department, emergency assessments to be collected by member insurers and by underwriting associations created pursuant to this section which write property insurance, upon issuance or renewal of property insurance policies other than National Flood Insurance policies in the year or years following levy of the regular assessments. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for property insurance for all member insurers and underwriting associations, excluding National Flood Insurance policy premiums, as annually determined by the board and verified by the department. The department shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, each member insurer and each underwriting association created pursuant to this section shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. The emergency assessments so collected shall be transferred directly to the association on a periodic basis as determined by the association. The aggregate amount of emergency assessments levied under this sub-sub-subparagraph in any calendar year may not exceed the greater of 10 percent of the amount needed to cover the original deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide direct written premium for property insurance written by member insurers and underwriting associations for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit. The board may pledge the proceeds of the emergency assessments under this sub-sub-subparagraph as the source of revenue for bonds, to retire any other debt incurred as a result of the deficit or events giving rise to the deficit, or in any other way that the board determines will efficiently recover the deficit. The emergency assessments under this sub-sub-subparagraph shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the document governing such bonds or other indebtedness. Emergency assessments collected under this sub-sub-subparagraph are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium.

(IV) Each member insurer's share of the total regular assessments under sub-sub-subparagraph (I) or sub-sub-subparagraph (II) shall be in the proportion that the insurer's net direct premium for property insurance in this state, for the year preceding the assessment bears to the aggregate statewide net direct premium for property insurance of all member insurers, as reduced by any credits for voluntary writings for that year.

(V) If regular deficit assessments are made under sub-sub-subparagraph (I) or sub-sub-subparagraph (II)~~, or by the Residential Property and Casualty Joint Underwriting Association under sub-sub-paragraph (6)(b)3.a.~~, the association shall levy upon the association's policyholders, as part of its next rate filing, or by a separate rate filing solely for this purpose, a market equalization surcharge in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for property insurance for member insurers for the prior calendar year. Market equalization surcharges under this sub-sub-subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.

e. The governing body of any unit of local government, any residents of which are insured under the plan, may issue bonds as defined in s. 125.013 or s. 166.101 to fund an assistance program, in conjunction with the association, for the purpose of defraying deficits of the association. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the association, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and gen-

eral welfare of residents of this state and the protection and preservation of the economic stability of insurers operating in this state, and declaring it an essential public purpose to permit certain municipalities or counties to issue bonds as will provide relief to claimants and policyholders of the association and insurers responsible for apportionment of plan losses. Any such unit of local government may enter into such contracts with the association and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this sub-subparagraph shall be payable from and secured by moneys received by the association from assessments under this subparagraph, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the department shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the department determines that the purchase would endanger or impair the solvency of the insurer. The authority granted by this sub-subparagraph is additional to any bonding authority granted by subparagraph 6.

3. The plan shall also provide that any member with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the department, within the first 90 days of each calendar year, to qualify as a limited apportionment company. The apportionment of such a member company in any calendar year for which it is qualified shall not exceed its gross participation, which shall not be affected by the formula for voluntary writings. In no event shall a limited apportionment company be required to participate in any apportionment of losses pursuant to sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II) in the aggregate which exceeds $50 million after payment of available plan funds in any calendar year. However, a limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-sub-subparagraph 2.d.(III). The plan shall provide that, if the department determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the department may direct that all or part of such assessment be deferred. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-sub-subparagraph 2.d.(III).

4. The plan shall provide for the deferment, in whole or in part, of a regular assessment of a member insurer under sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II), but not for an emergency assessment collected from policyholders under sub-sub-subparagraph 2.d.(III), if, in the opinion of the commissioner, payment of such regular assessment would endanger or impair the solvency of the member insurer. In the event a regular assessment against a member insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II).

5.a. The plan of operation may include deductibles and rules for classification of risks and rate modifications consistent with the objective of providing and maintaining funds sufficient to pay catastrophe losses.

b. It is the intent of the Legislature that the rates for coverage provided by the association be actuarially sound and not competitive with approved rates charged in the admitted voluntary market such that the association functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. The plan of operation shall provide a mechanism to assure that, beginning no later than January 1, 1999, the rates charged by the association for each line of business are reflective of approved rates in the voluntary market for hurricane coverage for each line of business in the various areas eligible for association coverage.

c. The association shall provide for windstorm coverage on residential properties in limits up to $10 million for commercial lines residential risks and up to $1 million for personal lines residential risks. If coverage with the association is sought for a residential risk valued in excess of these limits, coverage shall be available to the risk up to the replacement cost or actual cash value of the property, at the option of the insured, if coverage for the risk cannot be located in the authorized market. The association must accept a commercial lines residential risk with limits above $10 million or a personal lines residential risk with limits above $1 million if coverage is not available in the authorized market. The association may write coverage above the limits specified in this subparagraph with or without facultative or other reinsurance coverage, as the association determines appropriate.

d. The plan of operation must provide objective criteria and procedures, approved by the department, to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

(I) Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

(II) Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the association pursuant to such criteria and procedures must be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

e. If the risk accepts an offer of coverage through the market assistance program or through a mechanism established by the association, either before the policy is issued by the association or during the first 30 days of coverage by the association, and the producing agent who submitted the application to the association is not currently appointed by the insurer, the insurer shall:

(I) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the association; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the association's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I). Subject to the provisions of s. 627.3517, the policies issued by the association must provide that if the association obtains an offer from an authorized insurer to cover the risk at its approved rates under either a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the department, a basic policy including wind coverage, the risk is no longer eligible for coverage through the association. Upon termination of eligibility, the association shall provide written notice to the policyholder and agent of record stating that the association policy must be canceled as of 60 days after the date of the notice because of the offer of coverage from an authorized insurer. Other provisions of the insurance code relating to cancellation and notice of cancellation do not apply to actions under this sub-subparagraph.

f. When the association enters into a contractual agreement for a take-out plan, the producing agent of record of the association policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(I) Pay to the producing agent of record of the association policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the association; or

(II) Offer to allow the producing agent of record of the association policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the association's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

6.a. The plan of operation may authorize the formation of a private nonprofit corporation, a private nonprofit unincorporated association, a partnership, a trust, a limited liability company, or a nonprofit mutual company which may be empowered, among other things, to borrow money by issuing bonds or by incurring other indebtedness and to accumulate reserves or funds to be used for the payment of insured catastrophe losses. The plan may authorize all actions necessary to facilitate the issuance of bonds, including the pledging of assessments or other revenues.

b. Any entity created under this subsection, or any entity formed for the purposes of this subsection, may sue and be sued, may borrow money; issue bonds, notes, or debt instruments; pledge or sell assessments, market equalization surcharges and other surcharges, rights, premiums, contractual rights, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, and other assets as security for such bonds, notes, or debt instruments; enter into any contracts or agreements necessary or proper to accomplish such borrowings; and take other actions necessary to carry out the purposes of this subsection. The association may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (6)(q)2., in the absence of a hurricane or other weather-related event, upon a determination by the association subject to approval by the department that such action would enable it to efficiently meet the financial obligations of the association and that such financings are reasonably necessary to effectuate the requirements of this subsection. Any such entity may accumulate reserves and retain surpluses as of the end of any association year to provide for the payment of losses incurred by the association during that year or any future year. The association shall incorporate and continue the plan of operation and articles of agreement in effect on the effective date of chapter 76-96, Laws of Florida, to the extent that it is not inconsistent with chapter 76-96, and as subsequently modified consistent with chapter 76-96. The board of directors and officers currently serving shall continue to serve until their successors are duly qualified as provided under the plan. The assets and obligations of the plan in effect immediately prior to the effective date of chapter 76-96 shall be construed to be the assets and obligations of the successor plan created herein.

c. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness issued or incurred by the association or any other entity created under this subsection.

7. On such coverage, an agent's remuneration shall be that amount of money payable to the agent by the terms of his or her contract with the company with which the business is placed. However, no commission will be paid on that portion of the premium which is in excess of the standard premium of that company.

8. Subject to approval by the department, the association may establish different eligibility requirements and operational procedures for any line or type of coverage for any specified eligible area or portion of an eligible area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the association. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

9. Notwithstanding any other provision of law:

a. The pledge or sale of, the lien upon, and the security interest in any rights, revenues, or other assets of the association created or purported to be created pursuant to any financing documents to secure any bonds or other indebtedness of the association shall be and remain valid and enforceable, notwithstanding the commencement of and during the continuation of, and after, any rehabilitation, insolvency, liquidation, bankruptcy, receivership, conservatorship, reorganization, or similar proceeding against the association under the laws of this state or any other applicable laws.

b. No such proceeding shall relieve the association of its obligation, or otherwise affect its ability to perform its obligation, to continue to collect, or levy and collect, assessments, market equalization or other surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or any other rights, revenues, or other assets of the association pledged.

c. Each such pledge or sale of, lien upon, and security interest in, including the priority of such pledge, lien, or security interest, any such assessments, emergency assessments, market equalization or renewal surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or other rights, revenues, or other assets which are collected, or levied and collected, after the commencement of and during the pendency of or after any such proceeding shall continue unaffected by such proceeding.

d. As used in this subsection, the term "financing documents" means any agreement, instrument, or other document now existing or hereafter created evidencing any bonds or other indebtedness of the association or pursuant to which any such bonds or other indebtedness has been or may be issued and pursuant to which any rights, revenues, or other assets of the association are pledged or sold to secure the repayment of such bonds or indebtedness, together with the payment of interest on such bonds or such indebtedness, or the payment of any other obligation of the association related to such bonds or indebtedness.

e. Any such pledge or sale of assessments, revenues, contract rights or other rights or assets of the association shall constitute a lien and security interest, or sale, as the case may be, that is immediately effective and attaches to such assessments, revenues, contract, or other rights or assets, whether or not imposed or collected at the time the pledge or sale is made. Any such pledge or sale is effective, valid, binding, and enforceable against the association or other entity making such pledge or sale, and valid and binding against and superior to any competing claims or obligations owed to any other person or entity, including policyholders in this state, asserting rights in any such assessments, revenues, contract, or other rights or assets to the extent set forth in and in accordance with the terms of the pledge or sale contained in the applicable financing documents, whether or not any such person or entity has notice of such pledge or sale and without the need for any physical delivery, recordation, filing, or other action.

f. There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member insurer or its agents or employees, agents or employees of the association, members of the board of directors of the association, or the department or its representatives, for any action taken by them in the performance of their duties or responsibilities under this subsection. Such immunity does not apply to actions for breach of any contract or agreement pertaining to insurance, or any willful tort.

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a) The public purpose of this subsection is to ensure that there is an orderly market for property insurance for residents and businesses of this state.

1. The Legislature finds that private insurers are unwilling or unable to provide affordable property insurance coverage in this state to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. The state therefore has a compelling public interest and a public purpose to assist in assuring that property in the state is insured and that it is insured at affordable rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the state, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to provide affordable property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends, therefore, that affordable property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of

the state, and that is not a private insurance company. To that end, the corporation shall strive to increase the availability of affordable property insurance in this state, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that the corporation continue to be an integral part of the state and that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property, for applicants who are entitled, but, in good faith, are unable to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission. The commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner, mobile home owner, dwelling, tenant, condominium unit owner, and similar policies; and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. With respect to coverage for personal lines residential structures:

a. ~~Effective January 1, 2014, a structure that has a dwelling replacement cost of $1 million or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $1 million or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2013, may continue to be covered by the corporation until the end of the policy term. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation before being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.~~

~~b. Effective January 1, 2015, a structure that has a dwelling replacement cost of $900,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $900,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2014, may continue to be covered by the corporation only until the end of the policy term.~~

~~c. Effective January 1, 2016, a structure that has a dwelling replacement cost of $800,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $800,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2015, may continue to be covered by the corporation until the end of the policy term.~~

~~d.~~ Effective January 1, 2017, a structure that has a dwelling replacement cost of $700,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $700,000 or more, is not eligible for coverage by the corporation. ~~Such dwellings insured by the corporation on December 31, 2016, may continue to be covered by the corporation until the end of the policy term.~~

b. The requirements of *sub-subparagraph a.* ~~sub-subparagraphs b.-d.~~ do not apply in counties where the office determines there is not a reasonable degree of competition. In such counties a personal lines residential structure that has a dwelling replacement cost of less than $1 million, or a single condominium unit that has a combined dwelling and contents replacement cost of less than $1 million, is eligible for coverage by the corporation.

4. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It is also intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5.a. Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of $750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure is deemed to comply with this sub-subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed.

b. Any major structure, as defined in s. 161.54(6)(a), that is newly constructed, or rebuilt, repaired, restored, or remodeled to increase the total square footage of finished area by more than 25 percent, pursuant to a permit applied for after July 1, 2015, is not eligible for coverage by the corporation if the structure is seaward of the coastal construction control line established pursuant to s. 161.053 or is within the Coastal Barrier Resources System as designated by 16 U.S.C. ss. 3501-3510.

6. With respect to wind-only coverage for commercial lines residential condominiums, effective July 1, 2014, a condominium shall be deemed ineligible for coverage if 50 percent or more of the units are rented more than eight times in a calendar year for a rental agreement period of less than 30 days.

(b)1. All insurers authorized to write one or more subject lines of business in this state are subject to assessment by the corporation and, for the purposes of this subsection, are referred to collectively as "assessable insurers." Insurers writing one or more subject lines of business in this state pursuant to part VIII of chapter 626 are not assessable insurers; however, insureds who procure one or more subject lines of business in this state pursuant to part VIII of chapter 626 are subject to assessment by the corporation and are referred to collectively as "assessable insureds." An insurer's assessment liability begins on the first day of the calendar year following the year in which the insurer was issued a certificate of authority to transact insurance for subject lines of business in this state and terminates 1 year after the end of the first calendar year during which the insurer no longer holds a certificate of authority to transact insurance for subject lines of business in this state.

2.~~a.~~ All revenues, assets, liabilities, losses, and expenses of the corporation shall be *maintained in the Citizens account. The Citizens account may provide* ~~divided into three separate accounts as follows~~:

a.~~(I) A personal lines account for~~ Personal residential policies *that provide* ~~issued by the corporation which provides~~ comprehensive, multiperil coverage on risks that are not located in areas eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas;

b.~~(II) A commercial lines account for~~ Commercial residential and commercial nonresidential policies *that provide* ~~issued by the corporation which provides~~ coverage for basic property perils on risks that are not located in areas eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas; and

c.~~(III) A coastal account for~~ Personal residential policies and commercial residential and commercial nonresidential property policies *that provide* ~~issued by the corporation which provides~~ coverage for the peril of wind on risks that are located in areas eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002. The corporation may offer policies that provide multiperil coverage and shall offer policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage *by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002* ~~in the coastal account~~. ~~Effective July 1, 2014,~~ The corporation *may not offer* ~~shall cease offering~~ new

commercial residential policies providing multiperil coverage *but* ~~and~~ shall ~~instead~~ continue to offer commercial residential wind-only policies, and may offer commercial residential policies excluding wind. *However,* the corporation may~~, however,~~ continue to renew a commercial residential multiperil policy on a building that *was* ~~is~~ insured by the corporation on June 30, 2014, under a multiperil policy. In issuing multiperil coverage *under this sub-subparagraph*, the corporation may use its approved policy forms and rates for *risks located in areas not eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas* ~~the personal lines account~~. An applicant or insured who is eligible to purchase a multiperil policy from the corporation may purchase a multiperil policy from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides coverage only for the peril of wind from the corporation. An applicant or insured who is eligible for a corporation policy that provides coverage only for the peril of wind may elect to purchase or retain such policy and also purchase or retain coverage excluding wind from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides multiperil coverage from the corporation. *The following policies, which provide coverage only for the peril of wind, must also include quota share primary insurance under subparagraph (c)2.:*

(I) Personal residential policies and commercial residential and commercial nonresidential property policies that provide coverage for the peril of wind on risks that are located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002;

(II) Policies that provide multiperil coverage, if offered by the corporation, and policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002;

(III) Commercial residential wind-only policies;

(IV) Commercial residential policies excluding wind, if offered by the corporation; and

(V) Commercial residential multiperil policies on a building that was insured by the corporation on June 30, 2014 ~~It is the goal of the Legislature that there be an overall average savings of 10 percent or more for a policyholder who currently has a wind only policy with the corporation, and an ex wind policy with a voluntary insurer or the corporation, and who obtains a multiperil policy from the corporation. It is the intent of the Legislature that the offer of multiperil coverage in the coastal account be made and implemented in a manner that does not adversely affect the tax exempt status of the corporation or creditworthiness of or security for currently outstanding financing obligations or credit facilities of the coastal account, the personal lines account, or the commercial lines account. The coastal account must also include quota share primary insurance under subparagraph (c)2.~~

The area eligible for coverage *with the corporation under this sub-subparagraph* ~~under the coastal account also~~ includes the area within Port Canaveral, which is bordered on the south by the City of Cape Canaveral, bordered on the west by the Banana River, and bordered on the north by Federal Government property.

3. With respect to a deficit in the Citizens account:

a. Upon a determination by the board of governors that the Citizens account has a projected deficit, the board shall levy a Citizens policyholder surcharge against all policyholders of the corporation.

(I) The surcharge shall be levied as a uniform percentage of the premium for the policy of up to 15 percent of such premium, which funds shall be used to offset the deficit.

(II) The surcharge is payable upon cancellation or termination of the policy, upon renewal of the policy, or upon issuance of a new policy by the corporation within the first 12 months after the date of the levy or the period of time necessary to fully collect the surcharge amount.

(III) The surcharge is not considered premium and is not subject to commissions, fees, or premium taxes. However, failure to pay the surcharge shall be treated as failure to pay premium.

~~b. The three separate accounts must be maintained as long as financing obligations entered into by the Florida Windstorm Underwriting Association or Residential Property and Casualty Joint Underwriting Association are outstanding, in accordance with the terms of the corresponding financing documents. If no such financing obligations remain outstanding or if the financing documents allow for combining of accounts, the corporation may consolidate the three separate accounts into a new account, to be known as the Citizens account, for all revenues, assets, liabilities, losses, and expenses of the corporation. The Citizens account, if established by the corporation, is authorized to provide coverage to the same extent as provided under each of the three separate accounts. The authority to provide coverage under the Citizens account is set forth in subparagraph 4. Consistent with this subparagraph and prudent investment policies that minimize the cost of carrying debt, the board shall exercise its best efforts to retire existing debt or obtain the approval of necessary parties to amend the terms of existing debt, so as to structure the most efficient plan for consolidating the three separate accounts into a single account. Once the accounts are combined into one account, this subparagraph and subparagraph 3. shall be replaced in their entirety by subparagraphs 4. and 5.~~

~~c. Creditors of the Residential Property and Casualty Joint Underwriting Association and the accounts specified in sub-sub-subparagraphs a.(I) and (II) may have a claim against, and recourse to, those accounts and no claim against, or recourse to, the account referred to in sub-sub-subparagraph a.(III). Creditors of the Florida Windstorm Underwriting Association have a claim against, and recourse to, the account referred to in sub-sub-subparagraph a.(III) and no claim against, or recourse to, the accounts referred to in sub-sub-subparagraphs a.(I) and (II).~~

~~d. Revenues, assets, liabilities, losses, and expenses not attributable to particular accounts shall be prorated among the accounts.~~

~~e. The Legislature finds that the revenues of the corporation are revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds under this subsection.~~

~~f. The income of the corporation may not inure to the benefit of any private person.~~

~~3. With respect to a deficit in an account:~~

~~a. After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph j., if the remaining projected deficit incurred in the coastal account in a particular calendar year:~~

~~(I) Is not greater than 2 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the entire deficit shall be recovered through regular assessments of assessable insurers under paragraph (q) and assessable insureds.~~

~~(II) Exceeds 2 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the corporation shall levy regular assessments on assessable insurers under paragraph (q) and on assessable insureds in an amount equal to the greater of 2 percent of the projected deficit or 2 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year. Any remaining projected deficit shall be recovered through emergency assessments under sub-subparagraph e.~~

~~b. Each assessable insurer's share of the amount being assessed under sub-subparagraph a. must be in the proportion that the assessable insurer's direct written premium for the subject lines of business for the year preceding the assessment bears to the aggregate statewide direct written premium for the subject lines of business for that year. The assessment percentage applicable to each assessable insured is the ratio of the amount being assessed under sub-subparagraph a. to the aggregate statewide direct written premium for the subject lines of business for the prior year. Assessments levied by the corporation on assessable insurers under sub-subparagraph a. must be paid as required by the corporation's plan of operation and paragraph (q). Assessments levied by the corporation on assessable insureds under sub-subparagraph a. shall be collected by the surplus lines agent at the time~~

~~the surplus lines agent collects the surplus lines tax required by s. 626.932, and paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to that office. Upon receipt of regular assessments from surplus lines agents, the Florida Surplus Lines Service Office shall transfer the assessments directly to the corporation as determined by the corporation.~~

~~c. The corporation may not levy regular assessments under paragraph (q) pursuant to sub-subparagraph a. or sub-subparagraph b. if the three separate accounts in sub-sub-subparagraphs 2.a.(I)-(III) have been consolidated into the Citizens account pursuant to sub-sub-paragraph 2.b. However, the outstanding balance of any regular assessment levied by the corporation before establishment of the Citizens account remains payable to the corporation.~~

b.~~d.~~ After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph *a.* ~~j.~~, the remaining projected deficits in the *Citizens* ~~personal lines~~ account a~~nd in the commercial lines account~~ in a particular calendar year shall be recovered through emergency assessments under sub-subparagraph *c.* ~~e.~~

c.~~e.~~ Upon a determination by the board of governors that a projected deficit in *the Citizens* ~~an~~ account exceeds the amount that is expected to be recovered through *surcharges* ~~regular assessments under sub-sub-paragraph a., plus the amount that is expected to be recovered through surcharges under sub-subparagraph j.~~, the board, after verification by the office, shall levy emergency assessments for as many years as necessary to cover the deficits, to be collected by assessable insurers and the corporation and collected from assessable insureds upon issuance or renewal of policies for subject lines of business, excluding National Flood Insurance *Program* policies. The amount collected in a particular year must be a uniform percentage of that year's direct written premium for subject lines of business and *the Citizens account* ~~all accounts of the corporation~~, excluding National Flood Insurance Program policy premiums, as annually determined by the board and verified by the office. The office shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. The office shall notify assessable insurers and the Florida Surplus Lines Service Office of the date on which assessable insurers shall begin to collect and assessable insureds shall begin to pay such assessment. The date must be at least 90 days after the date the corporation levies emergency assessments pursuant to this sub-subparagraph. Notwithstanding any other ~~provision of~~ law, the corporation and each assessable insurer that writes subject lines of business shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. Emergency assessments levied by the corporation on assessable insureds shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to that office. The emergency assessments collected shall be transferred directly to the corporation on a periodic basis as determined by the corporation and held by the corporation solely in the *Citizens* ~~applicable~~ account. The aggregate amount of emergency assessments levied for *the Citizens* ~~an~~ account in any calendar year may be less than but may not exceed the greater of 10 percent of the amount needed to cover the deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit, or 10 percent of the aggregate statewide direct written premium for subject lines of business and *the Citizens account* ~~all accounts~~ of the corporation for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the deficit.

d.~~f.~~ The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other insurance and reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as the source of revenue for and to secure bonds issued under paragraph (q), bonds or other indebtedness issued under subparagraph (c)3., or lines of credit or other financing mechanisms issued or created under this subsection, or to retire any other debt incurred as a result of deficits or events giving rise to deficits, or in any other way that the board determines will efficiently recover such deficits. The purpose of the lines of credit or other financing mechanisms is to provide additional resources to assist the corporation in covering claims and expenses attributable to a catastrophe. As used in this subsection, the term "assessments" includes *emergency* ~~regular~~ assessments under sub-subparagraph *c.* ~~a. or subparagraph (q)1. and emergency assessments under sub-sub-paragraph c.~~ Emergency assessments collected under sub-sub-paragraph *c.* ~~e.~~ are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium. The emergency assessments shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the documents governing such bonds or indebtedness.

e.~~g.~~ As used in this subsection *and* for purposes of any deficit incurred on or after January 25, 2007, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable insureds for all property and casualty lines of business in this state, but not including workers' compensation or medical malpractice. As used in this sub-subparagraph, the term "property and casualty lines of business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers under s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program or the Federal Crop Insurance Program. For purposes of this sub-sub-paragraph, the term "workers' compensation" includes both workers' compensation insurance and excess workers' compensation insurance.

f.~~h.~~ The Florida Surplus Lines Service Office shall *annually* determine ~~annually~~ the aggregate statewide written premium in subject lines of business procured by assessable insureds and report that information to the corporation in a form and at a time the corporation specifies to ensure that the corporation can meet the requirements of this subsection and the corporation's financing obligations.

g.~~i.~~ The Florida Surplus Lines Service Office shall verify the proper application by surplus lines agents of assessment percentages for ~~regular assessments and~~ emergency assessments levied under this sub-paragraph on assessable insureds and assist the corporation in ensuring the accurate, timely collection and payment of assessments by surplus lines agents as required by the corporation.

~~j. Upon determination by the board of governors that an account has a projected deficit, the board shall levy a Citizens policyholder surcharge against all policyholders of the corporation.~~

~~(I) The surcharge shall be levied as a uniform percentage of the premium for the policy of up to 15 percent of such premium, which funds shall be used to offset the deficit.~~

~~(II) The surcharge is payable upon cancellation or termination of the policy, upon renewal of the policy, or upon issuance of a new policy by the corporation within the first 12 months after the date of the levy or the period of time necessary to fully collect the surcharge amount.~~

~~(III) The corporation may not levy any regular assessments under paragraph (q) pursuant to sub-subparagraph a. or sub-subparagraph b. with respect to a particular year's deficit until the corporation has first levied the full amount of the surcharge authorized by this sub-sub-paragraph.~~

~~(IV) The surcharge is not considered premium and is not subject to commissions, fees, or premium taxes. However, failure to pay the surcharge shall be treated as failure to pay premium.~~

h.~~k.~~ If the amount of any assessments or surcharges collected from corporation policyholders, assessable insurers or their policyholders, or assessable insureds exceeds the amount of the deficits, such excess amounts shall be remitted to and retained by the corporation in a reserve to be used by the corporation, as determined by the board of governors and approved by the office, to pay claims or reduce any past, present, or future plan-year deficits or to reduce outstanding debt.

~~4. The Citizens account, if established by the corporation pursuant to sub-subparagraph 2.b., is authorized to provide:~~

~~a. Personal residential policies that provide comprehensive, multi-peril coverage on risks that are not located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas~~

~~were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas;~~

~~b. Commercial residential and commercial nonresidential policies that provide coverage for basic property perils on risks that are not located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas; and~~

~~c. Personal residential policies and commercial residential and commercial nonresidential property policies that provide coverage for the peril of wind on risks that are located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002. The corporation may offer policies that provide multiperil coverage and shall offer policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002. The corporation may not offer new commercial residential policies providing multiperil coverage, but shall continue to offer commercial residential wind only policies, and may offer commercial residential policies excluding wind. However, the corporation may continue to renew a commercial residential multiperil policy on a building that was insured by the corporation on June 30, 2014, under a multiperil policy. In issuing multiperil coverage under this sub-subparagraph, the corporation may use its approved policy forms and rates for risks located in areas not eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas. An applicant or insured who is eligible to purchase a multiperil policy from the corporation may purchase a multiperil policy from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides coverage only for the peril of wind from the corporation. An applicant or insured who is eligible for a corporation policy that provides coverage only for the peril of wind may elect to purchase or retain such policy and also purchase or retain coverage excluding wind from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides multiperil coverage from the corporation. The following policies, which provide coverage only for the peril of wind, must also include quota share primary insurance under subparagraph (c)2.: Personal residential policies and commercial residential and commercial nonresidential property policies that provide coverage for the peril of wind on risks that are located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002; policies that provide multiperil coverage, if offered by the corporation, and policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002; commercial residential wind only policies; commercial residential policies excluding wind, if offered by the corporation; and commercial residential multiperil policies on a building that was insured by the corporation on June 30, 2014. The area eligible for coverage with the corporation under this sub-subparagraph includes the area within Port Canaveral, which is bordered on the south by the City of Cape Canaveral, bordered on the west by the Banana River, and bordered on the north by Federal Government property.~~

~~5. With respect to a deficit in the Citizens account:~~

~~a. Upon a determination by the board of governors that the Citizens account has a projected deficit, the board shall levy a Citizens policyholder surcharge against all policyholders of the corporation.~~

~~(I) The surcharge shall be levied as a uniform percentage of the premium for the policy of up to 15 percent of such premium, which funds shall be used to offset the deficit.~~

~~(II) The surcharge is payable upon cancellation or termination of the policy, upon renewal of the policy, or upon issuance of a new policy by the corporation within the first 12 months after the date of the levy or the period of time necessary to fully collect the surcharge amount.~~

~~(III) The surcharge is not considered premium and is not subject to commissions, fees, or premium taxes. However, failure to pay the surcharge shall be treated as failure to pay premium.~~

~~b. After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph a., the remaining projected deficit incurred in the Citizens account in a particular calendar year shall be recovered through emergency assessments under sub-subparagraph c.~~

~~c. Upon a determination by the board of governors that a projected deficit in the Citizens account exceeds the amount that is expected to be recovered through surcharges under sub-subparagraph a., the board, after verification by the office, shall levy emergency assessments for as many years as necessary to cover the deficits, to be collected by assessable insurers and the corporation and collected from assessable insureds upon issuance or renewal of policies for subject lines of business, excluding National Flood Insurance Program policies. The amount collected in a particular year must be a uniform percentage of that year's direct written premium for subject lines of business and the Citizens account, National Flood Insurance Program policy premiums, as annually determined by the board and verified by the office. The office shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. The office shall notify assessable insurers and the Florida Surplus Lines Service Office of the date on which assessable insurers shall begin to collect and assessable insureds shall begin to pay such assessment. The date must be at least 90 days after the date the corporation levies emergency assessments pursuant to this sub-subparagraph. Notwithstanding any other law, the corporation and each assessable insurer that writes subject lines of business shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. Emergency assessments levied by the corporation on assessable insureds shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to that office. The emergency assessments collected shall be transferred directly to the corporation on a periodic basis as determined by the corporation and held by the corporation solely in the Citizens account. The aggregate amount of emergency assessments levied for the Citizens account in any calendar year may be less than, but may not exceed the greater of, 10 percent of the amount needed to cover the deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit or 10 percent of the aggregate statewide direct written premium for subject lines of business and the Citizens accounts for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the deficit.~~

~~d. The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other insurance and reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as the source of revenue for and to secure bonds issued under paragraph (q), bonds or other indebtedness issued under subparagraph (c)3., or lines of credit or other financing mechanisms issued or created under this subsection; or to retire any other debt incurred as a result of deficits or events giving rise to deficits, or in any other way that the board determines will efficiently recover such deficits. The purpose of the lines of credit or other financing mechanisms is to provide additional resources to assist the corporation in covering claims and expenses attributable to a catastrophe. As used in this subsection, the term "assessments" includes emergency assessments under sub-subparagraph c. Emergency assessments collected under sub-subparagraph c. are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium. The emergency assessments shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the documents governing such bonds or indebtedness.~~

~~e. As used in this subsection and for purposes of any deficit incurred on or after January 25, 2007, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable insureds for all property and casualty lines of business in this state, but not including workers' compensation or medical malpractice. As used in this sub-subparagraph, the term "property and casualty lines of business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers under s. 624.424 and any rule adopted under this section, ex-~~

~~cept for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program or the Federal Crop Insurance Program. For purposes of this sub-sub-paragraph, the term "workers' compensation" includes both workers' compensation insurance and excess workers' compensation insurance.~~

~~f. The Florida Surplus Lines Service Office shall annually determine the aggregate statewide written premium in subject lines of business procured by assessable insureds and report that information to the corporation in a form and at a time the corporation specifies to ensure that the corporation can meet the requirements of this subsection and the corporation's financing obligations.~~

~~g. The Florida Surplus Lines Service Office shall verify the proper application by surplus lines agents of assessment percentages for emergency assessments levied under this subparagraph on assessable insureds and assist the corporation in ensuring the accurate, timely collection and payment of assessments by surplus lines agents as required by the corporation.~~

~~h. If the amount of any assessments or surcharges collected from corporation policyholders, assessable insurers or their policyholders, or assessable insureds exceeds the amount of the deficits, such excess amounts shall be remitted to and retained by the corporation in a reserve to be used by the corporation, as determined by the board of governors and approved by the office, to pay claims or reduce any past, present, or future plan year deficits or to reduce outstanding debt.~~

(c) The corporation's plan of operation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which must be approved by the office before use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage by the Florida Windstorm Underwriting Association, as those areas were defined on January 1, 2002.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. which contain more restrictive coverage.

g. The corporation shall offer a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

2. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only.

a. As used in this subsection, the term:

(I) "Approved surplus lines insurer" means an eligible surplus lines insurer that:

(A) Has a financial strength rating of "A-" or higher from A.M. Best Company;

(B) Has a personal lines residential risk program that is managed by a Florida resident surplus lines broker;

(C) Applies to the office to participate in the take-out process to offer coverage to applicants for new coverage from the corporation or current policyholders of the corporation through a take-out plan approved by the office;

(D) Files rates for review as part of a take-out plan with the office. The office shall review whether the premium is more than 20 percent greater than the premium for comparable coverage from the corporation; and

(E) Provides data to the office related to coverage and rates in a format promulgated by the commission.

(III) "Primary residence" means the dwelling that is the policyholder's primary home or is a rental property that is the primary home of the tenant, and which the policyholder or tenant occupies for more than 9 months of each year.

(IV)~~(I)~~ "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the agreement, may not be altered by the inability of the other party to pay its specified percentage of losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that the authorized insurer and the corporation may not be held responsible beyond their specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under such agreements, the corporation and the authorized insurer must maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by fund rules. The

corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of the agreements, pricing of the agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer is voluntary and at the discretion of the authorized insurer.

3. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation may borrow funds by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (q)2. in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation may take all actions needed to facilitate tax-free status for such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation may pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of nine individuals who are residents of this state and who are from different geographical areas of the state, one of whom is appointed by the Governor and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Governor is deemed to be within the scope of the exemption provided in s. 112.313(7)(b) and is in addition to the appointments authorized under sub-subparagraph a.

a. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance and be deemed to be within the scope of the exemption provided in s. 112.313(7)(b). The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board are subject to removal at will by the officers who appointed them. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. A board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board and serve at the pleasure of the board. Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage.

(I) The members of the advisory committee consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members shall be appointed to 3-year terms and may serve for consecutive terms.

(II) The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to s. 627.3517, with respect to personal lines residential risks *that are primary residences*, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 20 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a personal lines residential risk *that is a primary residence* is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation for policies that renew before April 1, 2023; for policies that renew on or after that date, the risk is not eligible for coverage with the corporation unless the premium for coverage from the authorized insurer is more than 20 percent greater than the corporation's renewal premium for comparable coverage. If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices. A policyholder removed from the corporation through an assumption agreement does not remain eligible for coverage from the corporation after the end of the policy term. However, any policy removed from the corporation through an assumption agreement remains on the corporation's policy forms through the end of the policy term. *This sub-subparagraph applies only to risks that are primary residences.*

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. Subject to s. 627.3517, with respect to personal lines residential risks that are not primary residences, if the risk is offered coverage from an authorized insurer at the insurer's approved rate or from an approved surplus lines insurer at the rate approved by the office as part of such surplus lines insurer's take-out plan for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer or approved surplus lines insurer is more than 20 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a personal lines residential risk that is not a primary residence is received for a policyholder of the corporation at renewal from an authorized insurer at the insurer's approved rate or an approved surplus lines insurer at the rate approved by the office as part of such insurer's take-out plan, the risk is not eligible for coverage with the corporation unless the premium for coverage from the authorized insurer or approved surplus lines insurer is more than 20 percent greater than the corporation's renewal premium for comparable coverage for policies that renew on or after July 1, 2024. If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation. If the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices. A policyholder removed from the corporation through an assumption agreement does not remain eligible for coverage from the corporation after the end of the policy term. However, any policy removed from the corporation through an assumption agreement remains on the corporation's policy forms through the end of the policy term.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer must:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer must pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer must:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

c.~~b.~~ With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 20 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, the risk is not eligible for coverage with the corporation unless the premium for coverage from the authorized insurer is more than 20 percent greater than the corporation's renewal premium for comparable coverage. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. A policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the policy term. However, any policy removed from the corporation through an assumption agreement remains on the corporation's policy forms through the end of the policy term.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

d.~~c.~~ For purposes of determining comparable coverage under sub-subparagraphs a.*,* ~~and~~ b., *and c.,* the comparison must be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. For purposes of comparing the premium for comparable coverage under sub-subparagraphs a.*,* ~~and~~ b., *and c.* premium includes any surcharge or assessment that is actually applied to such policy. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same Coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer *or the approved surplus line insurer*; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer *or the approved surplus lines insurer*; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage on a risk that is located in an area eligible for coverage by the Florida Windstorm Underwriting Association, as that area was defined on January 1, 2002, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant must be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer *or the approved surplus lines insurer* a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer *or the approved surplus lines insurer* refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates.

7. Must provide that if premium and investment income~~:~~

~~a.~~ for *the Citizens* ~~an~~ account*, which are* attributable to a particular calendar year*,* are in excess of projected losses and expenses for the *Citizens* account attributable to that year, such excess shall be held in surplus in the *Citizens* account. Such surplus must be available to defray deficits in *the Citizens* ~~that~~ account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year~~; or~~

~~b. For the Citizens account, if established by the corporation, which are attributable to a particular calendar year are in excess of projected losses and expenses for the Citizens account attributable to that year, such excess shall be held in surplus in the Citizens account. Such surplus must be available to defray deficits in the Citizens account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year~~.

8. Must provide objective criteria and procedures to be uniformly applied to all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following must be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

9. Must provide that the corporation make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors. If catastrophe reinsurance is not available at reasonable rates, the corporation need not purchase it, but the corporation shall include the costs of reinsurance to cover its projected 100-year probable maximum loss in its rate calculations even if it does not purchase catastrophe reinsurance.

10. The policies issued by the corporation must provide that if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11. Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer which does not provide coverage identical to the coverage provided by the corporation. The notice must also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12. May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods continue to have access to coverage from the corporation. If coverage is sought in connection with a real property transfer, the requirements and procedures may not provide an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13. ~~Must provide that:~~

~~a. With respect to the coastal account, any assessable insurer with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the coastal account may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds, but a limited apportionment company must begin collecting the regular assessments not later than 90 days after the regular assessments are levied by the corporation, and the regular assessments must be paid in full within 15 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.c. The plan must provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (q)4. However, an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.c. may not be limited or deferred; or~~

~~b. With respect to the Citizens account, if established by the corporation pursuant to sub-subparagraph (b)2.b., any assessable insurer with a surplus as to policyholders of $25 million or less and writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)5.c. An emergency assessment to be collected from policyholders under sub-subparagraph (b)5.c. may not be limited or deferred.~~

~~14.~~ Must provide that the corporation appoint as its licensed agents only those agents who throughout such appointments also hold an appointment as defined in s. 626.015 by *at least three insurers* ~~an insurer~~

who *are* ~~is~~ authorized to write and *are* ~~is~~ actually writing or renewing personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

14.~~15.~~ Must provide a premium payment plan option to its policyholders which, at a minimum, allows for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

15.~~16.~~ Must limit coverage on mobile homes or manufactured homes built before 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

16.~~17.~~ Must provide coverage for manufactured or mobile home dwellings. Such coverage must also include the following attached structures:

a. Screened enclosures that are aluminum framed or screened enclosures that are not covered by the same or substantially the same materials as those of the primary dwelling;

b. Carports that are aluminum or carports that are not covered by the same or substantially the same materials as those of the primary dwelling; and

c. Patios that have a roof covering that is constructed of materials that are not the same or substantially the same materials as those of the primary dwelling.

The corporation shall make available a policy for mobile homes or manufactured homes for a minimum insured value of at least $3,000.

17.~~18.~~ May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18.~~19.~~ May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

19.~~20.~~ Must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy.

20.a.~~21.a. As of January 1, 2012, unless the Citizens account has been established pursuant to sub-subparagraph (b)2.b.,~~ Must require that the agent obtain from an applicant for coverage from the corporation an acknowledgment signed by the applicant, which includes, at a minimum, the following statement:

ACKNOWLEDGMENT OF POTENTIAL SURCHARGE AND ASSESSMENT LIABILITY:

1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES *AND ASSESSMENTS*, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES *AND ASSESSMENTS* COULD BE AS HIGH AS *25* ~~45~~ PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

2. I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER SURCHARGE, WHICH COULD BE AS HIGH AS *15* ~~45~~ PERCENT OF MY PREMIUM, BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO BE ELIGIBLE FOR COVERAGE BY CITIZENS, I MUST FIRST TRY TO OBTAIN PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES ARE REGULATED AND APPROVED BY THE STATE.

3. I UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

4. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

~~b. The corporation must require, if it has established the Citizens account pursuant to sub-subparagraph (b)2.b., that the agent obtain from an applicant for coverage from the corporation the following acknowledgment signed by the applicant, which includes, at a minimum, the following statement:~~

~~ACKNOWLEDGMENT OF POTENTIAL SURCHARGE AND ASSESSMENT LIABILITY:~~

~~1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES AND ASSESSMENTS, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES AND ASSESSMENTS COULD BE AS HIGH AS 25 PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.~~

~~2. I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER SURCHARGE, WHICH COULD BE AS HIGH AS 15 PERCENT OF MY PREMIUM, BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO BE ELIGIBLE FOR COVERAGE BY CITIZENS, I MUST FIRST TRY TO OBTAIN PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES ARE REGULATED AND APPROVED BY THE STATE.~~

~~3. I UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.~~

~~4. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.~~

b.~~c.~~ The corporation shall maintain, in electronic format or otherwise, a copy of the applicant's signed acknowledgment and provide a copy of the statement to the policyholder as part of the first renewal after the effective date of sub-subparagraph a. ~~or sub-subparagraph b., as applicable.~~

c.~~d.~~ The signed acknowledgment form creates a conclusive presumption that the policyholder understood and accepted his or her potential surcharge and assessment liability as a policyholder of the corporation.

21. Must provide that the income of the corporation may not inure to the benefit of any private person.

(e) The corporation is subject to s. 287.057 for the purchase of commodities and contractual services except as otherwise provided in this paragraph. Services provided by tradepersons or technical experts to assist a licensed adjuster in the evaluation of individual claims are not subject to the procurement requirements of this section. Additionally, the procurement of financial services providers and underwriters must be made pursuant to s. 627.3513. Contracts for goods or services valued at or more than $100,000 are subject to approval by the board.

1. The corporation is an agency for purposes of s. 287.057, except that, for purposes of s. 287.057(24), the corporation is an eligible user.

a. The authority of the Department of Management Services and the Chief Financial Officer under s. 287.057 extends to the corporation as if the corporation were an agency.

b. The executive director of the corporation is the agency head under s. 287.057~~, except for resolution of bid protests for which the board would serve as the agency head~~. *The executive director of the corporation may assign or appoint a designee to act on his or her behalf.*

2. The corporation must provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. Such notice must contain the following statement: "Failure to file a protest within the time prescribed in this section constitutes a waiver of proceedings."

a. A person adversely affected by the corporation's decision or intended decision to award a contract pursuant to s. 287.057(1) or (3)(c) who elects to challenge the decision must file a written notice of protest with the executive director of the corporation within 72 hours after the corporation posts a notice of its decision or intended decision. For a protest of the terms, conditions, and specifications contained in a solicitation, including provisions governing the methods for ranking bids, proposals, replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, the notice of protest must be filed in writing within 72 hours after posting the solicitation. Saturdays, Sundays, and state holidays are excluded in the computation of the 72-hour time period.

b. A formal written protest must be filed within 10 days after the date the notice of protest is filed. The formal written protest must state with particularity the facts and law upon which the protest is based. Upon receipt of a formal written protest that has been timely filed, the corporation must stop the solicitation or contract award process until the subject of the protest is resolved by final board action unless the executive director sets forth in writing particular facts and circumstances that require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare.

(I) The corporation must provide an opportunity to resolve the protest by mutual agreement between the parties within 7 business days after receipt of the formal written protest.

(II) If the subject of a protest is not resolved by mutual agreement within 7 business days, the corporation's board must transmit the protest to the Division of Administrative Hearings and contract with the division to conduct a hearing to determine the merits of the protest and to issue a recommended order. The contract must provide for the corporation to reimburse the division for any costs incurred by the division for court reporters, transcript preparation, travel, facility rental, and other customary hearing costs in the manner set forth in s. 120.65(9). The division has jurisdiction to determine the facts and law concerning the protest and to issue a recommended order. The division's rules and procedures apply to these proceedings~~, the division's applicable bond requirements do not apply~~. The protest must be heard by the division at a publicly noticed meeting in accordance with procedures established by the division.

c. In a protest of an invitation-to-bid or request-for-proposals procurement, submissions made after the bid or proposal opening which amend or supplement the bid or proposal may not be considered. In protesting an invitation-to-negotiate procurement, submissions made after the corporation announces its intent to award a contract, reject all replies, or withdraw the solicitation that amends or supplements the reply may not be considered. Unless otherwise provided by law, the burden of proof rests with the party protesting the corporation's action. In a competitive-procurement protest, other than a rejection of all bids, proposals, or replies, the administrative law judge must conduct a de novo proceeding to determine whether the corporation's proposed action is contrary to the corporation's governing statutes, the corporation's rules or policies, or the solicitation specifications. The standard of proof for the proceeding is whether the corporation's action was clearly erroneous, contrary to competition, arbitrary, or capricious. In any bid-protest proceeding contesting an intended corporation action to reject all bids, proposals, or replies, the standard of review by the board is whether the corporation's intended action is illegal, arbitrary, dishonest, or fraudulent.

d. Failure to file a notice of protest or failure to file a formal written protest constitutes a waiver of proceedings.

3. The ~~board, acting as~~ agency head *or his or her designee*~~,~~ shall consider the recommended order of an administrative law judge ~~in a public meeting~~ and take final action on the protest. Any further legal remedy lies with the First District Court of Appeal.

(o) If coverage in ~~an account, or~~ the Citizens account ~~if established by the corporation,~~ is deactivated pursuant to paragraph (p), coverage through the corporation shall be reactivated by order of the office only under one of the following circumstances:

1. If the market assistance plan receives a minimum of 100 applications for coverage within a 3-month period, or 200 applications for coverage within a 1-year period or less for residential coverage, unless the market assistance plan provides a quotation from *authorized* ~~admitted~~ carriers at their *approved* ~~filed~~ rates for at least 90 percent of such applicants. Any market assistance plan application that is rejected because an individual risk is so hazardous as to be uninsurable using the criteria specified in subparagraph (c)8. *may* ~~shall~~ not be included in the minimum percentage calculation provided herein. In the event that there is a legal or administrative challenge to a determination by the office that the conditions of this subparagraph have been met for eligibility for coverage in the corporation, any eligible risk may obtain coverage during the pendency of such challenge.

2. In response to a state of emergency declared by the Governor under s. 252.36, the office may activate coverage by order for the period of the emergency upon a finding by the office that the emergency significantly affects the availability of residential property insurance.

(p)1. The corporation shall file with the office quarterly statements of financial condition, an annual statement of financial condition, and audited financial statements in the manner prescribed by law. In addition, the corporation shall report to the office monthly on the types, premium, exposure, and distribution by county of its policies in force, and shall submit other reports as the office requires to carry out its oversight of the corporation.

2. The activities of the corporation shall be reviewed at least annually by the office to determine whether coverage shall be deactivated in ~~an account, or in~~ the Citizens account ~~if established by the corporation,~~ on the basis that the conditions giving rise to its activation no longer exist.

(q)1. The corporation shall certify to the office its needs for annual assessments as to a particular calendar year, and for any interim assessments that it deems to be necessary to sustain operations as to a particular year pending the receipt of annual assessments. Upon verification, the office shall approve such certification, and the corporation shall levy such annual or interim assessments. Such assessments shall be prorated, if authority to levy exists, as provided in paragraph (b). The corporation shall take all reasonable and prudent steps necessary to collect the amount of assessments due from each assessable insurer, including, if prudent, filing suit to collect the assessments, and the office may provide such assistance to the corporation it deems appropriate. If the corporation is unable to collect an assessment from any assessable insurer, the uncollected assessments shall be levied as an additional assessment against the assessable insurers and any assessable insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying assessable insurer. Assessments shall be included as an appropriate factor in the making of rates. The failure of a surplus lines agent to collect and remit any regular or emergency assessment levied by the corporation is considered to be a violation of s. 626.936 and subjects the surplus lines agent to the penalties provided in that section.

2. The governing body of any unit of local government, any residents of which are insured by the corporation, may issue bonds as defined in s. 125.013 or s. 166.101 from time to time to fund an assistance program, in conjunction with the corporation, for the purpose of defraying deficits of the corporation. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the corporation, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds under this subparagraph may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as

are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will permit relief to claimants and policyholders of the corporation. Any such unit of local government may enter into such contracts with the corporation and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this subparagraph shall be payable from and secured by moneys received by the corporation from emergency assessments under sub-subparagraph *(b)3.c.* ~~(b)3.c.~~, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government *may* ~~shall~~ not be pledged for the payment of such bonds.

3.a. The corporation shall adopt one or more programs subject to approval by the office for the reduction of both new and renewal writings in the corporation. Beginning January 1, 2008, any program the corporation adopts for the payment of bonuses to an insurer for each risk the insurer removes from the corporation shall comply with s. 627.3511(2) and may not exceed the amount referenced in s. 627.3511(2) for each risk removed. The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings, and may adopt a credit against assessment liability or other liability that provides an incentive for insurers to take risks out of the corporation and to keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings will be relieved wholly or partially from assessments ~~under sub-subparagraph (b)3.a~~. However, any "take-out bonus" or payment to an insurer must be conditioned on the property being insured for at least 5 years by the insurer, unless canceled or nonrenewed by the policyholder. If the policy is canceled or nonrenewed by the policyholder before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured. When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on such policy, and the insurer shall either:

(I) Pay to the producing agent of record of the policy, for the first year, an amount which is the greater of the insurer's usual and customary commission for the type of policy written or a policy fee equal to the usual and customary commission of the corporation; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the insurer's usual and customary commission for the type of policy written. If the producing agent is unwilling or unable to accept appointment by the new insurer, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

b. Any credit or exemption from regular assessments adopted under this subparagraph shall last no longer than the 3 years following the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

c. There shall be no credit, limitation, exemption, or deferment from emergency assessments to be collected from policyholders pursuant to *sub-subparagraph (b)3.c.* ~~sub-subparagraph (b)3.c. or sub-sub-paragraph (b)5.c.~~

4. ~~The plan shall provide for the deferment, in whole or in part, of the assessment of an assessable insurer, other than an emergency assessment collected from policyholders pursuant to sub-subparagraph (b)3.c. or sub-subparagraph (b)5.c., if the office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an assessable insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other assessable insurers in a manner consistent with the basis for assessments set forth in paragraph (b).~~

~~5.~~ Effective July 1, 2007, in order to evaluate the costs and benefits of approved take-out plans, if the corporation pays a bonus or other payment to an insurer for an approved take-out plan, it shall maintain a record of the address or such other identifying information on the property or risk removed in order to track if and when the property or risk is later insured by the corporation.

5.~~6.~~ Any policy taken out, assumed, or removed from the corporation is, as of the effective date of the take-out, assumption, or removal, direct insurance issued by the insurer and not by the corporation, even if the corporation continues to service the policies. This subparagraph applies to policies of the corporation and not policies taken out, assumed, or removed from any other entity.

6.~~7.~~ For a policy taken out, assumed, or removed from the corporation, the insurer may, for a period of no more than 3 years, continue to use any of the corporation's policy forms or endorsements that apply to the policy taken out, removed, or assumed without obtaining approval from the office for use of such policy form or endorsement.

(v)1. Effective July 1, 2002, policies of the Residential Property and Casualty Joint Underwriting Association become policies of the corporation. All obligations, rights, assets and liabilities of the association, including bonds, note and debt obligations, and the financing documents pertaining to them become those of the corporation as of July 1, 2002. The corporation is not required to issue endorsements or certificates of assumption to insureds during the remaining term of in-force transferred policies.

2. Effective July 1, 2002, policies of the Florida Windstorm Underwriting Association are transferred to the corporation and become policies of the corporation. All obligations, rights, assets, and liabilities of the association, including bonds, note and debt obligations, and the financing documents pertaining to them are transferred to and assumed by the corporation on July 1, 2002. The corporation is not required to issue endorsements or certificates of assumption to insureds during the remaining term of in-force transferred policies.

3. The Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association shall take all actions necessary to further evidence the transfers and provide the documents and instruments of further assurance as may reasonably be requested by the corporation for that purpose. The corporation shall execute assumptions and instruments as the trustees or other parties to the financing documents of the Florida Windstorm Underwriting Association or the Residential Property and Casualty Joint Underwriting Association may reasonably request to further evidence the transfers and assumptions, which transfers and assumptions, however, are effective on the date provided under this paragraph whether or not, and regardless of the date on which, the assumptions or instruments are executed by the corporation. ~~Subject to the relevant financing documents pertaining to their outstanding bonds, notes, indebtedness, or other financing obligations, the moneys, investments, receivables, choses in action, and other intangibles of the Florida Windstorm Underwriting Association shall be credited to the coastal account of the corporation, and those of the personal lines residential coverage account and the commercial lines residential coverage account of the Residential Property and Casualty Joint Underwriting Association shall be credited to the personal lines account and the commercial lines account, respectively, of the corporation.~~

4. Effective July 1, 2002, a new applicant for property insurance coverage who would otherwise have been eligible for coverage in the Florida Windstorm Underwriting Association is eligible for coverage from the corporation as provided in this subsection.

5. The transfer of all policies, obligations, rights, assets, and liabilities from the Florida Windstorm Underwriting Association to the corporation and the renaming of the Residential Property and Casualty Joint Underwriting Association as the corporation does not affect the coverage with respect to covered policies as defined in s. 215.555(2)(c) provided to these entities by the Florida Hurricane Catastrophe Fund. ~~The coverage provided by the fund to the Florida Windstorm Underwriting Association based on its exposures as of June 30, 2002, and each June 30 thereafter, unless the corporation has established the Citizens account, shall be redesignated as coverage for the coastal account of the corporation. Notwithstanding any other provision of law, the coverage provided by the fund to the Residential Property and Casualty Joint~~

~~Underwriting Association based on its exposures as of June 30, 2002, and each June 30 thereafter, unless the corporation has established the Citizens account, shall be transferred to the personal lines account and the commercial lines account of the corporation. Notwithstanding any other provision of law, the coastal account, unless the corporation has established the Citizens account, shall be treated, for all Florida Hurricane Catastrophe Fund purposes, as if it were a separate participating insurer with its own exposures, reimbursement premium, and loss reimbursement. Likewise, the personal lines and commercial lines accounts, unless the corporation has established the Citizens account, shall be viewed together, for all fund purposes, as if the two accounts were one and represent a single, separate participating insurer with its own exposures, reimbursement premium, and loss reimbursement.~~ The coverage provided by the fund to the corporation shall constitute and operate as a full transfer of coverage from the Florida Windstorm Underwriting Association and Residential Property and Casualty Joint Underwriting Association to the corporation.

(w) Notwithstanding any other provision of law:

1. The pledge or sale of, the lien upon, and the security interest in any rights, revenues, or other assets of the corporation created or purported to be created pursuant to any financing documents to secure any bonds or other indebtedness of the corporation shall be and remain valid and enforceable, notwithstanding the commencement of and during the continuation of, and after, any rehabilitation, insolvency, liquidation, bankruptcy, receivership, conservatorship, reorganization, or similar proceeding against the corporation under the laws of this state.

2. The proceeding does not relieve the corporation of its obligation, or otherwise affect its ability to perform its obligation, to continue to collect, or levy and collect, assessments, policyholder surcharges or other surcharges ~~under sub-subparagraph (b)3.j.~~, or any other rights, revenues, or other assets of the corporation pledged pursuant to any financing documents.

3. Each such pledge or sale of, lien upon, and security interest in, including the priority of such pledge, lien, or security interest, any such assessments, policyholder surcharges or other surcharges, or other rights, revenues, or other assets which are collected, or levied and collected, after the commencement of and during the pendency of, or after, any such proceeding shall continue unaffected by such proceeding. As used in this subsection, the term "financing documents" means any agreement or agreements, instrument or instruments, or other document or documents now existing or hereafter created evidencing any bonds or other indebtedness of the corporation or pursuant to which any such bonds or other indebtedness has been or may be issued and pursuant to which any rights, revenues, or other assets of the corporation are pledged or sold to secure the repayment of such bonds or indebtedness, together with the payment of interest on such bonds or such indebtedness, or the payment of any other obligation or financial product, as defined in the plan of operation of the corporation related to such bonds or indebtedness.

4. Any such pledge or sale of assessments, revenues, contract rights, or other rights or assets of the corporation shall constitute a lien and security interest, or sale, as the case may be, that is immediately effective and attaches to such assessments, revenues, or contract rights or other rights or assets, whether or not imposed or collected at the time the pledge or sale is made. Any such pledge or sale is effective, valid, binding, and enforceable against the corporation or other entity making such pledge or sale, and valid and binding against and superior to any competing claims or obligations owed to any other person or entity, including policyholders in this state, asserting rights in any such assessments, revenues, or contract rights or other rights or assets to the extent set forth in and in accordance with the terms of the pledge or sale contained in the applicable financing documents, whether or not any such person or entity has notice of such pledge or sale and without the need for any physical delivery, recordation, filing, or other action.

5. As long as the corporation has any bonds outstanding, the corporation may not file a voluntary petition under chapter 9 of the federal Bankruptcy Code or such corresponding chapter or sections as may be in effect, from time to time, and a public officer or any organization, entity, or other person may not authorize the corporation to be or become a debtor under chapter 9 of the federal Bankruptcy Code or such corresponding chapter or sections as may be in effect, from time to time, during any such period.

6. If ordered by a court of competent jurisdiction, the corporation may assume policies or otherwise provide coverage for policyholders of an insurer placed in liquidation under chapter 631, under such forms, rates, terms, and conditions as the corporation deems appropriate, subject to approval by the office.

(x)1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files. Confidential and exempt underwriting file records may also be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this paragraph. Information that is exempt shall include, but is not limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty that affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law shall be redacted.

2. If an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. If a file is transferred to an insurer, that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan

may make the following information obtained from underwriting files and confidential claims files available to an entity that has obtained a permit to become an authorized insurer, a reinsurer that may provide reinsurance under s. 624.610, a licensed reinsurance broker, a licensed rating organization, a modeling company, *a licensed surplus lines agent,* or a licensed general lines insurance agent: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving person must retain the confidentiality of the information received and may use the information only for the purposes of developing a take-out plan or a rating plan to be submitted to the office for approval or otherwise analyzing the underwriting of a risk or risks insured by the corporation on behalf of the private insurance market. A *licensed surplus lines agent or* licensed general lines insurance agent may not use such information for the direct solicitation of policyholders.

3. A policyholder who has filed suit against the corporation has the right to discover the contents of his or her own claims file to the same extent that discovery of such contents would be available from a private insurer in litigation as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law. Pursuant to subpoena, a third party has the right to discover the contents of an insured's or applicant's underwriting or claims file to the same extent that discovery of such contents would be available from a private insurer by subpoena as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law, and subject to any confidentiality protections requested by the corporation and agreed to by the seeking party or ordered by the court. The corporation may release confidential underwriting and claims file contents and information as it deems necessary and appropriate to underwrite or service insurance policies and claims, subject to any confidentiality protections deemed necessary and appropriate by the corporation.

4. Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s. 119.07(1)(d)-(f), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

(z) In enacting the provisions of this section, the Legislature recognizes that both the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association have entered into financing arrangements that obligate each entity to service its debts and maintain the capacity to repay funds secured under these financing arrangements. It is the intent of the Legislature that nothing in this section be construed to compromise, diminish, or interfere with the rights of creditors under such financing arrangements. It is further the intent of the Legislature to preserve the obligations of the Florida Windstorm Underwriting Association and Residential Property and Casualty Joint Underwriting Association with regard to outstanding financing arrangements, with such obligations passing entirely and unchanged to the corporation and, specifically, to the *Citizens* ~~applicable~~ account ~~of the corporation~~. So long as any bonds, notes, indebtedness, or other financing obligations of the Florida Windstorm Underwriting Association or the Residential Property and Casualty Joint Underwriting Association are outstanding, under the terms of the financing documents pertaining to them, the governing board of the corporation shall have and shall exercise the authority to levy, charge, collect, and receive all premiums, assessments, surcharges, charges, revenues, and receipts that the associations had authority to levy, charge, collect, or receive under the provisions of subsection (2) and this subsection, respectively, as they existed on January 1, 2002, to provide moneys, without exercise of the authority provided by this subsection, in at least the amounts, and by the times, as would be provided under those former provisions of subsection (2) or this subsection, respectively, so that the value, amount, and collectability of any assets, revenues, or revenue source pledged or committed to, or any lien thereon securing such outstanding bonds, notes, indebtedness, or other financing obligations will not be diminished, impaired, or adversely affected by the amendments made by this act and to permit compliance with all provisions of financing documents pertaining to such bonds, notes, indebtedness, or other financing obligations, or the security or credit enhancement for them, and any reference in this subsection to bonds, notes, indebtedness, financing obligations, or similar obligations, of the corporation shall include like instruments or contracts of the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association to the extent not inconsistent with the provisions of the financing documents pertaining to them.

(ii) The corporation shall revise the programs adopted pursuant to sub-subparagraph (q)3.a. for personal lines residential policies to maximize policyholder options and encourage increased participation by insurers and agents. After January 1, 2017, a policy may not be taken out of the corporation unless the provisions of this paragraph are met.

1. The corporation must publish a periodic schedule of cycles during which an insurer may identify, and notify the corporation of, policies that the insurer is requesting to take out. A request must include a description of the coverage offered and an estimated premium and must be submitted to the corporation in a form and manner prescribed by the corporation.

2. The corporation must maintain and make available to the agent of record a consolidated list of all insurers requesting to take out a policy. The list must include a description of the coverage offered and the estimated premium for each take-out request.

3. If a policyholder receives a take-out offer from an authorized insurer, the risk is no longer eligible for coverage with the corporation unless the premium for coverage from the authorized insurer is more than 20 percent greater than the renewal premium for comparable coverage from the corporation pursuant to sub-subparagraph *(c)5.d.* ~~(c) 5.c~~. This subparagraph applies to take-out offers that are part of an application to participate in depopulation submitted to the office on or after January 1, 2023. *This subparagraph only applies to a policy that covers a primary residence.*

4. The corporation must provide written notice to the policyholder and the agent of record regarding all insurers requesting to take out the policy. The notice must be in a format prescribed by the corporation and include, for each take-out offer:

a. The amount of the estimated premium;

b. A description of the coverage; and

c. A comparison of the estimated premium and coverage offered by the insurer to the estimated premium and coverage provided by the corporation.

(nn) The corporation may share its claims data with the National Insurance Crime Bureau, provided that the National Insurance Crime Bureau agrees to maintain the confidentiality of such documents as otherwise provided for in paragraph (x).

(7) TRADEMARKS, COPYRIGHTS, OR PATENTS.—Notwithstanding any other law, the corporation is authorized, in its own name, to:

(a) Perform all things necessary to secure letters of patent, copyrights, or trademarks on any work products and enforce its rights therein.

(b) License, lease, assign, or otherwise give written consent to any person, firm, or corporation for the manufacture or use thereof, on a royalty basis or for such other consideration as the corporation deems proper.

(c) Take any action necessary, including legal action, to protect trademarks, copyrights, or patents against improper or unlawful use or infringement.

(d) Enforce the collection of any sums due the corporation for the manufacture or use thereof by any other party.

(e) Sell any of its trademarks, copyrights, or patents and execute all instruments necessary to consummate any such sale.

(f) Do all other acts necessary and proper for the execution of powers and duties herein conferred upon the corporation in order to administer this subsection.

Section 3. Subsection (3) and paragraphs (d), (e), and (f) of subsection (6) of section 627.3511, Florida Statutes, are amended to read:

627.3511 Depopulation of Citizens Property Insurance Corporation.—

(3) EXEMPTION FROM DEFICIT ASSESSMENTS.—

~~(a) The calculation of an insurer's assessment liability under s. 627.351(6)(b)3.a. shall, for an insurer that in any calendar year removes 50,000 or more risks from the Citizens Property Insurance Corporation, either by issuance of a policy upon expiration or cancellation of the corporation policy or by assumption of the corporation's obligations with respect to in force policies, exclude such removed policies for the succeeding 3 years, as follows:~~

~~1. In the first year following removal of the risks, the risks are excluded from the calculation to the extent of 100 percent.~~

~~2. In the second year following removal of the risks, the risks are excluded from the calculation to the extent of 75 percent.~~

~~3. In the third year following removal of the risks, the risks are excluded from the calculation to the extent of 50 percent.~~

~~If the removal of risks is accomplished through assumption of obligations with respect to in force policies, the corporation shall pay to the assuming insurer all unearned premium with respect to such policies less any policy acquisition costs agreed to by the corporation and assuming insurer. The term "policy acquisition costs" is defined as costs of issuance of the policy by the corporation which includes agent commissions, servicing company fees, and premium tax. This paragraph does not apply to an insurer that, at any time within 5 years before removing the risks, had a market share in excess of 0.1 percent of the statewide aggregate gross direct written premium for any line of property insurance, or to an affiliate of such an insurer. This paragraph does not apply unless either at least 40 percent of the risks removed from the corporation are located in Miami Dade, Broward, and Palm Beach Counties, or at least 30 percent of the risks removed from the corporation are located in such counties and an additional 50 percent of the risks removed from the corporation are located in other coastal counties.~~

~~(b) An insurer that first wrote personal lines residential property coverage in this state on or after July 1, 1994, is exempt from regular deficit assessments imposed pursuant to s. 627.351(6)(b)3.a., but not emergency assessments collected from policyholders pursuant to s. 627.351(6)(b)3.e., of the Citizens Property Insurance Corporation until the earlier of the following:~~

~~1. The end of the calendar year in which it first wrote 0.5 percent or more of the statewide aggregate direct written premium for any line of residential property coverage; or~~

~~2. December 31, 1997, or December 31 of the third year in which it wrote such coverage in this state, whichever is later.~~

~~(c) Other than an insurer that is exempt under paragraph (b), an insurer that in any calendar year increases its total structure exposure subject to wind coverage by 25 percent or more over its exposure for the preceding calendar year is, with respect to that year, exempt from deficit assessments imposed pursuant to s. 627.351(6)(b)3.a., but not emergency assessments collected from policyholders pursuant to s. 627.351(6)(b)3.e., of the Citizens Property Insurance Corporation attributable to such increase in exposure.~~

~~(d)~~ Any exemption or credit from regular assessments authorized by this section shall last no longer than 3 years following the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

(6) COMMERCIAL RESIDENTIAL TAKE-OUT PLANS.—

~~(d) The calculation of an insurer's regular assessment liability under s. 627.351(6)(b)3.a., but not emergency assessments collected from policyholders pursuant to s. 627.351(6)(b)3.e., shall, with respect to commercial residential policies removed from the corporation under an approved take-out plan, exclude such removed policies for the succeeding 3 years, as follows:~~

~~1. In the first year following removal of the policies, the policies are excluded from the calculation to the extent of 100 percent.~~

~~2. In the second year following removal of the policies, the policies are excluded from the calculation to the extent of 75 percent.~~

~~3. In the third year following removal of the policies, the policies are excluded from the calculation to the extent of 50 percent.~~

~~(e) An insurer that first wrote commercial residential property coverage in this state on or after June 1, 1996, is exempt from regular assessments under s. 627.351(6)(b)3.a., but not emergency assessments collected from policyholders pursuant to s. 627.351(6)(b)3.e., with respect to commercial residential policies until the earlier of:~~

~~1. The end of the calendar year in which such insurer first wrote 0.5 percent or more of the statewide aggregate direct written premium for commercial residential property coverage; or~~

~~2. December 31 of the third year in which such insurer wrote commercial residential property coverage in this state.~~

~~(f) An insurer that is not otherwise exempt from regular assessments under s. 627.351(6)(b)3.a. with respect to commercial residential policies is, for any calendar year in which such insurer increased its total commercial residential hurricane exposure by 25 percent or more over its exposure for the preceding calendar year, exempt from regular assessments under s. 627.351(6)(b)3.a., but not emergency assessments collected from policyholders pursuant to s. 627.351(6)(b)3.e., attributable to such increased exposure.~~

Section 4. Subsections (5), (6), and (7) of section 627.3518, Florida Statutes, are amended to read:

627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program.—The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program by January 1, 2014.

(5) Notwithstanding s. 627.3517, any applicant for new coverage from the corporation is not eligible for coverage from the corporation if provided an offer of coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold for applicants for new coverage *of a primary residence* established in s. 627.351(6)(c)5.a.*, or for applicants for new coverage of a risk that is not a primary residence established in s. 627.351(6)(c)5.b.* Whenever an offer of coverage for a personal lines risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program which is at or below the eligibility threshold for *primary residences of* policyholders of the corporation established in s. 627.351(6)(c)5.a., *or the eligibility threshold for risks that are not primary residences of policyholders of the corporation established in s. 627.351(6)(c)5.b.,* the risk is not eligible for coverage with the corporation. In the event an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold for applicants for new coverage *of a primary residence* established in s. 627.351(6)(c)5.a., *or the eligibility threshold for applicants for new coverage on a risk that is not a primary residence established in s. 627.351(6)(c)5.b.,* the applicant or insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. In the event an offer of coverage for a personal lines risk is received from an authorized insurer at renewal through the program, and the premium offered exceeds the eligibility threshold for *primary residences of* policyholders of the corporation established in s. 627.351(6)(c)5.a., *or exceeds the eligibility threshold for risks that are not primary residences of policyholders of the corporation established in s. 627.351(6)(c)5.b.,* the insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. Section 627.351(6)(c)5.a.(I) *and b.(I)* does not apply to an offer of coverage from an authorized insurer obtained through the program. *As used in this*

subsection, the term "primary residence" has the same meaning as in s. 627.351(6)(c)2.a.

(6) Independent insurance agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Are granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B) *or s. 627.351(6)(c)5.b.(I)(B) and (II)(B)*. Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) May accept an appointment from any insurer participating in the program.

(d) May enter into either a standard or limited agency agreement with the insurer, at the insurer's option.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the program.

(7) Exclusive agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B) *or s. 627.351(6)(c)5.b.(I)(B) and (II)(B)*. Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and only after the exclusive agent's insurer has approved the limited servicing agreement terms. The exclusive agent's insurer must approve a limited service agreement for the program for any insurer for which it has approved a service agreement for other purposes.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer making an offer of coverage to that applicant.

Section 5. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2024.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising a requirement for certain flood insurance; revising circumstances under which certain insurers' associations must levy market equalization surcharges on policyholders; deleting obsolete language; providing that certain accounts for Citizens Property Insurance Corporation revenues, assets, liabilities, losses, and expenses are now maintained as the Citizens account; revising the requirements for certain coverages by the corporation; requiring the inclusion of quota share primary insurance in certain policies; deleting provisions relating to legislative goals; conforming provisions to changes made by the act; revising provisions relating to deficits in certain accounts; revising the definition of the term "assessments"; deleting provisions relating to surcharges and regular assessments upon determination of projected deficits; deleting provisions relating to funds available to the corporation as sources of revenue and bonds; deleting definitions; deleting provisions relating to the duties of the Florida Surplus Lines Service Office; deleting provisions relating to disposition of excess amounts of assessments and surcharges; defining the terms "approved surplus lines insurer" and "primary residence"; providing applicability of certain provisions relating to personal lines residential risks coverage by the corporation; providing that certain personal lines residential risks are not eligible for any policy issued by the corporation; providing an exception; providing that certain personal lines residential risks are not eligible for coverage with the corporation under certain circumstances; providing an exception; providing that certain risks are eligible for certain standard policies; providing that certain risks are eligible for certain basic policies; requiring that the determination of the type of policy be provided on the basis of certain standards and practices; providing that certain policyholders do not remain eligible for coverage from the corporation; requiring the insurer to pay the producing agent of record a certain amount or make certain offers under certain circumstances; providing that the producing agent of record is entitled to retain certain commission on the policy; requiring the insurer to pay the producing agent of record a certain amount or make certain offers under certain circumstances; revising the corporation's plan of operation; revising the required statements from applicants for coverage; revising the duties of the executive director of the corporation; authorizing the executive director to assign and appoint designees; deleting an applicability provision relating to bond requirements; deleting provisions relating to certain insurer assessment deferments; deleting provisions relating to the intangibles of and coverage by the Florida Windstorm Underwriting Association and the corporation coastal account; authorizing the corporation and certain persons to make specified information obtained from underwriting files and confidential claims files available to licensed surplus lines agents; prohibiting such agents from using such information for specified purposes; providing applicability of provisions relating to take-out offers that are part of applications to participate in depopulation; authorizing the corporation to share its claims data with a specified entity; authorizing the corporation to take certain actions relating to trademarks, copyrights, or patents; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 627.3518, F.S.; revising eligibility requirements for policyholders at renewal and for applicants for new coverage; defining the term "primary residence"; providing effective dates.

Senator Pizzo moved the following amendment to **Amendment 1 (607656)** which was adopted:

Amendment 1A (731382)—Between lines 1340 and 1341 insert:

(D) Does not, as part of any take-out plan approved by the office, offer coverage on any personal lines residential risk that is a primary residence or has a homestead exemption under chapter 196;

Amendment 1 (607656), as amended, was adopted.

On motion by Senator Boyd, by two-thirds vote, **CS for CS for HB 1503**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

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

Nays—None

Consideration of **CS for SB 1784** was deferred.

SB 7048—A bill to be entitled An act relating to education; amending s. 212.1832, F.S.; providing definitions; expanding the credit contributions for eligible nonprofit scholarship-funding organizations; providing requirements for such contributions; providing requirements for dealers, designated agents, private tag agents, and such organizations relating to such contributions; providing criminal penalties; requiring persons convicted of a specified offense to make restitutions to certain eligible nonprofit scholarship-funding organizations; requiring the Department of Revenue to notify affected organizations of specified dealer information under certain circumstances; providing penalties for certain dealers, designated agents, private tag agents, and such organizations; amending s. 213.053, F.S.; conforming cross-references to changes made by the act; amending s. 1002.394, F.S.; revising eligibility requirements for the Family Empowerment Scholarship Program; providing that equipment used as instructional materials may only be purchased for specified academic subjects; providing that transition services are a coordinated set of specified activities; authorizing funds to be used for certain prekindergarten programs; prohibiting certain eligible students from enrolling in public schools; providing an exemption to a prohibition against receiving other educational scholarships; providing additional criteria for the closure of scholarship accounts and the reversion of funds to the state; revising the information that such organizations must include in their quarterly reports; authorizing the Department of Education to provide guidance to certain private schools; revising the documentation that private schools must provide to such organizations; revising the process for parents to provide certain notification to such organizations; prohibiting a parent from applying for multiple scholarships under specified programs for a single student at the same time; requiring such organizations to establish certain processes; requiring such organizations to submit specified information to the department; deleting a requirement that certain students be placed on a wait list; requiring such organizations to provide certain notification to parents; revising provisions relating to a specified administrative fee; revising provisions relating to increasing the number of certain scholarships; revising provisions relating to the payment and disbursement of funds; amending s. 1002.395, F.S.; revising eligibility requirements for the Florida Tax Credit Scholarship Program; prohibiting certain eligible students from enrolling in public schools; providing an exemption to a prohibition against receiving other educational scholarships; providing that equipment used as instructional materials may only be purchased for specified academic subjects; revising the process for parents to provide certain notification to such organizations; prohibiting a parent from applying for multiple scholarships under specified programs for a single student at the same time; requiring such organizations to establish certain processes; requiring such organizations to assist the Florida Center for Students with Unique Abilities with the development of specified guidelines and to publish such guidelines on their websites; revising department notification requirements; revising the information that such organizations must include in their quarterly reports; revising provisions relating to the payment and disbursement of funds; authorizing a charitable organization to apply at any time to participate in the program as a scholarship-funding organization; amending s. 1002.40, F.S.; revising requirements for the Hope Scholarship Program; amending s. 1002.421, F.S.; revising requirements for regular and direct contact for certain students; amending s. 1002.45, F.S.; deleting a requirement that virtual instruction program providers be nonsectarian; amending s. 1003.4156, F.S.; providing that certain requirements apply to middle grade students transferring from a personalized education program; amending s. 1003.4282, F.S.; providing that certain requirements apply to high school students transferring from a personalized education program; amending s. 1003.485, F.S.; conforming cross-references to changes made by the act; amending s. 1004.6495, F.S.; requiring the Florida Center for Students with Unique Abilities to develop specified purchasing guidelines by a specified date and annually revise such guidelines; providing requirements for the development and revision of such guidelines; requiring that such guidelines be provided to specified eligible nonprofit scholarship-funding organizations; providing effective dates.

—was read the second time by title.

Pending further consideration of **SB 7048**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1403** was withdrawn from the Committee on Appropriations.

On motion by Senator Simon—

CS for CS for HB 1403—A bill to be entitled An act relating to school choice; amending s. 212.1832, F.S.; providing definitions; expanding the credit contributions for eligible nonprofit scholarship-funding organizations; providing requirements for such contributions; providing requirements for dealers, designated agents, private tag agents, and such organizations relating to such contributions; providing criminal penalties; requiring persons convicted of specified offenses to make restitutions to certain eligible nonprofit scholarship-funding organizations; requiring the Department of Revenue to notify such organizations of specified dealer information under certain circumstances; providing penalties for certain dealers, designated agents, private tag agents, and such organizations; amending s. 213.053, F.S.; conforming cross-references to changes made by the act; amending s. 1002.394, F.S.; revising eligibility requirements for the Family Empowerment Scholarship Program; providing that equipment used as instructional materials may only be purchased for specified academic subjects; providing that transition services are a coordinated set of specified activities; authorizing funds to be used for certain prekindergarten programs; prohibiting certain eligible students from enrolling in public schools; providing an exemption to a prohibition against receiving other educational scholarships; providing additional criteria for the closure of scholarship accounts and the reversion of funds to the state; revising the information that such organizations must include in their quarterly reports; authorizing the Department of Education to provide guidance to certain private schools; revising the documentation that private schools must provide to such organizations; revising the process for parents to provide certain notification to such organizations; prohibiting a parent from applying for multiple scholarships under specified programs for a single student at the same time; requiring such organizations to establish certain processes; requiring such organizations to submit specified information to the department; deleting a requirement that certain students be placed on a wait list; requiring such organizations to provide certain notification to parents; revising provisions relating to a specified administrative fee; revising provisions relating to increasing the number of certain scholarships; revising provisions relating to the payment and disbursement of funds; amending s. 1002.395, F.S.; revising eligibility requirements for the Florida Tax Credit Scholarship Program; prohibiting certain eligible students from enrolling in public schools; providing an exemption to a prohibition against receiving other educational scholarships; providing that equipment used as instructional materials may only be purchased for specified academic subjects; revising the process for parents to provide certain notification to such organizations; prohibiting a parent from applying for multiple scholarships under specified programs for a single student at the same time; requiring such organizations to establish certain processes; requiring such organizations to assist the Florida Center for Students with Unique Abilities with the development of specified guidelines and to publish such guidelines on their websites; revising department notification requirements; revising the information that such organizations must include in their quarterly reports; revising provisions relating to the payment and disbursement of funds; authorizing a charitable organization to apply at any time to participate in the program as a scholarship-funding organization; amending s. 1002.40, F.S.; revising requirements for the Hope Scholarship Program; amending s. 1002.421, F.S.; revising requirements for regular and direct contact for certain students; amending s. 1002.45, F.S.; deleting a requirement that virtual instruction program providers be nonsectarian; amending s. 1003.4156, F.S.; providing that certain requirements apply to middle grade students transferring from a personalized education program; amending s. 1003.4282, F.S.; providing that certain requirements apply to high school students transferring from a personalized education program; amending s. 1003.485, F.S.; conforming cross-references to changes

made by the act; amending s. 1004.6495, F.S.; requiring the Florida Center for Students with Unique Abilities to develop specified purchasing guidelines by a specified date and annually revise such guidelines; providing requirements for the development and revision of such guidelines; requiring such guidelines to be provided to specified eligible nonprofit scholarship-funding organizations; providing effective dates.

—a companion measure, was substituted for **SB 7048** and read the second time by title.

Senator Simon moved the following amendment which was adopted:

Amendment 1 (203782) (with title amendment)—Delete lines 309-1957 and insert:

3. Instructional materials, including digital materials and Internet resources.

4. Curriculum as defined in subsection (2).

5. Tuition and fees associated with full-time or part-time enrollment in an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or reimbursed pursuant to s. 1009.30; an approved preapprenticeship program as defined in s. 446.021(5) which is not subject to s. 1009.25 and complies with all applicable requirements of the department pursuant to chapter 1005; a private tutoring program authorized under s. 1002.43; a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a); the Florida Virtual School as a private paying student; or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

6. Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

7. Contracted services provided by a public school or school district, including classes. A student who receives contracted services under this subparagraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (6) but rather attending a public school on a part-time basis as authorized under s. 1002.44.

8. Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5), or a person certified by a nationally or internationally recognized research-based training program as approved by the department. As used in this subparagraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(16)(e).

(b) Program funds awarded to a student with a disability determined eligible pursuant to paragraph (3)(b) may be used for the following purposes:

1. Instructional materials, including digital devices, digital periphery devices, and assistive technology devices that allow a student to access instruction or instructional content and training on the use of and maintenance agreements for these devices.

2. Curriculum as defined in subsection (2).

3. Specialized services by approved providers or by a hospital in this state which are selected by the parent. These specialized services may include, but are not limited to:

a. Applied behavior analysis services as provided in ss. 627.6686 and 641.31098.

b. Services provided by speech-language pathologists as defined in s. 468.1125(8).

c. Occupational therapy as defined in s. 468.203.

d. Services provided by physical therapists as defined in s. 486.021(8).

e. Services provided by listening and spoken language specialists and an appropriate acoustical environment for a child who has a hearing impairment, including deafness, and who has received an implant or assistive hearing device.

4. Tuition and fees associated with full-time or part-time enrollment in a home education program; an eligible private school; an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or reimbursed pursuant to s. 1009.30; an approved preapprenticeship program as defined in s. 446.021(5) which is not subject to s. 1009.25 and complies with all applicable requirements of the department pursuant to chapter 1005; a private tutoring program authorized under s. 1002.43; a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a); the Florida Virtual School as a private paying student; or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

5. Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

6. Contributions to the Stanley G. Tate Florida Prepaid College Program pursuant to s. 1009.98 or the Florida College Savings Program pursuant to s. 1009.981 for the benefit of the eligible student.

7. Contracted services provided by a public school or school district, including classes. A student who receives services under a contract under this paragraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (6) but rather attending a public school on a part-time basis as authorized under s. 1002.44.

8. Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5), or a person certified by a nationally or internationally recognized research-based training program as approved by the department. As used in this subparagraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(16)(e).

9. Fees for specialized summer education programs.

10. Fees for specialized after-school education programs.

11. Transition services provided by job coaches. *Transition services are a coordinated set of activities which are focused on improving the academic and functional achievement of a student with a disability to facilitate the student's movement from school to postschool activities and are based on the student's needs.*

12. Fees for an annual evaluation of educational progress by a state-certified teacher under s. 1002.41(1)(f), if this option is chosen for a home education student.

13. Tuition and fees associated with programs offered by Voluntary Prekindergarten Education Program providers approved pursuant to s. 1002.55*,* ~~and~~ school readiness providers approved pursuant to s. 1002.88*, and prekindergarten programs offered by an eligible private school*.

14. Fees for services provided at a center that is a member of the Professional Association of Therapeutic Horsemanship International.

15. Fees for services provided by a therapist who is certified by the Certification Board for Music Therapists or credentialed by the Art Therapy Credentials Board, Inc.

(5) TERM OF SCHOLARSHIP.—For purposes of continuity of educational choice:

(a)1. A scholarship *funded* ~~awarded~~ to an eligible student pursuant to paragraph (3)(a) shall remain in force until:

a. The organization determines that the student is not eligible for program renewal;

b. The Commissioner of Education suspends or revokes program participation or use of funds;

c. The student's parent has forfeited participation in the program for failure to comply with subsection (10);

d. The student*, who uses the scholarship for tuition and fees pursuant to subparagraph (4)(a)1.,* enrolls in a public school. However, if a student enters a Department of Juvenile Justice detention center for a period of no more than 21 days, the student is not considered to have returned to a public school on a full-time basis for that purpose; or

e. The student graduates from high school or attains 21 years of age, whichever occurs first.

2.a. The student's scholarship account must be closed and any remaining funds shall revert to the state after:

(I) Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to paragraph (4)(a); ~~or~~

(II) Two consecutive fiscal years in which an account has been inactive*; or*

(III) A student remains unenrolled in an eligible private school for 30 days while receiving a scholarship that requires full-time enrollment.

b. Reimbursements for program expenditures may continue until the account balance is expended or remaining funds have reverted to the state.

(b)1. A scholarship *funded* ~~awarded~~ to an eligible student pursuant to paragraph (3)(b) shall remain in force until:

a. The parent does not renew program eligibility;

b. The organization determines that the student is not eligible for program renewal;

c. The Commissioner of Education suspends or revokes program participation or use of funds;

d. The student's parent has forfeited participation in the program for failure to comply with subsection (10);

e. The student enrolls *full time* in a public school; or

f. The student graduates from high school or attains 22 years of age, whichever occurs first.

2. Reimbursements for program expenditures may continue until the account balance is expended or the account is closed.

3. A student's scholarship account must be closed and any remaining funds, including, but not limited to, contributions made to the Stanley G. Tate Florida Prepaid College Program or earnings from or contributions made to the Florida College Savings Program using program funds pursuant to subparagraph (4)(b)6., shall revert to the state after:

a. Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to subsection (4);

b. Any period of 3 consecutive years after high school completion or graduation during which the student has not been enrolled in an eligible postsecondary educational institution or a program offered by the institution; or

c. Two consecutive fiscal years in which an account has been inactive.

(c) Upon reasonable notice to the organization and the school district, the student's parent may remove the student from the *participating* private school and place the student in a public school in accordance with this section.

(6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled *full time* in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, *the Florida School for Competitive Academics, the Florida Virtual School, the Florida Scholars Academy,* a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered to be a student enrolled in a public school;

(c) Receiving any other educational scholarship pursuant to this chapter. *However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (4)(a)2.*;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i), unless he or she is eligible pursuant to paragraph (3)(b) and enrolled in the *participating* private school's transition-to-work program pursuant to subsection (16) or a home education program pursuant to s. 1002.41;

(7) SCHOOL DISTRICT OBLIGATIONS.—

(d) Upon the request of the department, a school district shall coordinate with the department to provide to a participating private school the statewide assessments administered under s. 1008.22 and any related materials for administering the assessments. For a student who participates in the Family Empowerment Scholarship Program whose parent requests that the student take the statewide assessments under s. 1008.22, the district in which the student attends a *participating* private school shall provide locations and times to take all statewide assessments. A school district is responsible for implementing test administrations at a participating private school, including the:

1. Provision of training for private school staff on test security and assessment administration procedures;

2. Distribution of testing materials to a private school;

3. Retrieval of testing materials from a private school;

4. Provision of the required format for a private school to submit information to the district for test administration and enrollment purposes; and

5. Provision of any required assistance, monitoring, or investigation at a private school.

(8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

(a) The department shall:

1. Publish and update, as necessary, information on the department website about the Family Empowerment Scholarship Program, including, but not limited to, student eligibility criteria, parental responsibilities, and relevant data.

2. Report, as part of the determination of full-time equivalent membership pursuant to s. 1011.62(1)(a), all *scholarship* students ~~who are receiving a scholarship under the program and are~~ funded through the Florida Education Finance Program, and cross-check the list of ~~participating~~ scholarship students *submitted by the eligible nonprofit scholarship-funding organization* with the *full-time equivalent student membership survey data* ~~public school enrollment lists~~ to avoid duplication.

3. Maintain and annually publish a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in subparagraph (9)(c)1. The tests must meet industry standards of quality in accordance with state board rule.

4. Notify eligible nonprofit scholarship-funding organizations of the deadlines for submitting the verified list of *eligible scholarship* students ~~determined to be eligible for a scholarship~~. ~~An eligible nonprofit scholarship-funding organization may not submit a student for funding after February 1.~~

5. Deny or terminate program participation upon a parent's failure to comply with subsection (10).

6. Notify the parent and the organization when a scholarship account is closed and program funds revert to the state.

7. Notify an eligible nonprofit scholarship-funding organization of any of the organization's or other organization's identified students who are receiving scholarships under this chapter.

8. Maintain on its website a list of approved providers as required by s. 1002.66, eligible postsecondary educational institutions, eligible private schools, and eligible organizations and may identify or provide links to lists of other approved providers.

9. Require each organization to verify eligible expenditures before the distribution of funds for any expenditures made pursuant to subparagraphs (4)(b)1. and 2. Review of expenditures made for services specified in subparagraphs (4)(b)3.-15. may be completed after the purchase is made.

10. Investigate any written complaint of a violation of this section by a parent, a student, a *participating* private school, a public school, a school district, an organization, a provider, or another appropriate party in accordance with the process established under s. 1002.421.

11. Require quarterly reports by an organization, which must include, at a minimum, the number of students participating in the program; the demographics of program participants; the disability category of program participants; the matrix level of services, if known; the program award amount per student; the total expenditures for the purposes specified in paragraph (4)(b); the types of providers of services to students; *the number of scholarship applications received, the number of applications processed within 30 days after receipt, and the number of incomplete applications received; data related to reimbursement submissions, including the average number of days for a reimbursement to be reviewed and the average number of days for a reimbursement to be approved; any parent input and feedback collected regarding the program;* and any other information deemed necessary by the department.

12. Notify eligible nonprofit scholarship-funding organizations that scholarships may not be awarded in a school district in which the award will exceed 99 percent of the school district's share of state funding through the Florida Education Finance Program as calculated by the department.

13. Adjust payments to eligible nonprofit scholarship-funding organizations and, when the Florida Education Finance Program is recalculated, adjust the amount of state funds allocated to school districts through the Florida Education Finance Program based upon the results of the cross-check completed pursuant to subparagraph 2.

(d) The department may provide guidance to a participating private school that submits a transition-to-work program plan pursuant to subsection (16).

(9) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the Family Empowerment Scholarship Program, a private school may be sectarian or nonsectarian and must:

(b) Provide to the organization all documentation required for a student's participation, including *confirmation of the student's admission to the private school,* the private school's and student's fee schedules, *and any other information required by the organization to process scholarship payment under subparagraph (12)(a)4. Such information must be provided by the deadlines established by the organization and in accordance with the requirements of this section* ~~at least 30 days before any quarterly scholarship payment is made for the student pursuant to paragraph (12)(a)~~. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet *the* ~~this~~ deadline. If a private school fails to meet the requirements of this subsection or s. 1002.421, the commissioner may determine that the private school is ineligible to participate in the scholarship program.

(10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—

(a) A parent who *applies for a scholarship* ~~applies for program participation~~ under paragraph (3)(a) whose student will be enrolled full time in *an eligible* ~~a~~ private school must:

1. Select *an eligible* ~~the~~ private school and apply for the admission of his or her student.

2. Request the scholarship by *the* ~~a~~ date established by the organization~~,~~ in a manner that creates a written or electronic record of the request and the date of receipt of the request.

3.a. Beginning with new applications for the 2025-2026 school year and thereafter, notify the organization by December 15 that the scholarship is being accepted or declined.

b. Beginning with renewal applications for the 2025-2026 school year and thereafter, notify the organization by May 31 that the scholarship is being renewed or declined.

4.~~3.~~ Inform the applicable school district when the parent withdraws his or her student from a public school to attend an eligible private school.

5.~~4.~~ Require his or her student participating in the program to remain in attendance *at the eligible private school* throughout the school year unless excused by the school for illness or other good cause.

6.~~5.~~ Meet with the *eligible* private school's principal or the principal's designee to review the school's academic programs and policies, specialized services, code of student conduct, and attendance policies before enrollment.

7.~~6.~~ Require *his or her* ~~that the~~ student participating in the ~~scholarship~~ program *to take* ~~takes~~ the norm-referenced assessment offered by the *eligible* private school. The parent may also choose to have the student participate in the statewide assessments pursuant to paragraph (7)(d). If the parent requests that the student participating in the program take all statewide assessments required pursuant to s. 1008.22, the parent is responsible for transporting the student to the assessment site designated by the school district.

8.~~7.~~ Approve each payment before the scholarship funds may be deposited by funds transfer pursuant to subparagraph (12)(a)4. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to approve a funds transfer. A participant who fails to comply with this paragraph forfeits the scholarship.

9.~~8.~~ Agree to have the organization commit scholarship funds on behalf of his or her student for tuition and fees for which the parent is responsible for payment at the *eligible* private school before using *scholarship* ~~empowerment~~ account funds for additional authorized uses under paragraph (4)(a). A parent is responsible for all eligible expenses in excess of the amount of the scholarship.

10. Comply with the scholarship application and renewal processes and requirements established by the organization.

(b) A parent who *applies for a scholarship* ~~applies for program participation~~ under paragraph (3)(b) is exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of his or her child and must:

1. Apply to an eligible nonprofit scholarship-funding organization to participate in the program by a date set by the organization. The request must be communicated directly to the organization in a manner that creates a written or electronic record of the request and the date of receipt of the request.

2.a. Beginning with new applications for the 2025-2026 school year and thereafter, notify the organization by December 15 that the scholarship is being accepted or declined.

b. Beginning with renewal applications for the 2025-2026 school year and thereafter, notify the organization by May 31 that the scholarship is being renewed or declined.

3.~~2.~~ Sign an agreement with the organization and annually submit a sworn compliance statement to the organization to satisfy or maintain program eligibility, including eligibility to receive and spend program payments by:

a. Affirming that the student is enrolled in a program that meets regular school attendance requirements as provided in s. 1003.01(16)(b), (c), or (d).

b. Affirming that the program funds are used only for authorized purposes serving the student's educational needs, as described in paragraph (4)(b); that any prepaid college plan or college savings plan funds contributed pursuant to subparagraph (4)(b)6. will not be transferred to another beneficiary while the plan contains funds contributed pursuant to this section; and that they will not receive a payment, refund, or rebate of any funds provided under this section.

c. Affirming that the parent is responsible for all eligible expenses in excess of the amount of the scholarship and for the education of his or her student by, as applicable:

(I) Requiring the student to take an assessment in accordance with paragraph (9)(c);

(II) Providing an annual evaluation in accordance with s. 1002.41(1)(f); or

(III) Requiring the child to take any preassessments and postassessments selected by the provider if the child is 4 years of age and is enrolled in a program provided by an eligible Voluntary Prekindergarten Education Program provider. A student with disabilities for whom the physician or psychologist who issued the diagnosis or the IEP team determines that a preassessment and postassessment is not appropriate is exempt from this requirement. A participating provider shall report a student's scores to the parent.

d. Affirming that the student remains in good standing with the provider or school if those options are selected by the parent.

e. Enrolling his or her child in a program from a Voluntary Prekindergarten Education Program provider authorized under s. 1002.55, a school readiness provider authorized under s. 1002.88, *a prekindergarten program offered by an eligible private school,* or an eligible private school if ~~either option is~~ selected by the parent.

f. *Comply with the scholarship application and renewal processes and requirements established by the organization* ~~Renewing participation in the program each year~~. A student whose participation in the program is not renewed may continue to spend scholarship funds that are in his or her account from prior years unless the account must be closed pursuant to subparagraph (5)(b)3. Notwithstanding any changes to the student's IEP, a student who was previously eligible for participation in the program shall remain eligible to apply for renewal. However, for a high-risk child to continue to participate in the program in the school year after he or she reaches 6 years of age, the child's application for renewal of program participation must contain documentation that the child has a disability defined in paragraph (2)(e) other than high-risk status.

g. Procuring the services necessary to educate the student. If such services include enrollment in an eligible private school, the parent must meet with the private school's principal or the principal's designee to review the school's academic programs and policies, specialized services, code of student conduct, and attendance policies before his or her student is enrolled. *The parent must also approve each payment to the eligible private school before the scholarship funds may be deposited by funds transfer pursuant to subparagraph (12)(a)4. The parent may not designate any entity or individual associated with the eligible private school as the parent's attorney in fact to approve a funds transfer.* When the student receives a scholarship, the district school board is not obligated to provide the student with a free appropriate public education. For purposes of s. 1003.57 and the Individuals with Disabilities in Education Act, a participating student has only those rights that apply to all other unilaterally parentally placed students, except that, when requested by the parent, school district personnel must develop an IEP or matrix level of services.

(c) A parent may not apply for multiple scholarships under this section and s. 1002.395 for an individual student at the same time.

(d)~~(c)~~ A participant who fails to comply with this subsection forfeits the scholarship.

(11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING ORGANIZATIONS.—

(a) An eligible nonprofit scholarship-funding organization awarding scholarships to eligible students pursuant to paragraph (3)(a) *shall*:

1. *Establish a process for parents who are in compliance with paragraph (10)(a) to renew their students' scholarships. Renewal applications for the 2025-2026 school year and thereafter must provide for a renewal timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. A student's renewal is contingent upon an eligible private school providing confirmation of student admission pursuant to subsection (9). The process must require that parents confirm that the scholarship is being renewed or declined by May 31.*

2. Establish a process that allows a parent to apply for a new scholarship. The process may begin no earlier than February 1 of the prior school year and must authorize submission of applications until November 15. The process must be in a manner that creates a written or electronic record of the application request and the date of receipt of the application request. Applications received after the deadline may be considered for scholarship award in the subsequent fiscal year. The process must require that parents confirm that the scholarship is being accepted or declined by December 15. ~~Must receive applications, determine student eligibility, notify parents in accordance with the requirements of this section, and provide the department with information on the student to enable the department to determine student funding in accordance with paragraph (12)(a).~~

3.~~2.~~ ~~Shall~~ Verify the household income level of students *seeking priority eligibility* and submit the verified list of students ~~and related documentation~~ to the department ~~when necessary~~.

4.~~3.~~ ~~Shall~~ Award scholarships in priority order pursuant to paragraph (3)(a).

5.~~4.~~ ~~Shall~~ Establish and maintain separate *scholarship* ~~empowerment~~ accounts for each eligible student. For each account, the organization must maintain a record of accrued interest that is retained in the student's account and available only for authorized program expenditures.

6.~~5.~~ ~~May~~ Permit eligible students to use program funds for the purposes specified in paragraph (4)(a)*, as authorized in the organization's purchasing handbook,* by paying for the authorized use directly, then submitting a reimbursement request to the eligible nonprofit scholarship-funding organization. However, an eligible nonprofit scholarship-funding organization may require the use of an online platform for direct purchases of products so long as such use does not limit a parent's choice of curriculum or academic programs. If a parent purchases a product identical to one offered by an organization's online platform for a lower price, the organization *must* ~~shall~~ reimburse the parent the cost of the product.

~~6. May, from eligible contributions received pursuant to s. 1002.395(6)(l)1., use an amount not to exceed 2.5 percent of the total amount of all scholarships funded under this section for administrative expenses associated with performing functions under this section. An eligible nonprofit scholarship-funding organization that has, for the prior fiscal year, complied with the expenditure requirements of s. 1002.395(6)(l)2., may use an amount not to exceed 3 percent. Such administrative expense amount is considered within the 3 percent limit on the total amount an organization may use to administer scholarships under this chapter.~~

7. ~~Must,~~ In a timely manner, submit *the verified list of students and* any information requested by the department relating to the scholarship under this section.

8. ~~Must~~ Notify the department about any violation of this section.

9. ~~Must~~ Document each student's eligibility for a fiscal year before granting a scholarship for that fiscal year. A student is ineligible for a scholarship if the student's account has been inactive for 2 consecutive fiscal years.

10. ~~Must~~ Notify each parent that participation in the scholarship program does not guarantee enrollment.

11. ~~Shall~~ Commit scholarship funds on behalf of the student for tuition and fees for which the parent is responsible for payment at the *participating* private school before using *scholarship* ~~empowerment~~ account funds for additional authorized uses under paragraph (4)(a).

(b) An eligible nonprofit scholarship-funding organization awarding scholarships to eligible students pursuant to paragraph (3)(b) shall:

1. Establish a process for parents who are in compliance with paragraph (10)(b) to renew their students' scholarships. Renewal applications for the 2025-2026 school year and thereafter must provide for a renewal timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. A student's renewal is contingent upon an eligible private school providing confirmation of student admission pursuant to subsection (9), if applicable. The process must require that parents confirm that the scholarship is being renewed or declined by May 31.

2. Establish a process that allows a parent to apply for a new scholarship. The process may begin no earlier than February 1 of the prior school year and must authorize the submission of applications until November 15. The process must be in a manner that creates a written or electronic record of the application request and the date of receipt of the application request. Applications received after the deadline may be considered for scholarship award in the subsequent fiscal year. The process must require that parents confirm that the scholarship is being accepted or declined by December 15.

~~1. Receive applications, determine student eligibility, and notify parents in accordance with the requirements of this section. When an application is approved, the organization must provide the department with information on the student to enable the department to determine student funding in accordance with paragraph (12)(b).~~

~~2. Establish a date by which a parent must confirm initial or continuing participation in the program~~.

3. Review applications and award scholarships using the following priorities:

~~a. For the 2021-2022 school year, a student who received a Gardiner Scholarship in the 2020-2021 school year and meets the eligibility requirements in paragraph (3)(b).~~

a.~~b.~~ Renewing students from the previous school year.

~~c. Students retained on the previous school year's wait list.~~

b.~~d.~~ An eligible student who meets the criteria for an initial award pursuant to paragraph (3)(b) *on a first-come, first-served basis*.

~~An approved student who does not receive a scholarship must be placed on the wait list in the order in which his or her application is approved. A student who does not receive a scholarship within the fiscal year shall be retained on the wait list for the subsequent fiscal year.~~

4. Establish and maintain separate accounts for each eligible student. For each account, the organization must maintain a record of accrued interest that is retained in the student's account and available only for authorized program expenditures.

5. Verify qualifying educational expenditures pursuant to the requirements of paragraph (4)(b).

6. Return any remaining program funds to the department pursuant to paragraph (6)(b).

7. Notify the parent about the availability of, and the requirements associated with requesting, an initial IEP or IEP reevaluation every 3 years for each student participating in the program.

8. Notify the parent of available state and local services, including, but not limited to, services under chapter 413.

9. In a timely manner, submit to the department the verified list of eligible scholarship students and any information requested by the department relating to the scholarship under this section.

10.~~8.~~ Notify the department of any violation of this section.

11.~~9.~~ Document each scholarship student's eligibility for a fiscal year before granting a scholarship for that fiscal year pursuant to paragraph (3)(b). A student is ineligible for a scholarship if the student's account has been inactive for 2 consecutive fiscal years.

(c) An eligible nonprofit scholarship-funding organization may, from eligible contributions received pursuant to s. 1002.395(6)(l)1., use an amount not to exceed 2.5 percent of the total amount of all scholarships funded under this section for administrative expenses associated with performing functions under this section. An organization that, for the prior fiscal year, has complied with the expenditure requirements of s. 1002.395(6)(l)3. may use an amount not to exceed 3 percent. Such administrative expense amount is considered within the 3-percent limit on the total amount an organization may use to administer scholarships under this chapter.

(d) An eligible nonprofit scholarship-funding organization shall establish a process to collect input and feedback from parents, private schools, and providers before implementing substantial modifications or enhancements to the reimbursement process.

(12) SCHOLARSHIP FUNDING AND PAYMENT.—

(a)1. ~~Scholarships for students determined eligible pursuant to paragraph (3)(a) may be funded once all scholarships have been funded in accordance with s. 1002.395(6)(l)2.~~ The calculated scholarship amount for a participating student determined eligible pursuant to paragraph (3)(a) shall be based upon the grade level and school district in which the student was assigned as 100 percent of the funds per unweighted full-time equivalent in the Florida Education Finance Program for a student in the basic program established pursuant to s. 1011.62(1)(c)1., plus a per-full-time equivalent share of funds for the categorical programs established in s. 1011.62(5), (7)(a), and (16), as funded in the General Appropriations Act.

2. A scholarship of $750 or an amount equal to the school district expenditure per student riding a school bus, as determined by the department, whichever is greater, may be awarded to an eligible student who is enrolled in a Florida public school that is different from the school to which the student was assigned or in a lab school as defined in s. 1002.32 if the school district does not provide the student with transportation to the school.

3.*a. For renewing scholarship students,* the organization must ~~provide the department with the documentation necessary to~~ verify the student's *continued eligibility to participate in the scholarship program at least 30 days before each payment* ~~participation~~. Upon receiving the *verified list of eligible scholarship students* ~~documentation~~, the department shall *release* ~~transfer, beginning August 1~~, from state funds only, the amount calculated pursuant to subparagraph *1.* ~~2.~~ to the organization for *deposit into the student's account in quarterly payments no later than August 1, November 1, February 1, and April 1 of* ~~quarterly disbursement to parents of participating students~~ each school year in which the scholarship is in force.

b. For new scholarship students, the organization must verify the student's eligibility to participate in the scholarship program at least 30 days before each payment. Upon receiving the verified list of eligible scholarship students, the department shall release, from state funds only, the amount calculated pursuant to subparagraph 1. to the organization for deposit into the student's account in quarterly payments no later than September 1, November 1, February 1, and April 1 of each school year in which the scholarship is in force. For a student exiting a Department of Juvenile Justice commitment program who chooses to participate in the scholarship program, the amount calculated pursuant

to subparagraph 1. must be transferred from the school district in which the student last attended a public school before commitment to the Department of Juvenile Justice.

c. The department is authorized to release the state funds contingent upon verification that the organization will comply with s. 1002.395(6)(l) based upon the organization's submitted verified list of eligible scholarship students pursuant to s. 1002.395 ~~For a student exiting a Department of Juvenile Justice commitment program who chooses to participate in the scholarship program, the amount of the Family Empowerment Scholarship calculated pursuant to subparagraph 2. must be transferred from the school district in which the student last attended a public school before commitment to the Department of Juvenile Justice. When a student enters the scholarship program, the organization must receive all documentation required for the student's participation, including the private school's and the student's fee schedules, at least 30 days before the first quarterly scholarship payment is made for the student~~.

4. The initial payment shall be made after the organization's verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the *participating* private school. *Payments for tuition and fees for full-time enrollment shall be made within 7 business days after approval by the parent pursuant to paragraph (10)(a) and the private school pursuant to paragraph (9)(b).* Payment must be by funds transfer or any other means of payment that the department deems to be commercially viable or cost-effective. An organization shall ensure that the parent has approved a funds transfer before any scholarship funds are deposited.

5. An organization may not transfer any funds to an account of a student determined eligible pursuant to paragraph (3)(a) which has a balance in excess of $24,000.

(b)1. For the *2024-2025* ~~2023-2024~~, school year, the maximum number of *scholarships funded* ~~students participating in the scholarship program~~ under paragraph (3)(b) shall be *72,615* ~~the number of students the organization and the department determined eligible pursuant to this section~~. Beginning in the *2025-2026* ~~2024-2025~~ school year, the maximum number of *scholarships funded* ~~students participating in the scholarship program~~ under paragraph (3)(b) shall annually increase by *5* ~~3.0~~ percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students. *The maximum number of scholarships funded shall increase by 1 percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students, in the school year following any school year in which the number of scholarships funded exceeds 95 percent of the number of available scholarships for that school year.* An eligible student who meets any of the following requirements shall be excluded from the maximum number of students if the student:

a. Received specialized instructional services under the Voluntary Prekindergarten Education Program pursuant to s. 1002.66 during the previous school year and the student has a current IEP developed by the district school board in accordance with rules of the State Board of Education;

b. Is a dependent child of a law enforcement officer or a member of the United States Armed Forces, a foster child, or an adopted child; or

c. Spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and the Blind. For purposes of this subparagraph, the term "prior school year in attendance" means that the student was enrolled and reported by:

(I) A school district for funding during either the preceding October or February full-time equivalent student membership surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program;

(II) The Florida School for the Deaf and the Blind during the preceding October or February full-time equivalent student membership surveys in kindergarten through grade 12;

(III) A school district for funding during the preceding October or February full-time equivalent student membership surveys, was at least 4 years of age when enrolled and reported, and was eligible for services under s. 1003.21(1)(e); or

(IV) Received a John M. McKay Scholarship for Students with Disabilities in the 2021-2022 school year.

2. For a student who has a Level I to Level III matrix of services or a diagnosis by a physician or psychologist, the calculated scholarship amount for a student participating in the program must be based upon the grade level and school district in which the student would have been enrolled as the total funds per unweighted full-time equivalent in the Florida Education Finance Program for a student in the basic exceptional student education program pursuant to s. 1011.62(1)(c) and (d), plus a per full-time equivalent share of funds for the categorical programs established in s. 1011.62(5), (7)(a), (8), and (16), as funded in the General Appropriations Act. For the categorical program established in s. 1011.62(8), the funds must be allocated based on the school district's average exceptional student education guaranteed allocation funds per exceptional student education full-time equivalent student.

3. For a student with a Level IV or Level V matrix of services, the calculated scholarship amount must be based upon the school district to which the student would have been assigned as the total funds per full-time equivalent for the Level IV or Level V exceptional student education program pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time equivalent share of funds for the categorical programs established in s. 1011.62(5), (7)(a), and (16), as funded in the General Appropriations Act.

4. For a student who received a Gardiner Scholarship pursuant to former s. 1002.385 in the 2020-2021 school year, the amount shall be the greater of the amount calculated pursuant to subparagraph 2. or the amount the student received for the 2020-2021 school year.

5. For a student who received a John M. McKay Scholarship pursuant to former s. 1002.39 in the 2020-2021 school year, the amount shall be the greater of the amount calculated pursuant to subparagraph 2. or the amount the student received for the 2020-2021 school year.

6. The organization must ~~provide the department with the documentation necessary to~~ verify the student's *eligibility to participate in the scholarship program at least 30 days before each payment* ~~participation~~.

7.*a. For renewing scholarship students, upon receiving the verified list of eligible scholarship students, the department shall release, from state funds only, the amount calculated pursuant to subparagraph 1. to the organization for deposit into the student's account in quarterly payments no later than August 1, November 1, February 1, and April 1 of each school year in which the scholarship is in force.*

b. For new scholarship students, upon receiving the *verified list of eligible scholarship students* ~~documentation~~, the department shall release, from state funds only, the *amount calculated pursuant to subparagraph 1.* ~~student's scholarship funds~~ to the organization *for deposit*~~, to be deposited~~ into the student's account in *quarterly payments* ~~four equal amounts~~ no later than September 1, November 1, February 1, and April 1 of each school year in which the scholarship is in force.

8. If a scholarship student is attending an eligible private school full time, the initial payment shall be made after the organization's verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the eligible private school. Payments for tuition and fees for full-time enrollment shall be made within 7 business days after approval by the parent pursuant to paragraph (10)(b) and the private school pursuant to paragraph (9)(b).

9.~~8.~~ Accrued interest in the student's account is in addition to, and not part of, the awarded funds. Program funds include both the awarded funds and accrued interest.

10.~~9.~~ The organization may develop a system for payment of benefits by funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of payment which the department deems to be commercially viable or cost-effective. A student's scholarship award may not be reduced for debit card or electronic payment fees. Commodities or services related to the development of such a system

must be procured by competitive solicitation unless they are purchased from a state term contract pursuant to s. 287.056.

11.~~10.~~ An organization may not transfer any funds to an account of a student determined to be eligible pursuant to paragraph (3)(b) which has a balance in excess of $50,000.

12.~~11.~~ Moneys received pursuant to this section do not constitute taxable income to the qualified student or the parent of the qualified student.

(c) An organization may not submit a new scholarship student for funding after February 1.

(d) Within 30 days after the release of state funds pursuant to paragraphs (a) and (b), the eligible scholarship-funding organization shall certify to the department the amount of funds distributed for student scholarships. If the amount of funds released by the department is more than the amount distributed by the organization, the department is authorized to adjust the amount of the overpayment in the subsequent quarterly payment release.

(16) TRANSITION-TO-WORK PROGRAM.—A student with a disability who is determined eligible pursuant to paragraph (3)(b) who is at least 17 years, but not older than 22 years of age and who has not received a high school diploma or certificate of completion is eligible for enrollment in his or her *participating* private school's transition-to-work program. A transition-to-work program shall consist of academic instruction, work skills training, and a volunteer or paid work experience.

(a) To offer a transition-to-work program, a participating private school must:

1. Develop a transition-to-work program plan, which must include a written description of the academic instruction and work skills training students will receive and the goals for students in the program.

2. Submit the transition-to-work program plan to the Office of Independent Education and Parental Choice *and consider any guidance provided by the department pursuant to paragraph (8)(d) relating to the plan*.

3. Develop a personalized transition-to-work program plan for each student enrolled in the program. The student's parent, the student, and the school principal must sign the personalized plan. The personalized plan must be submitted to the Office of Independent Education and Parental Choice upon request by the office.

4. Provide a release of liability form that must be signed by the student's parent, the student, and a representative of the business offering the volunteer or paid work experience.

5. Assign a case manager or job coach to visit the student's job site on a weekly basis to observe the student and, if necessary, provide support and guidance to the student.

6. Provide to the parent and student a quarterly report that documents and explains the student's progress and performance in the program.

7. Maintain accurate attendance and performance records for the student.

(b) A student enrolled in a transition-to-work program must, at a minimum:

1. Receive 15 instructional hours at the *participating* private school's physical facility, which must include academic instruction and work skills training.

2. Participate in 10 hours of work at the student's volunteer or paid work experience.

(c) To participate in a transition-to-work program, a business must:

1. Maintain an accurate record of the student's performance and hours worked and provide the information to the *participating* private school.

2. Comply with all state and federal child labor laws.

Section 4. Paragraph (c) of subsection (1), paragraphs (b) and (f) of subsection (2), subsection (3), paragraphs (a) and (c) of subsection (4), paragraphs (c) through (i) and (l), (p), (q), (t), (u), and (w) of subsection (6), subsections (7) and (8), paragraphs (d), (e), (f), and (i) of subsection (9), paragraph (b) of subsection (10), paragraphs (c), (f), and (h) of subsection (11), and subsection (15) of section 1002.395, Florida Statutes, are amended, and paragraph (y) is added to subsection (6) and paragraph (i) is added to subsection (11) of that section, to read:

1002.395 Florida Tax Credit Scholarship Program.—

(1) FINDINGS AND PURPOSE.—

(c) The purpose of this section is not to prescribe the standards or curriculum for *participating* private schools. A *participating* private school retains the authority to determine its own standards and curriculum.

(2) DEFINITIONS.—As used in this section, the term:

(b) "Choice navigator" means an individual who meets the requirements of sub-subparagraph *(6)(d)4.h.* ~~(6)(d)2.h.~~ and who provides consultations, at a mutually agreed upon location, on the selection of, application for, and enrollment in educational options addressing the academic needs of a student; curriculum selection; and advice on career and postsecondary education opportunities. However, nothing in this section authorizes a choice navigator to oversee or exercise control over the curricula or academic programs of a personalized education program.

(f) "Eligible contribution" means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to an eligible nonprofit scholarship-funding organization pursuant to this section and ss. 212.099, *212.1831, and* 212.1832~~, and 1002.40~~. The taxpayer making the contribution may not designate a specific child as the beneficiary of the contribution.

(3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

(a) The Florida Tax Credit Scholarship Program is established.

(b)1. A student is eligible for a Florida tax credit scholarship under this section if the student*:*

a. Is a resident of this state *or the dependent child of an active duty member of the United States Armed Forces who has received permanent change of station orders to this state or, at the time of renewal, whose home of record or state of legal residence is Florida;* and

b. Is eligible to enroll in kindergarten through grade 12 in a public school in this state *or received a scholarship under the Hope Scholarship Program in the 2023-2024 school year*.

2. Priority must be given in the following order:

a. A student whose household income level does not exceed 185 percent of the federal poverty level or who is in foster care or out-of-home care.

b. A student whose household income level exceeds 185 percent of the federal poverty level, but does not exceed 400 percent of the federal poverty level.

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(a) Enrolled *full time* in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, *the Florida School for Competitive Academics, the Florida Virtual School, the Florida Scholars Academy,* a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered a student enrolled *full-time* in a public school;

(c) Receiving any other educational scholarship pursuant to this chapter. *However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (6)(d)4.*;

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(c) Must not have an owner or operator*, as defined in subparagraph (2)(k)1.,* who owns or operates an eligible private school that is participating in the scholarship program.

(d)1. For the 2023-2024 school year, may fund no more than 20,000 scholarships for students who are enrolled pursuant to paragraph (7)(b). The number of scholarships funded for such students may increase by 40,000 in each subsequent school year. This subparagraph is repealed July 1, 2027.

2. Shall establish a process for parents who are in compliance with paragraph (7)(a) to renew their students' scholarships. Renewal applications for the 2025-2026 school year and thereafter must provide for a renewal timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. A student's renewal is contingent upon an eligible private school providing confirmation of admission pursuant to subsection (8). The process must require that parents confirm that the scholarship is being renewed or declined by May 31.

3. Shall establish a process that allows a parent to apply for a new scholarship. The process must be in a manner that creates a written or electronic record of the application request and the date of receipt of the application request. The process must require that parents confirm that the scholarship is being accepted or declined by a date set by the organization.

4.~~2.~~ Must establish and maintain separate *scholarship* ~~empowerment~~ accounts from eligible contributions for each eligible student. For each account, the organization must maintain a record of accrued interest retained in the student's account. The organization must verify that scholarship funds are used for:

a. Tuition and fees for full-time or part-time enrollment in an eligible private school.

b. Transportation to a Florida public school in which a student is enrolled and that is different from the school to which the student was assigned or to a lab school as defined in s. 1002.32.

c. Instructional materials, including digital materials and Internet resources.

d. Curriculum as defined in s. 1002.394(2).

e. Tuition and fees associated with full-time or part-time enrollment in a home education instructional program; an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or reimbursed pursuant to s. 1009.30; an approved preapprenticeship program as defined in s. 446.021(5) which is not subject to s. 1009.25 and complies with all applicable requirements of the Department of Education pursuant to chapter 1005; a private tutoring program authorized under s. 1002.43; a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a); the Florida Virtual School as a private paying student; or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

f. Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

g. Contracted services provided by a public school or school district, including classes. A student who receives contracted services under this sub-subparagraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (11) but rather attending a public school on a part-time basis as authorized under s. 1002.44.

h. Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5), or a person certified by a nationally or internationally recognized research-based training program as approved by the Department of Education. As used in this paragraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(16)(e).

(e) For students determined eligible pursuant to paragraph (7)(b), must:

1. Establish a process for parents who are in compliance with subparagraph (7)(b)1. to apply for a new scholarship. New scholarship applications for the 2025-2026 school year and thereafter must provide for an application timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. The process must require that parents confirm that the scholarship is being accepted or declined by May 31.

2. Establish a process for parents who are in compliance with paragraph (7)(b) to renew their students' scholarships. Renewal scholarship applications for the 2025-2026 school year and thereafter must provide for a renewal timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. The process must require that parents confirm that the scholarship is being renewed or declined by May 31.

3.~~1.~~ Maintain a signed agreement from the parent which constitutes compliance with the attendance requirements under ss. 1003.01(16) and 1003.21(1).

4.~~2.~~ Receive eligible student test scores and, beginning with the 2027-2028 school year, by August 15, annually report test scores for students pursuant to paragraph (7)(b) to a state university pursuant to paragraph (9)(f).

5.~~3.~~ Provide parents with information, guidance, and support to create and annually update a student learning plan for their student. The organization must maintain the plan and allow parents to electronically submit, access, and revise the plan continuously.

6.~~4.~~ Upon submission by the parent of an annual student learning plan, fund a scholarship for a student determined eligible.

(f) Must give first priority to eligible renewal students who received a scholarship from an eligible nonprofit scholarship-funding organization ~~or from the State of Florida~~ during the previous school year. The eligible nonprofit scholarship-funding organization must fully apply and exhaust all funds available under this section ~~and s. 1002.40(11)(i)~~ for renewal scholarship awards before awarding any initial scholarships.

(g) Must provide a *new* ~~renewal or initial~~ scholarship to an eligible student on a first-come, first-served basis unless the student *is seeking priority eligibility* ~~qualifies for priority~~ pursuant to *subsection (3)* ~~paragraph (f)~~.

(h) ~~Each eligible nonprofit scholarship-funding organization~~ Must refer any student eligible for a scholarship pursuant to this section who did not receive a renewal or initial scholarship based solely on the lack of available funds under this section ~~and s. 1002.40(11)(i)~~ to another eligible nonprofit scholarship-funding organization that may have funds available.

(i) May not restrict or reserve scholarships for use at a particular *eligible* private school or provide scholarships to a child of an owner or operator *as defined in subparagraph (2)(k)1.*

(l)1. May use eligible contributions received pursuant to this section and ss. 212.099, *212.1831, and* 212.1832~~, and 1002.40~~ during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an eligible nonprofit scholarship-funding organization for at least the preceding 3 fiscal years and did not have any findings of material weakness or material

noncompliance in its most recent audit under paragraph (o) or is in good standing in each state in which it administers a scholarship program and the audited financial statements for the preceding 3 fiscal years are free of material misstatements and going concern issues. Administrative expenses from eligible contributions may not exceed 3 percent of the total amount of all scholarships funded by an eligible scholarship-funding organization under this chapter. Such administrative expenses must be reasonable and necessary for the organization's management and distribution of scholarships funded under this chapter. Administrative expenses may include developing or contracting with rideshare programs or facilitating carpool strategies for recipients of a transportation scholarship *under s. 1002.394*. No funds authorized under this subparagraph shall be used for lobbying or political activity or expenses related to lobbying or political activity. Up to one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from taxpayers. An eligible nonprofit scholarship-funding organization may not charge an application fee.

2. Must expend for annual or partial-year scholarships 100 percent of any eligible contributions from the prior fiscal year.

3.~~2.~~ Must *expend* ~~award~~ for annual or partial-year scholarships an amount equal to or greater than 75 percent of all ~~estimated~~ net eligible contributions, as defined in subsection (2), ~~and all funds carried forward from the prior state fiscal year~~ remaining after administrative expenses *during the state fiscal year in which such eligible contributions are collected* ~~before funding any scholarships to students determined eligible pursuant to s. 1002.394(3)(a)~~. No more than 25 percent of such net eligible contributions may be carried forward to the following state fiscal year. All amounts carried forward, for audit purposes, must be specifically identified for particular students, by student name and the name of the school to which the student is admitted, subject to the requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable rules and regulations issued pursuant thereto. Any amounts carried forward shall be expended for annual or partial-year scholarships in the following state fiscal year. ~~No later than September 30 of each year, net~~ Eligible contributions remaining on June 30 of each year that are in excess of the 25 percent that may be carried forward shall be used to provide scholarships to eligible students or transferred to other eligible nonprofit scholarship-funding organizations to provide scholarships for eligible students. All transferred funds must be deposited by each eligible nonprofit scholarship-funding organization receiving such funds into its scholarship account. All transferred amounts received by any eligible nonprofit scholarship-funding organization must be separately disclosed in the annual financial audit required under paragraph (o).

4.~~3.~~ Must, before granting a scholarship for an academic year, document each scholarship student's eligibility for that academic year. A scholarship-funding organization may not grant multiyear scholarships in one approval process.

(p) Must prepare and submit quarterly reports to the Department of Education pursuant to paragraph (9)(i). In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner *the verified list of eligible scholarship students and* any information requested by the Department of Education relating to the scholarship program.

(q)1.a. Must participate in the joint development of agreed-upon procedures during the 2009-2010 state fiscal year. The agreed-upon procedures must uniformly apply to all private schools and must determine, at a minimum, whether the private school has been verified as eligible by the Department of Education under s. 1002.421; has an adequate accounting system, system of financial controls, and process for deposit and classification of scholarship funds; and has properly expended scholarship funds for education-related expenses. During the development of the procedures, the participating scholarship-funding organizations shall specify guidelines governing the materiality of exceptions that may be found during the accountant's performance of the procedures. The procedures and guidelines shall be provided to private schools and the Commissioner of Education by March 15, 2011.

b. Must participate in a joint review of the agreed-upon procedures and guidelines developed under sub-subparagraph a., by February of each biennium, if the scholarship-funding organization provided more than $250,000 in scholarship funds under this chapter during the state fiscal year preceding the biennial review. If the procedures and guidelines are revised, the revisions must be provided to private schools and the Commissioner of Education by March 15 of the year in which the revisions were completed. The revised agreed-upon procedures and guidelines shall take effect the subsequent school year.

c. Must monitor the compliance of a *participating* private school with s. 1002.421(1)(q) if the scholarship-funding organization provided the majority of the scholarship funding to the school. For each *participating* private school subject to s. 1002.421(1)(q), the appropriate scholarship-funding organization shall annually notify the Commissioner of Education by October 30 of:

(I) A private school's failure to submit a report required under s. 1002.421(1)(q); or

(II) Any material exceptions set forth in the report required under s. 1002.421(1)(q).

2. Must seek input from the accrediting associations that are members of the Florida Association of Academic Nonpublic Schools and the Department of Education when jointly developing the agreed-upon procedures and guidelines under sub-subparagraph 1.a. and conducting a review of those procedures and guidelines under sub-subparagraph 1.b.

(t)*1.* Must *develop a* ~~participate in the joint development of agreed-upon~~ purchasing *handbook that includes policies* ~~guidelines~~ for authorized uses of scholarship funds under *paragraph (d) and s. 1002.394(4)(a)* ~~this chapter~~. *The handbook must include, at a minimum, a routinely updated list of prohibited items and services, and items or services that require preauthorization or additional documentation.* By *August 1, 2024* ~~December 31, 2023~~, and by each *July 1* ~~December 31~~ thereafter, the purchasing *handbook* ~~guidelines~~ must be provided to the Commissioner of Education and published on the eligible nonprofit scholarship-funding organization's website. ~~Published purchasing guidelines shall remain in effect until there is unanimous agreement to revise the guidelines, and the~~ *Any* revisions must be provided to the commissioner and published on the organization's website within 30 days after such revisions.

2. The organization shall assist the Florida Center for Students with Unique Abilities established under s. 1004.6495 with the development of purchasing guidelines, which must include a routinely updated list of prohibited items and services, and items or services for which preauthorization or additional documentation is required, for authorized uses of scholarship funds under s. 1002.394(4)(b) and publish the guidelines on the organization's website.

3. If the organization fails to submit the purchasing handbook required by subparagraph 1., the Department of Education may assess a financial penalty, not to exceed $10,000, as prescribed by State Board of Education rule. This subparagraph expires July 1, 2026.

(u) May permit eligible students to use program funds for the purposes specified in paragraph (d)*, as authorized in the organization's purchasing handbook,* by paying for the authorized use directly, then submitting a reimbursement request to the eligible nonprofit scholarship-funding organization. However, an eligible nonprofit scholarship-funding organization may require the use of an online platform for direct purchases of products so long as such use does not limit a parent's choice of curriculum or academic programs. If a parent purchases a product identical to one offered by an organization's online platform for a lower price, the organization shall reimburse the parent the cost of the product.

(w) Shall commit scholarship funds on behalf of the student for tuition and fees for which the parent is responsible for payment at the *participating* private school before using *scholarship* ~~empowerment~~ account funds for additional authorized uses under paragraph (d).

(y) Must establish a process to collect input and feedback from parents, private schools, and providers before implementing substantial modifications or enhancements to the reimbursement process.

Information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that

provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—

(a) A parent *who applies for a scholarship* whose student will be enrolled full time in *an eligible* ~~a~~ private school must:

1. Select an eligible private school and apply for the admission of his or her child.

2. Request the scholarship by the date established by the organization in a manner that creates a written or electronic record of the request and the date of receipt of the request.

3.a. Beginning with new applications for the 2025-2026 school year and thereafter, notify the organization by a date set by the organization that the scholarship is being accepted or declined.

b. Beginning with renewal applications for the 2025-2026 school year and thereafter, notify the organization by May 31 that the scholarship is being renewed or declined.

4.~~2.~~ Inform the *applicable* ~~child's~~ school district when the parent withdraws his or her *student from a public school* ~~child~~ to attend an eligible private school.

5.~~3.~~ Require his or her student participating in the program to remain in attendance *at the eligible private school* throughout the school year unless excused by the school for illness or other good cause and comply with the private school's published policies.

6.~~4.~~ Meet with the *eligible* private school's principal or the principal's designee to review the school's academic programs and policies, specialized services, code of student conduct, and attendance policies before enrollment ~~in the private school~~.

7.~~5.~~ Require his or her student participating in the program to take the norm-referenced assessment offered by the *participating* private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. If the parent requests that the student participating in the ~~scholarship~~ program take statewide assessments pursuant to s. 1008.22 and the *participating* private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district.

8.~~6.~~ Approve each payment before the scholarship funds may be deposited by funds transfer. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to approve a funds transfer. A participant who fails to comply with this paragraph forfeits the scholarship.

9.~~7.~~ Authorize the nonprofit scholarship-funding organization to access information needed for income eligibility determination and verification held by other state or federal agencies, including the Department of Revenue, the Department of Children and Families, the Department of Education, the Department of *Commerce* ~~Economic Opportunity~~, and the Agency for Health Care Administration*, for students seeking priority eligibility*.

10.~~8.~~ Agree to have the organization commit scholarship funds on behalf of his or her student for tuition and fees for which the parent is responsible for payment at the *participating* private school before using *scholarship* ~~empowerment~~ account funds for additional authorized uses under paragraph (6)(d). A parent is responsible for all eligible expenses in excess of the amount of the scholarship.

11. Comply with the scholarship application and renewal processes and requirements established by the organization.

(b) A parent whose student will not be enrolled full time in a public or private school must:

1. Apply to an eligible nonprofit scholarship-funding organization to participate in the program as a personalized education student by a date set by the organization. The request must be communicated directly to the organization in a manner that creates a written or electronic record of the request and the date of receipt of the request. *Beginning with new and renewal applications for the 2025-2026 school year and thereafter, notify the organization by May 31 that the scholarship is being accepted, renewed, or declined.*

2. Sign an agreement with the organization and annually submit a sworn compliance statement to the organization to satisfy or maintain program eligibility, including eligibility to receive and spend program payments, by:

a. Affirming that the program funds are used only for authorized purposes serving the student's educational needs, as described in paragraph (6)(d), and that they will not receive a payment, refund, or rebate of any funds provided under this section.

b. Affirming that the parent is responsible for all eligible expenses in excess of the amount of the scholarship and for the education of his or her student.

c. Submitting a student learning plan to the organization and revising the plan at least annually before program renewal.

d. Requiring his or her student to take a nationally norm-referenced test identified by the Department of Education, or a statewide assessment under s. 1008.22, and provide assessment results to the organization before the student's program renewal.

e. *Complying with the scholarship application and renewal processes and requirements established by the organization* ~~Renewing participation in the program each year~~. A student whose participation in the program is not renewed may continue to spend scholarship funds that are in his or her account from prior years unless the account must be closed pursuant to s. 1002.394(5)(a)2.

f. Procuring the services necessary to educate the student. When the student receives a scholarship, the district school board is not obligated to provide the student with a free appropriate public education.

For purposes of this paragraph, full-time enrollment does not include enrollment at a private school that addresses regular and direct contact with teachers through the student learning plan in accordance with s. 1002.421(1)(i).

(c) A parent may not apply for multiple scholarships under this section and s. 1002.394 for an individual student at the same time.

An eligible nonprofit scholarship-funding organization may not further regulate, exercise control over, or require documentation beyond the requirements of this subsection unless the regulation, control, or documentation is necessary for participation in the program.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the organization all documentation required for a student's participation, including confirmation of the student's admission to the private school, the private school's and student's fee schedules, and any other information required by the organization to process scholarship payment pursuant to paragraph (11)(c). Such information must be provided by the deadlines established by the organization and in accordance with the requirements of this section. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet the deadline.

(c)~~(b)~~1. Annually administer or make provision for students participating in the scholarship program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the department ~~of Education~~ or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent. A participating private school must annually report by August 15 the scores of all participating students to a state university described in paragraph (9)(f).

2. Administer the statewide assessments pursuant to s. 1008.22 if a *participating* private school chooses to offer the statewide assessments.

A participating private school may choose to offer and administer the statewide assessments to all students who attend the *participating* private school in grades 3 through 10 and must submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

If a *participating* private school fails to meet the requirements of this subsection or s. 1002.421, the commissioner may determine that the *participating* private school is ineligible to participate in the scholarship program.

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(d) *Notify eligible nonprofit scholarship-funding organizations of the deadlines for submitting the verified list of eligible scholarship students;* cross-check the *verified* list ~~of participating scholarship students~~ with the public school enrollment lists to avoid duplication*;* and, when the Florida Education Finance Program is recalculated, adjust the amount of state funds allocated to school districts through the Florida Education Finance Program based upon the results of the cross-check.

(e) Maintain and annually publish a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in subparagraph *(8)(c)1.* ~~(8)(b)1.~~ The tests must meet industry standards of quality in accordance with State Board of Education rule.

(f) Issue a project grant award to a state university, to which participating private schools and eligible nonprofit scholarship-funding organizations must report the scores of participating students on the nationally norm-referenced tests or the statewide assessments administered in grades 3 through 10. The project term is 2 years, and the amount of the project is up to $250,000 per year. The project grant award must be reissued in 2-year intervals in accordance with this paragraph.

1. The state university must annually report to the Department of Education on the student performance of participating students and, beginning with the 2027-2028 school year, on the performance of personalized education students:

a. On a statewide basis. The report shall also include, to the extent possible, a comparison of scholarship students' performance to the statewide student performance of public school students with socioeconomic backgrounds similar to those of students participating in the scholarship program. To minimize costs and reduce time required for the state university's analysis and evaluation, the Department of Education shall coordinate with the state university to provide data to the state university in order to conduct analyses of matched students from public school assessment data and calculate control group student performance using an agreed-upon methodology with the state university; and

b. On an individual school basis for students enrolled full time in a private school. The annual report must include student performance for each participating private school in which enrolled students in the private school participated in a scholarship program under this section *or*~~,~~ s. 1002.394(12)(a)~~, or s. 1002.40~~ in the prior school year. The report shall be according to each participating private school, and for participating students, in which there are at least 30 participating students who have scores for tests administered. If the state university determines that the 30-participating-student cell size may be reduced without disclosing personally identifiable information, as described in 34 C.F.R. s. 99.12, of a participating student, the state university may reduce the participating-student cell size, but the cell size must not be reduced to less than 10 participating students. The department shall provide each *participating* private school's prior school year's student enrollment information to the state university no later than June 15 of each year, or as requested by the state university.

2. The sharing and reporting of student performance data under this paragraph must be in accordance with requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act, and the applicable rules and regulations issued pursuant thereto, and shall be for the sole purpose of creating the annual report required by subparagraph 1. All parties must preserve the confidentiality of such information as required by law. The annual report must not disaggregate data to a level that will identify individual participating schools, except as required under sub-subparagraph 1.b., or disclose the academic level of individual students.

3. The annual report required by subparagraph 1. shall be published by the Department of Education on its website.

(i) Require quarterly reports by an eligible nonprofit scholarship-funding organization regarding the number of students participating in the ~~scholarship~~ program*;* ~~,~~ the private schools at which the students are enrolled*; the number of scholarship applications received, the number of applications processed within 30 days after receipt, and the number of incomplete applications received; data related to reimbursement submissions, including the average number of days for a reimbursement to be reviewed and the average number of days for a reimbursement to be approved; any parent input and feedback collected regarding the program;* ~~,~~ and *any* other information deemed necessary by the Department of Education.

(10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

(b) Upon the request of the Department of Education, a school district shall coordinate with the department to provide to a participating private school the statewide assessments administered under s. 1008.22 and any related materials for administering the assessments. A school district is responsible for implementing test administrations at a participating private school, including the:

1. Provision of training for *participating* private school staff on test security and assessment administration procedures;

2. Distribution of testing materials to a *participating* private school;

3. Retrieval of testing materials from a *participating* private school;

4. Provision of the required format for a *participating* private school to submit information to the district for test administration and enrollment purposes; and

5. Provision of any required assistance, monitoring, or investigation at a *participating* private school.

(11) SCHOLARSHIP AMOUNT AND PAYMENT.—

(c) *If a scholarship student is attending an eligible private school full time, the initial payment shall be made after the organization's verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the eligible private school. Payments shall be made within 7 business days after approval by the parent pursuant to paragraph (7)(a) and the private school pursuant to paragraph (8)(b)* ~~An eligible nonprofit scholarship-funding organization shall obtain verification from the private school of a student's continued attendance at the school for each period covered by a scholarship payment~~.

(f) A scholarship awarded to an eligible student shall remain in force until:

1. The organization determines that the student is not eligible for program renewal;

2. The Commissioner of Education suspends or revokes program participation or use of funds;

3. The student's parent has forfeited participation in the program for failure to comply with subsection (7);

4. The student *who uses the scholarship for full-time tuition and fees at an eligible private school pursuant to paragraph (7)(a)* enrolls *full time* in a public school. However, if a student enters a Department of Juvenile Justice detention center for a period of no more than 21 days, the student is not considered to have returned to a public school on a full-time basis for that purpose; or

5. The student graduates from high school or attains 21 years of age, whichever occurs first.

(h) A student's scholarship account must be closed and any remaining funds shall revert to the state after:

1. Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to paragraph (6)(d); ~~or~~

2. Two consecutive fiscal years in which an account has been inactive*; or*

3. The student remains unenrolled in an eligible private school for 30 days while receiving a scholarship that requires full-time enrollment.

(i) Moneys received pursuant to this section do not constitute taxable income to the qualified student or the parent of the qualified student.

(15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS; APPLICATION.—In order to participate in the scholarship program created under this section, a charitable organization that seeks to be a nonprofit scholarship-funding organization must submit an application for initial approval or renewal to the Office of Independent Education and Parental Choice. ~~The office shall provide at least two application periods in which~~ Charitable organizations may apply *at any time* to participate in the program.

(a) An application for initial approval must include:

1. A copy of the organization's incorporation documents and registration with the Division of Corporations of the Department of State.

2. A copy of the organization's Internal Revenue Service determination letter as a s. 501(c)(3) not-for-profit organization.

3. A description of the organization's financial plan that demonstrates sufficient funds to operate throughout the school year.

4. A description of the geographic region that the organization intends to serve and an analysis of the demand and unmet need for eligible students in that area.

5. The organization's organizational chart.

6. A description of the criteria and methodology that the organization will use to evaluate scholarship eligibility.

7. A description of the application process, including deadlines and any associated fees.

8. A description of the deadlines for attendance verification and scholarship payments.

9. A copy of the organization's policies on conflict of interest and whistleblowers.

10. A copy of a surety bond or letter of credit to secure the faithful performance of the obligations of the eligible nonprofit scholarship-funding organization in accordance with this section in an amount equal to 25 percent of the scholarship funds anticipated for each school year or $100,000, whichever is greater. The surety bond or letter of credit must specify that any claim against the bond or letter of credit may be made only by an eligible nonprofit scholarship-funding organization to provide scholarships to and on behalf of students who would have had scholarships funded if it were not for the diversion of funds giving rise to the claim against the bond or letter of credit.

(b) In addition to the information required by subparagraphs (a)1.-9., an application for renewal must include:

1. A surety bond or letter of credit to secure the faithful performance of the obligations of the eligible nonprofit scholarship-funding organization in accordance with this section equal to the amount of undisbursed donations held by the organization based on the annual report submitted pursuant to paragraph (6)(o). The amount of the surety bond or letter of credit must be at least $100,000, but not more than $25 million. The surety bond or letter of credit must specify that any claim against the bond or letter of credit may be made only by an eligible nonprofit scholarship-funding organization to provide scholarships to and on behalf of students who would have had scholarships funded if it were not for the diversion of funds giving rise to the claim against the bond or letter of credit.

2. The organization's completed Internal Revenue Service Form 990 submitted no later than November 30 of the year before the school year that the organization intends to offer the scholarships, notwithstanding the department's application deadline.

3. A copy of the statutorily required audit to the Department of Education and Auditor General.

4. An annual report that includes:

a. The number of students who completed applications, by county and by grade.

b. The number of students who were approved for scholarships, by county and by grade.

c. The number of students who received funding for scholarships within each funding category, by county and by grade.

d. The amount of funds received, the amount of funds distributed in scholarships, and an accounting of remaining funds and the obligation of those funds.

e. A detailed accounting of how the organization spent the administrative funds allowable under paragraph (6)(l).

f. Documentation of compliance with the requirements of paragraph (6)(t).

And the title is amended as follows:

Delete lines 21-74 and insert: Program; providing that transition services are a coordinated set of specified activities; authorizing funds to be used for certain prekindergarten programs; providing additional criteria for the closure of scholarship accounts and the reversion of funds to the state; prohibiting certain eligible students from enrolling in public schools; providing an exemption to a prohibition against receiving other educational scholarships; revising the information that such organizations must include in their quarterly reports; authorizing the Department of Education to provide guidance to certain private schools; revising the documentation that private schools must provide to such organizations; revising the process for parents to provide certain notification to such organizations; prohibiting a parent from applying for multiple scholarships under specified programs for a single student at the same time; requiring such organizations to establish certain processes; requiring such organizations to submit specified information to the department; deleting a requirement that certain students be placed on a wait list; requiring such organizations to provide certain notification to parents; revising provisions relating to a specified administrative fee; revising provisions relating to increasing the number of certain scholarships; revising provisions relating to the payment and disbursement of funds; amending s. 1002.395, F.S.; revising eligibility requirements for the Florida Tax Credit Scholarship Program; prohibiting certain eligible students from enrolling in public schools; providing an exemption to a prohibition against receiving other educational scholarships; revising the process for parents to provide certain notification to such organizations; prohibiting a parent from applying for multiple scholarships under specified programs for a single student at the same time; requiring such organizations to establish certain processes; requiring organizations to develop a purchasing handbook by a specified date; specifying minimum requirements for the handbook; requiring such organizations to assist the Florida Center for Students with Unique Abilities with the development of specified guidelines and to publish such guidelines on their websites; authorizing the State Board of Education to assess a financial penalty to an organization in specified circumstances; revising department notification requirements; revising the information that such organizations must include in their quarterly reports; revising provisions relating to the payment and disbursement of funds; authorizing a charitable organization to apply at any time to participate in the program as a scholarship-funding organization; requiring a renewing organization to provide documentation of compliance with specified requirements; amending s. 1002.40, F.S.; revising

On motion by Senator Simon, by two-thirds vote, **CS for CS for HB 1403**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 7052—A bill to be entitled An act relating to economic self-sufficiency; amending s. 414.065, F.S.; providing that a participant has good cause for noncompliance with work requirements for a specified time period under certain circumstances; making technical changes; amending s. 414.105, F.S.; providing requirements for staff members of local workforce development boards when interviewing participants; amending s. 414.455, F.S.; requiring certain persons to participate in an employment and training program; making a technical change; amending s. 445.009, F.S.; requiring benefit management and career planning using a specified tool as part of the state's one-stop delivery system; amending s. 445.011, F.S.; requiring the Department of Commerce to develop certain training; conforming provisions to changes made by the act; making a technical change; amending s. 445.017, F.S.; requiring a local workforce development board to administer a specified intake survey; amending s. 445.024, F.S.; authorizing certain participants to participate in certain programs or courses for a specified number of hours per week; authorizing the Department of Commerce to suspend certain work requirements under certain circumstances; requiring the department to issue notice to participants under certain circumstances; amending s. 445.028, F.S.; requiring the Department of Children and Families to administer an exit survey; making technical changes; creating s. 445.0281, F.S.; providing voluntary case management services to certain persons for specified purposes; providing requirements for such case management services and case managers; amending s. 445.035, F.S.; requiring CareerSource Florida, Inc., in collaboration with other entities, to develop standardized intake and exit surveys for specified purposes; specifying when such surveys must be administered; providing requirements for such surveys; requiring completed surveys to be submitted to CareerSource Florida, Inc., and disseminated quarterly to certain departments; requiring the Department of Commerce, in consultation with other entities, to prepare and submit an annual report to the Legislature; providing requirements for such report; creating s. 1002.935, F.S.; creating the School Readiness Plus Program within the Department of Education; providing requirements for the program; providing eligibility requirements to receive a subsidy under the program; requiring early learning coalitions to administer the program and provide participants access to a specified tool; prohibiting early learning coalitions from spending more than a certain percentage on administrative costs of the program in a fiscal year; providing for the calculation of the amount of the subsidy; providing requirements for parents to receive a subsidy; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 7052**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1267** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Garcia—

CS for CS for HB 1267—A bill to be entitled An act relating to economic self-sufficiency; amending s. 414.065, F.S.; providing that a participant has good cause for noncompliance with work requirements for a specified time period under certain circumstances; amending s. 414.105, F.S.; providing requirements for staff members of local workforce development boards when interviewing participants; amending s. 414.455, F.S.; requiring certain persons to participate in an employment and training program; amending s. 445.009, F.S.; requiring benefit management and career planning using a specified tool as part of the state's one-stop delivery system; amending s. 445.011, F.S.; requiring the Department of Commerce to develop certain training; conforming provisions to changes made by the act; amending s. 445.017, F.S.; requiring a local workforce development board to administer an intake survey; amending s. 445.024, F.S.; authorizing certain participants to participate in certain programs or courses for a specified number of hours per week; authorizing the Department of Commerce to suspend certain work requirements under certain circumstances; requiring the department to issue notice to participants under certain circumstances; amending s. 445.028, F.S.; requiring the Department of Children and Families to administer an exit survey; creating s. 445.0281, F.S.; providing voluntary case management services to certain persons for specified purposes; providing requirements for such case management services and case managers; amending s. 445.035, F.S.; requiring CareerSource Florida, Inc., in collaboration with other entities, to develop standardized intake and exit surveys for specified purposes; specifying when such surveys must be administered; providing requirements for such surveys; requiring completed surveys to be submitted to CareerSource Florida, Inc., and disseminated quarterly to certain departments; requiring the Department of Commerce, in consultation with other entities, to prepare and submit an annual report to the Legislature; providing requirements for such report; creating s. 1002.935, F.S.; creating the School Readiness Plus Program within the Department of Education; providing requirements for the program; providing eligibility requirements to receive a subsidy under the program; requiring early learning coalitions to administer the program and provide participants access to a specified tool; prohibiting early learning coalitions from spending more than a certain percentage on administrative costs of the program in a fiscal year; providing for the calculation of the amount of the subsidy; providing requirements for parents to receive a subsidy; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 7052** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **CS for CS for HB 1267** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 1372—A bill to be entitled An act relating to educator preparation programs; amending ss. 1004.04, 1004.85, 1012.56, and 1012.562, F.S.; prohibiting the courses and curricula of teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs, respectively, from distorting certain events and including certain curriculum and instruction; requiring teacher preparation programs, postsecondary educator preparation institutes,

professional learning certification programs, and school leader preparation programs to afford candidates certain opportunities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1372**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1291** was withdrawn from the Committee on Rules.

On motion by Senator Ingoglia—

CS for HB 1291—A bill to be entitled An act relating to educator preparation programs; amending ss. 1004.04, 1004.85, 1012.56, and 1012.562, F.S.; prohibiting the courses and curriculum of teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs from distorting certain events and including certain curriculum and instruction; requiring teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs to afford candidates certain opportunities; providing an effective date.

—a companion measure, was substituted for **CS for SB 1372** and read the second time by title.

THE PRESIDENT PRESIDING

Senator Jones moved the following amendment which failed:

Amendment 1 (325746)—Delete lines 25-140 and insert:
include *a curriculum or instruction that violates s. 1000.05 or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.*

2. Must afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

Section 2. Paragraph (a) of subsection (2) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(2)(a) Postsecondary institutions that are accredited or approved as described in State Board of Education rule may seek approval from the Department of Education to create educator preparation institutes for the purpose of providing any or all of the following:

1. Professional learning instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements.

2. Instruction to assist potential and existing substitute teachers in performing their duties.

3. Instruction to assist paraprofessionals in meeting education and training requirements.

4. Instruction for baccalaureate degree holders to become certified teachers as provided in this section in order to increase routes to the classroom for professionals who hold a baccalaureate degree and college graduates who were not education majors.

5. Instruction and professional learning for part-time and full-time nondegreed teachers of career programs under s. 1012.39(1)(c).

6. Instruction that does not distort significant historical events or include a curriculum or instruction that violates s. 1000.05 or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities. Courses and instruction within the educator preparation institute must afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

Section 3. Paragraph (b) of subsection (8) of section 1012.56, Florida Statutes, is redesignated as paragraph (c), paragraph (a) of subsection (7) is amended, and a new paragraph (b) is added to subsection (8) of that section, to read:

1012.56 Educator certification requirements.—

(7) TYPES AND TERMS OF CERTIFICATION.—

(a) The Department of Education shall issue a professional certificate for a period not to exceed 5 years to any applicant who fulfills one of the following:

1. Meets all the applicable requirements outlined in subsection (2).

2. For a professional certificate covering grades 6 through 12:

a. Meets the applicable requirements of paragraphs (2)(a)-(h).

b. Holds a master's or higher degree in the area of science, technology, engineering, or mathematics.

c. Teaches a high school course in the subject of the advanced degree.

d. Is rated highly effective as determined by the teacher's performance evaluation under s. 1012.34, based in part on student performance as measured by a statewide, standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.

e. Achieves a passing score on the Florida professional education competency examination required by state board rule.

3. Meets the applicable requirements of paragraphs (2)(a)-(h) and completes a professional learning certification program approved by the department pursuant to paragraph *(8)(c)* ~~(8)(b)~~ or an educator preparation institute approved by the department pursuant to s. 1004.85. An applicant who completes one of these programs and is rated highly effective as determined by his or her performance evaluation under s. 1012.34 is not required to take or achieve a passing score on the professional education competency examination in order to be awarded a professional certificate.

At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed.

(8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

(b) Professional learning certification program courses:

1. May not distort significant historical events or include curriculum or instruction that violates s. 1000.05 or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

2. Must afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

Section 4. Present subsection (4) of section 1012.562, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

1012.562 Public accountability and state approval of school leader preparation programs.—The Department of Education shall establish a process for the approval of Level I and Level II school leader preparation programs that will enable aspiring school leaders to obtain their certificate in educational leadership under s. 1012.56. School leader preparation programs must be competency-based, aligned to the principal leadership standards adopted by the state board, and open to individuals employed by public schools, including charter schools and virtual schools. Level I programs lead to initial certification in educational leadership for the purpose of preparing individuals to serve as school

administrators. Level II programs build upon Level I training and lead to renewal certification as a school principal.

(4) PROGRAM PROHIBITIONS; REQUIREMENTS.—

(a) School leader preparation programs may not distort significant historical events or include curriculum or instruction that violates s. 1000.05

On motion by Senator Ingoglia, further consideration of **CS for HB 1291** was deferred.

CS for SB 1464—A bill to be entitled An act relating to traffic enforcement; creating s. 316.0077, F.S.; prohibiting contracts awarded by certain entities outside this state from being used to procure contracts with manufacturers or vendors of camera systems used for traffic enforcement; providing applicability; creating s. 316.0078, F.S.; defining the terms "controlling interest" and "foreign country of concern"; prohibiting a governmental entity from knowingly entering into or renewing certain contracts for camera systems used for traffic enforcement; amending s. 316.0083, F.S.; requiring certain counties or municipalities to enact an ordinance to authorize placement or installation of traffic infraction detectors; requiring the county or municipality to consider certain evidence and make a certain determination at a public hearing on such ordinance; requiring a county or municipality to annually report to the department the results of all traffic infraction detectors and place a specified annual report on the agenda of a regular or special meeting of its governing body; requiring approval by the governing body at a regular or special meeting before contracting or renewing a contract to place or install traffic infraction detectors; providing for public comment; prohibiting such report, contract, or contract renewal from being considered as part of a consent agenda; providing requirements for a written summary of such report; prohibiting compliance with certain provisions from being raised in a proceeding challenging a violation; providing for suspension of a noncompliant county or municipality from operating traffic infraction detectors until such noncompliance is corrected; providing requirements for reports submitted to the department by counties and municipalities regarding use of and enforcement by traffic infraction detectors; requiring the department to publish certain reports on its website; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1464**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1363** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Calatayud—

CS for CS for HB 1363—A bill to be entitled An act relating to traffic enforcement; creating s. 316.0077, F.S.; prohibiting contracts awarded by certain entities outside this state from being used to procure contracts with manufacturers or vendors of camera systems used for traffic enforcement; providing applicability; creating s. 316.0078, F.S.; defining the terms "controlling interest" and "foreign country of concern"; prohibiting a governmental entity from knowingly entering into or renewing certain contracts for camera systems used for traffic enforcement; amending s. 316.0083, F.S.; requiring certain counties or municipalities to enact an ordinance to authorize placement or installation of traffic infraction detectors; requiring the county or municipality to consider certain evidence and make a certain determination at a public hearing; requiring a county or municipality to place a specified annual report on the agenda of a regular or special meeting of its governing body; requiring approval by the governing body at a regular or special meeting before contracting or renewing a contract to place or install traffic infraction detectors; providing for public comment; prohibiting such report, contract, or contract renewal from being considered as part of a consent agenda; providing requirements for a written summary of such report; requiring a report to the Department of Highway Safety and Motor Vehicles; prohibiting compliance with certain provisions from being raised in a proceeding challenging a violation; providing for suspension of a noncompliant county or municipality from operating traffic infraction detectors until such noncompliance is corrected; providing requirements for reports submitted to the department by counties and municipalities regarding use of and enforcement by traffic infraction detectors; requiring the department to publish such reports on its website; providing an effective date.

—a companion measure, was substituted for **CS for SB 1464** and read the second time by title.

On motion by Senator Calatayud, by two-thirds vote, **CS for CS for HB 1363** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 330, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 330—A bill to be entitled An act relating to behavioral health teaching hospitals; creating part VI of ch. 395, F.S., entitled "Behavioral Health Teaching Hospitals"; creating s. 395.901, F.S.; defining terms; providing legislative findings and intent; creating s. 395.902, F.S.; authorizing hospitals to apply for a behavioral health teaching hospital designation beginning on a specified date; specifying criteria a hospital must meet to receive such designation; notwithstanding such criteria, requiring the Agency for Health Care Administration to designate specified existing hospitals as behavioral health teaching hospitals; requiring such hospitals to meet the designation criteria within a specified timeframe; authorizing the agency to designate a specified number of additional behavioral health teaching hospitals by a specified date, taking into account specified factors; requiring the agency to award behavioral health teaching hospitals certain funds upon their designation; requiring designated behavioral health teaching hospitals to submit an annual report to the agency and the Department of Children and Families; specifying requirements for the report; providing for expiration and renewal of behavioral health teaching hospital designations; authorizing the agency to deny, revoke, or suspend a designation at any time under certain circumstances; authorizing the agency to adopt rules; creating s. 395.903, F.S.; establishing a grant program within the agency for the purpose of funding designated behavioral health teaching hospitals; providing an administrative process to receive, evaluate, and rank applications that request grant funds; authorizing the agency to submit a budget amendment to the Legislature requesting the release of grant funds to make awards; providing a carry forward for a specified period for obligated funds not disbursed in the same year in which the funds were appropriated; authorizing the agency to adopt rules; amending s. 1004.44, F.S.; establishing the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute for a specified purpose; specifying the goals and duties of the center; authorizing the center to convene groups to assist in its work; authorizing the center to request, and requiring certain boards to provide, certain information regarding behavioral health professionals licensed or practicing in this

state; requiring the center to submit an annual report of certain information to the Governor and the Legislature; requiring the Board of Governors of the State University System and the State Board of Education, in consultation with the center, to adopt certain regulations and rules, as applicable; requiring the Department of Children and Families to contract for a specified study of the state's forensic, voluntary and involuntary civil commitment, and statewide inpatient psychiatric programs; requiring that the study be completed by a specified date and include specified information and recommendations; providing appropriations; providing effective dates.

House Amendment 1 (983673) (with title amendment)—Remove lines 146-483 and insert: *Council of Graduate Medical Education and offer, or have filed an application for approval to establish, an accredited postdoctoral clinical psychology fellowship program.*

(c) Provide behavioral health services.

(d) Establish and maintain an affiliation with a university in this state with one of the accredited Florida-based medical schools listed under s. 458.3145(1)(i)1.-6., 8., or 10., to create and maintain integrated workforce development programs for students of the university's colleges or schools of medicine, nursing, psychology, social work, or public health related to the entire continuum of behavioral health care, including, at a minimum, screening, therapeutic and supportive services, community outpatient care, crisis stabilization, short-term residential treatment, and long-term care. Notwithstanding paragraphs (4)(b) and (c), a university may affiliate with only one hospital.

(e) Develop a plan to create and maintain integrated workforce development programs with the affiliated university's colleges or schools and to supervise clinical care provided by students participating in such programs.

(3) A designated behavioral health teaching hospital must:

(a) Within 90 days after receiving the designation, develop and maintain a consultation agreement with the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute to establish best practices related to integrated workforce development programs for the behavioral health professions.

(b) Collaborate with the department and managing entities as defined in s. 394.9082(2) to identify gaps in the regional continuum of behavioral health care which are appropriate for the behavioral health teaching hospital to address, either independently or in collaboration with other organizations providing behavioral health services, and which will facilitate implementation of the plan developed under paragraph (2)(e).

(c) Within 90 days after receiving the designation, enter into an agreement with the department to provide state treatment facility beds when determined necessary by the department.

(d) Provide data related to the hospital's integrated workforce development programs and the services provided by the hospital to the agency, the department, and the Office of Reimagining Education and Career Help created under s. 14.36, as determined by the agency, department, or the office.

(4) Notwithstanding subsections (1) and (2), within 30 days after this act becomes a law, the agency shall designate the following hospitals as behavioral health teaching hospitals:

(a) Tampa General Hospital, in affiliation with the University of South Florida.

(b) UF Health Shands Hospital, in affiliation with the University of Florida.

(c) UF Health Jacksonville, in affiliation with the University of Florida.

(d) Jackson Memorial Hospital, in affiliation with the University of Miami.

Within 90 days after receiving the designation, each behavioral health teaching hospital designated under this subsection shall submit documentation to the agency establishing compliance with the requirements of paragraphs (2)(a)-(d) and submit the plan required by paragraph (2)(e).

(5) Beginning July 1, 2025, the agency may designate additional behavioral health teaching hospitals which meet the criteria of subsection (2).

(6) Upon designating a behavioral health teaching hospital under this section, the agency shall award the hospital funds as follows:

(a) For up to 10 resident positions through the Slots for Doctors Program established in s. 409.909. Notwithstanding that section, the agency shall allocate $150,000 for each such position.

(b) Through the Training, Education, and Clinicals in Health Funding Program established in s. 409.91256 to offset a portion of the costs of maintaining integrated workforce development programs.

(7) By December 1 of each year, a designated behavioral health teaching hospital must submit a report to the agency and the department on the designated behavioral health teaching hospital program, including, but not limited to, all of the following:

(a) The number of psychiatric residents.

(b) The number of postdoctoral clinical psychology fellows.

(c) The status and details of the consultation agreement with the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute.

(d) The implementation status of the plan required by paragraph (2)(e).

(e) Activities, agreements, and accomplishments of the collaboration required by paragraph (3)(b).

(f) The number of any facility beds and patients served under paragraph (3)(c).

(8) A behavioral health teaching hospital designation is valid for 2 years. To renew the designation, a hospital must submit an application for renewal to the agency on a form established by the agency at least 90 days before the expiration of the designation. The renewal process is subject to the time periods and tolling provisions of s. 120.60. The agency may deny, revoke, or suspend a designation at any time if a behavioral health teaching hospital is not in compliance with the requirements of this section.

(9) The agency may adopt rules necessary to implement this section.

Section 4. Section 395.903, Florida Statutes, is created to read:

395.903 Behavioral Health Teaching Hospital grant program.—

(1) There is established within the agency a grant program for the purpose of funding designated behavioral health teaching hospitals, subject to legislative appropriation. Grant funding may be used for operations and expenses and for fixed capital outlay, including, but not limited to, facility renovation and upgrades.

(a)1. For the 2024-2025 fiscal year, the agency shall hold a 30-day, open application period beginning November 1, 2024, to accept applications from the behavioral health teaching hospitals designated under s. 395.902(4), in a manner determined by the agency. Applicants must include a detailed spending plan with the application.

2. For the 2025-2026 and 2026-2027 fiscal years, the agency shall hold a 30-day, open application period beginning October 1 of each year to accept applications from behavioral health teaching hospitals designated under s. 395.902, in a manner determined by the agency. Applicants must include a detailed spending plan with the application. On or before January 1, 2025, and January 1, 2026, hospitals desiring to apply for designation in the next fiscal year shall submit letters of intent to the agency.

(b) The agency, in consultation with the department, shall evaluate and rank grant applications based on compliance with s. 395.902(2) and the quality of the plan submitted under s. 395.902(2)(e) or plan im-

plementation, as applicable, related to achieving the purposes of the behavioral health teaching hospital program. The agency, in consultation with the department, shall make recommendations for grant awards and distribution of available funding for such awards. The agency shall submit the evaluation and grant award recommendations to the President of the Senate and the Speaker of the House of Representatives within 90 days after the open application period closes.

(c) Notwithstanding ss. 216.181 and 216.292, the agency may submit budget amendments, subject to the notice, review, and objection procedures under s. 216.177, requesting the release of the funds to make awards. The agency is authorized to submit budget amendments relating to expenses under subsection (1) under the grant program only within the 90 days after the open application period closes.

(2) Notwithstanding s. 216.301 and pursuant to s. 216.351, the balance of any appropriation from the General Revenue Fund for the program which is not disbursed but which is obligated pursuant to contract or committed to be expended by June 30 of the fiscal year for which the funds are appropriated may be carried forward for up to 8 years after the effective date of the original appropriation.

(3) The agency may adopt rules necessary to implement this section.

Section 5. Effective July 1, 2025, subsection (6) of section 409.909, Florida Statutes, is amended to read:

409.909 Statewide Medicaid Residency Program.—

(6) The Slots for Doctors Program is established to address the physician workforce shortage by increasing the supply of highly trained physicians through the creation of new resident positions, which will increase access to care and improve health outcomes for Medicaid recipients.

(a) Notwithstanding subsection (4), the agency shall annually allocate $100,000 to hospitals*,* ~~and~~ qualifying institutions*, and behavioral health teaching hospitals designated under s. 395.902,* for each newly created resident position that is first filled on or after June 1, 2023, and filled thereafter, and that is accredited by the Accreditation Council for Graduate Medical Education or the Osteopathic Postdoctoral Training Institution in an initial or established accredited training program which is in a physician specialty or subspecialty in a statewide supply-and-demand deficit.

(b) This program is designed to generate matching funds under Medicaid and distribute such funds to participating hospitals*,* ~~and~~ qualifying institutions*, and behavioral health teaching hospitals designated under s. 395.902,* on a quarterly basis in each fiscal year for which an appropriation is made. Resident positions created under this subsection are not eligible for concurrent funding pursuant to subsection (1).

(c) For purposes of this subsection, physician specialties and subspecialties, both adult and pediatric, in statewide supply-and-demand deficit are those identified as such in the General Appropriations Act.

(d) Funds allocated pursuant to this subsection may not be used for resident positions that have previously received funding pursuant to subsection (1).

Section 6. Subsections (6) and (7) are added to section 1004.44, Florida Statutes, to read:

1004.44 Louis de la Parte Florida Mental Health Institute.—There is established the Louis de la Parte Florida Mental Health Institute within the University of South Florida.

(6)(a) There is established within the institute the Florida Center for Behavioral Health Workforce. The purpose of the center is to support an adequate, highly skilled, resilient, and innovative workforce that meets the current and future human resources needs of the state's behavioral health system in order to provide high-quality care, services, and supports to Floridians with, or at risk of developing, behavioral health conditions through original research, policy analysis, evaluation, and development and dissemination of best practices. The goals of the center are, at a minimum, to research the state's current behavioral health workforce and future needs; expand the number of clinicians, professionals, and other workers involved in the behavioral health workforce; and enhance the skill level and innovativeness of the workforce. The center shall, at a minimum, do all of the following:

1. Describe and analyze the current workforce and project possible future workforce demand, especially in critical roles, and develop strategies for addressing any gaps. The center's efforts may include, but need not be limited to, producing a statistically valid biennial analysis of the supply and demand of the behavioral health workforce.

2. Expand pathways to behavioral health professions through enhanced educational opportunities and improved faculty development and retention. The center's efforts may include, but need not be limited to:

a. Identifying best practices in the academic preparation and continuing education of behavioral health professionals.

b. Facilitating and coordinating the development of academic-practice partnerships that support behavioral health faculty employment and advancement.

c. Developing and implementing innovative projects to support the recruitment, development, and retention of behavioral health educators, faculty, and clinical preceptors.

d. Developing distance learning infrastructure for behavioral health education and the evidence-based use of technology, simulation, and distance learning techniques.

3. Promote behavioral health professions. The center's efforts may include, but need not be limited to:

a. Conducting original research on the factors affecting recruitment, retention, and advancement of the behavioral health workforce, such as designing and implementing a longitudinal study of the state's behavioral health workforce.

b. Developing and implementing innovative projects to support the recruitment, development, and retention of behavioral health workers.

(b) The center may:

1. Convene groups, including, but not limited to, behavioral health clinicians, professionals, and workers, and employers of such individuals; other health care providers; individuals with behavioral health conditions and their families; business and industry leaders, policymakers, and educators to assist the center in its work; and

2. Request from any board as defined in s. 456.001 any information held by the board regarding a behavioral health professional licensed in this state or holding a multistate license pursuant to a professional multistate licensure compact or information reported to the board by employers of such behavioral health professionals, other than personal identifying information. The boards must provide such information to the center upon request.

(c) By January 10 of each year, the center shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing details of its activities during the preceding calendar year in pursuit of its goals and in the execution of its duties under paragraph (a). The report submitted in 2025 must include an initial statewide strategic plan for meeting the goals in subsection (6), which must be updated in each subsequent report.

(7) The Board of Governors and the State Board of Education, in consultation with the center, shall expeditiously adopt any necessary regulations and rules, as applicable, to allow the center to perform its responsibilities under subsection (6) as soon as practicable.

Section 7. *Effective upon this act becoming a law, the Department of Children and Families must contract for a detailed study of capacity for inpatient treatment services for adults with serious mental illness and children with serious emotional disturbance or psychosis in this state's forensic inpatient, safety-net voluntary and involuntary civil inpatient placement, and Medicaid statewide inpatient psychiatric programs. The study must include analyses of current capacity, current and projected future demand, and the state's current and projected future ability to meet that demand, and must include recommendations for enhancing the availability of inpatient treatment services and for providing alter-*

natives to such services. The study must be completed by January 31, 2025, and must include, at a minimum, all of the following:

(1) By facility and by program type, the current number and allocation of beds for inpatient treatment, the number of individuals admitted and discharged annually, and the lengths of stays.

(2) By department region, the current number and allocation of beds in receiving, treatment, and state treatment facilities and residential treatment centers for children and adolescents for inpatient treatment between forensic and civil placements, the number of individuals admitted and discharged annually, the types and frequency of diagnoses, and the lengths of stays.

(3) By department region, the current and projected future demand for civil and forensic inpatient placements at receiving, treatment, and state treatment facilities and residential treatment centers for children and adolescents, any gaps in current and projected future availability of these services compared to current and projected future service demand, and the number of inpatient beds needed by facility type and placement type to meet current and projected future demand.

(4) By agency region, the number of individuals admitted and discharged annually, the types and frequency of diagnoses, and the lengths of stays for Medicaid statewide inpatient psychiatric program services, the current and projected future demand for these services, any gaps in current and projected future availability of these services compared to current and projected future service demand, and the number of inpatient beds needed by facility type to meet current and projected future demand.

(5) Policy recommendations for ensuring sufficient bed capacity for inpatient treatment at treatment facilities, state treatment facilities, or receiving facilities, or at residential treatment centers for children and adolescents, and for enhancing services that could prevent the need for involuntary inpatient placements.

(6) A gap analysis as recommended by the Commission on Mental Health and Substance Use Disorder in the annual interim report dated January 1, 2024.

Section 8. *For the 2024-2025 fiscal year, the sum of $5 million in recurring funds from the General Revenue Fund is appropriated to the Louis de la Parte Florida Mental Health Institute for the operation of the Florida Center for Behavioral Health Workforce as created by this act.*

Section 9. *For the 2024-2025 fiscal year, the sums of $2,557,800 in recurring funds from the General Revenue Fund and $3,442,200 in recurring funds from the Medical Care Trust Fund are appropriated to the Agency for Health Care Administration for the Slots for Doctors Program established in s. 409.909, Florida Statutes, for up to 10 newly created resident positions for each designated behavioral health teaching hospital designated under s. 395.902(4), Florida Statutes, as created by this act. Notwithstanding s. 409.909, Florida Statutes, the agency shall allocate $150,000 for each newly created position.*

Section 10. *For the 2024-2025 fiscal year, the sum of $2 million in recurring funds from the General Revenue Fund is appropriated to the Agency for Health Care Administration to implement the Training, Education, and Clinicals in Health (TEACH) Funding Program established in s. 409.91256, Florida Statutes, as created by SB 7016, 2024 Regular Session. Notwithstanding s. 409.91256(5)(b), Florida Statutes, as created by SB 7016, 2024 Regular Session, the funds appropriated under this section shall be equally distributed to the behavioral health teaching hospitals designated under s. 395.902(4), Florida Statutes, as created by this act.*

Section 11. *For the 2024-2025 fiscal year, the nonrecurring sum of $300 million from the General Revenue Fund is appropriated to the Agency for Health Care Administration for the behavioral health teaching hospital grant program as created in s. 395.903, Florida Statutes. Grant funds shall be awarded*

And the title is amended as follows:

Remove lines 16-40 and insert: agency to designate additional behavioral health teaching hospitals that meet the designation criteria; requiring the agency to award behavioral health teaching hospitals certain funds upon their designation; requiring designated behavioral health teaching hospitals to submit an annual report to the agency and the Department of Children and Families; specifying requirements for the report; providing for expiration and renewal of behavioral health teaching hospital designations; authorizing the agency to deny, revoke, or suspend a designation at any time under certain circumstances; authorizing the agency to adopt rules; creating s. 395.903, F.S.; establishing a grant program within the agency for the purpose of funding designated behavioral health teaching hospitals; providing an administrative process to receive, evaluate, and rank applications that request grant funds; authorizing the agency to submit a budget amendment to the Legislature requesting the release of grant funds to make awards; providing a carry forward for a specified period for obligated funds not disbursed in the same year in which the funds were appropriated; authorizing the agency to adopt rules; amending s. 409.909, F.S.; authorizing certain residency positions to be allocated for designated behavioral health teaching hospitals; amending s. 1004.44, F.S.; establishing the Florida

On motion by Senator Boyd, the Senate concurred in **House Amendment 1 (983673)**.

CS for SB 330 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 1224, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 1224—A bill to be entitled An act relating to the protection of children and victims of crime; amending s. 39.001, F.S.; revising the purposes of ch. 39, F.S.; requiring the Statewide Guardian ad Litem Office and circuit guardian ad litem offices to participate in the development of a certain state plan; conforming a provision to changes made by the act; amending s. 39.00145, F.S.; authorizing a child's attorney ad litem to inspect certain records; amending s. 39.00146, F.S.; conforming provisions to changes made by the act; amending s. 39.0016, F.S.; requiring a child's guardian ad litem be included in the coordination of certain educational services; amending s. 39.01, F.S.; providing and revising definitions; amending s. 39.013, F.S.; requiring the court to appoint a guardian ad litem for a child at the earliest possible time; authorizing a guardian ad litem to represent a child in other proceedings to secure certain services and benefits; amending s. 39.01305, F.S.; conforming a provision to changes made by the act; amending s. 39.0132, F.S.; authorizing a child's attorney ad litem to inspect certain records; amending s. 39.0136, F.S.; revising the parties who may request a continuance in a proceeding; amending s. 39.01375, F.S.; conforming provisions to changes made by the act; amending s. 39.0139, F.S.; conforming provisions to changes made by the act; amending s. 39.202, F.S.; requiring that certain confidential records be released to the guardian ad litem and attorney ad litem; conforming a cross-reference; amending s. 39.402, F.S.; requiring

parents to consent to provide certain information to the guardian ad litem and attorney ad litem; conforming provisions to changes made by the act; amending s. 39.4022, F.S.; revising the participants who must be invited to a multidisciplinary team staffing; amending s. 39.4023, F.S.; requiring that notice of a multidisciplinary team staffing be provided to a child's guardian ad litem and attorney ad litem; conforming provisions to changes made by the act; amending s. 39.407, F.S.; conforming provisions to changes made by the act; amending s. 39.4085, F.S.; providing a goal of permanency; conforming provisions to changes made by the act; amending ss. 39.502 and 39.522, F.S.; conforming provisions to changes made by the act; amending s. 39.6012, F.S.; requiring a case plan to include written descriptions of certain activities; conforming a cross-reference; creating s. 39.6036, F.S.; providing legislative findings and intent; requiring the Statewide Guardian ad Litem Office to work with certain children to identify a supportive adult to enter into a specified agreement; requiring such agreement be documented in the child's court file; requiring the office to coordinate with the Office of Continuing Care for a specified purpose; amending s. 39.621, F.S.; conforming provisions to changes made by the act; amending s. 39.6241, F.S.; requiring a guardian ad litem to advise the court regarding certain information and to ensure a certain agreement has been documented in the child's court file; amending s. 39.701, F.S.; requiring certain notice be given to an attorney ad litem; requiring a court to give a guardian ad litem an opportunity to address the court in certain proceedings; requiring the court to inquire and determine if a child has a certain agreement documented in his or her court file at a specified hearing; conforming provisions to changes made by the act; amending s. 39.801, F.S.; conforming provisions to changes made by the act; amending s. 39.807, F.S.; requiring a court to appoint a guardian ad litem to represent a child in certain proceedings; revising a guardian ad litem's responsibilities and authorities; deleting provisions relating to bonds and service of pleadings or papers; amending s. 39.808, F.S.; conforming provisions to changes made by the act; amending s. 39.815, F.S.; conforming provisions to changes made by the act; repealing s. 39.820, F.S., relating to definitions of the terms "guardian ad litem" and "guardian advocate"; amending s. 39.821, F.S.; conforming provisions to changes made by the act; amending s. 39.822, F.S.; declaring that a guardian ad litem is a fiduciary and must provide independent representation of a child; revising responsibilities of a guardian ad litem; requiring that guardians ad litem have certain access to the children they represent; providing actions that a guardian ad litem does and does not have to fulfill; making technical changes; amending s. 39.827, F.S.; authorizing a child's guardian ad litem and attorney ad litem to inspect certain records; amending s. 39.8296, F.S.; revising the duties and appointment of the executive director of the Statewide Guardian ad Litem Office; requiring the training program for guardians ad litem to be maintained and updated regularly; deleting provisions regarding the training curriculum and the establishment of a curriculum committee; requiring the office to provide oversight and technical assistance to attorneys ad litem; specifying certain requirements of the office; amending s. 39.8297, F.S.; conforming provisions to changes made by the act; amending s. 414.56, F.S.; revising the duties of the Office of Continuing Care; creating s. 1009.898, F.S.; authorizing, subject to appropriation, the Fostering Prosperity program to provide certain grants to youth and young adults who are aging out of foster care; requiring that such grants remain available for a certain period of time after reunification of a young adult with his or her parent; requiring the State Board of Education to adopt certain rules; amending ss. 29.008, 39.6011, 40.24, 43.16, 61.402, 110.205, 320.08058, 943.053, 985.43, 985.441, 985.455, 985.461, and 985.48, F.S.; conforming provisions to changes made by the act; amending ss. 39.302, 39.521, 61.13, 119.071, 322.09, 394.495, 627.746, 934.255, and 960.065, F.S.; conforming cross-references; amending s. 741.29, F.S.; requiring law enforcement officers who investigate an alleged incident of domestic violence to administer a lethality assessment under certain circumstances; requiring the Department of Law Enforcement to consult with specified entities, and authorizing the department to consult with other specified entities, to develop certain policies, procedures, and training necessary for the implementation of a statewide evidence-based lethality assessment; requiring such policies, procedures, and training to establish how to determine whether a victim and aggressor are intimate partners and establish a statewide process for referring a victim to a certified domestic violence center; requiring the department to adopt a statewide lethality assessment form by a specified date; requiring that training on administering lethality assessments be available to law enforcement officers in an online format; requiring the department to submit a specified report to the Legislature upon certain circumstances; requiring the Criminal Justice Standards and Training Commission to require by rule that law enforcement officers receive instruction on the policies and procedures for administering a lethality assessment as part of basic recruit training or required instruction for continued employment; prohibiting a law enforcement officer from administering a lethality assessment if he or she has not received specified training; requiring that basic recruit training programs and continuing training or education requirements incorporate such training, and that all law enforcement officers successfully complete such training, by a specified date; requiring law enforcement agencies to place officers' certification on inactive status if they fail to timely complete the required training; providing that such officers' certification remains inactive until they complete the training and their employing agency notifies the commission of such completion; requiring law enforcement officers administering a lethality assessment to ask a victim specified questions; requiring law enforcement officers to advise the victim of the results of the lethality assessment and refer the victim to certain domestic violence centers if certain conditions are met; requiring law enforcement officers to document in the written police report a victim's refusal or inability to provide information necessary for the lethality assessment; prohibiting law enforcement officers from disclosing in certain statements and reports the domestic violence center to which the victim was referred; requiring that written police reports for domestic violence incidents include the results of the lethality assessment, if one was administered; making technical changes; reenacting s. 39.906, F.S., relating to referral to domestic violence centers and notice of rights, to incorporate the amendment made to s. 741.29, F.S., in a reference thereto; providing a directive to the Division of Law Revision; providing an effective date.

House Amendment 1 (114061) (with title amendment)—Remove lines 3062-3158 and insert: *Children and Families, the Florida Sheriffs Association, the Florida Police Chiefs Association, the Florida Partnership to End Domestic Violence, and at least two domestic violence advocacy organizations to develop the policies, procedures, and training necessary for implementation of a statewide evidence-based lethality assessment. Such policies, procedures, and training must establish how to determine whether a victim and aggressor are intimate partners and establish a statewide process for referring a victim to a certified domestic violence center. The group must review the questions in paragraph (e) and make a recommendation as to whether all questions should be included in the statewide lethality assessment instrument and form. By January 1, 2025, the department must adopt a statewide lethality assessment instrument and form. If a question in paragraph (e) is eliminated from the assessment, the department must confirm that the remaining or altered questions constitute an evidence-based lethality assessment. By January 31, 2025, the department shall report to the President of the Senate and the Speaker of the House of Representatives the results and recommendations of the group, including any proposed statutory changes that are necessary for implementation of a statewide lethality assessment. Training on how to administer a lethality assessment and the approved lethality assessment form must be accessible to a law enforcement officer in an online format.*

(a) The department must monitor evidence-based standards relating to the lethality assessment and the lethality assessment instrument and form. If the department identifies changes in such evidence-based standards, the department must submit a report to the President of the Senate and the Speaker of the House of Representatives which must include any proposed changes to the statewide lethality assessment in order to maintain compliance with evidence-based standards. In the report, the department must include the availability of any additional evidence-based assessments that have been reviewed and approved by the Office on Violence Against Women of the United States Department of Justice Office.

(b) The Criminal Justice Standards and Training Commission shall require by rule that all law enforcement officers receive instruction on the policies and procedures for administering a lethality assessment as part of basic recruit training or as part of the required instruction for continued employment. A law enforcement officer may not administer a lethality assessment to a victim if the officer has not received training on administering a lethality assessment. All of the following requirements for training on administering a lethality assessment must be met by October 1, 2026:

1. Commission-approved basic recruit training programs required by s. 943.13(9) and continuing training or education required by s. 943.135 must incorporate the training required by this subsection.

2. Each law enforcement agency shall ensure that all of its sworn personnel have completed the training required by this subsection, including law enforcement officers who received an exemption from completing the commission-approved basic recruit training program under s. 943.131, as part of their basic recruit training or the continued training or education required under s. 943.135(1), as applicable.

(c) By November 1, 2026, the head of each law enforcement agency shall provide written certification to the department verifying that the law enforcement agency has complied with the training requirements in this subsection.

(d) By January 1, 2027, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report identifying each law enforcement agency that has not complied with the requirements of this subsection.

(e) Subject to any revisions made by the department to the lethality assessment under this subsection, to administer a lethality assessment, a law enforcement officer shall ask the victim, in the same or similar wording and in the same order, all of the following questions:

1. Did the aggressor ever use a weapon against you or threaten you with a weapon?

2. Did the aggressor ever threaten to kill you or your children?

3. Do you believe the aggressor will try to kill you?

4. Has the aggressor ever choked you or attempted to choke you?

5. Does the aggressor have a gun or could the aggressor easily obtain a gun?

6. Is the aggressor violently or constantly jealous, or does the aggressor control most of your daily activities?

7. Did you leave or separate from the aggressor after you were living together or married?

8. Is the aggressor unemployed?

9. To the best of your knowledge, has the aggressor ever attempted suicide?

10. Do you have a child whom the aggressor believes is not the aggressor's biological child?

11. Has the aggressor ever followed, spied on, or left threatening messages for you?

12. Is there anything else that worries you about your safety and, if so, what worries you?

(f) A law enforcement officer shall advise a victim of the results of the assessment and refer the victim to the nearest locally certified domestic violence center if:

1. The victim answers affirmatively to any of the questions provided in subparagraphs (e)1.-4.;

2. The victim answers negatively to the questions provided in subparagraphs (e)1.-4., but affirmatively to at least four of the questions provided in subparagraphs (e)5.-11.; or

3. As a result of the victim's response to subparagraph (e)12., the law enforcement officer believes the victim is in a potentially lethal situation.

(g) If a victim does not, or is unable to, provide information to a law enforcement officer sufficient to allow the law enforcement officer to administer a lethality assessment, the law enforcement officer must document the lack of a lethality assessment in the written police report required in subsection (3) and refer the victim to the nearest locally certified domestic violence center.

(h) A law enforcement officer may not include in a probable

And the title is amended as follows:

Remove lines 121-154 and insert: with specified entities to develop certain policies, procedures, and training necessary for the implementation of a statewide evidence-based lethality assessment; requiring such policies, procedures, and training to establish how to determine whether a victim and aggressor are intimate partners and establish a statewide process for referring a victim to a certified domestic violence center; requiring the department and other entities to review certain questions and make certain recommendations; requiring the department to adopt a statewide lethality assessment instrument and form; requiring the department to confirm that certain questions constitute an evidence-based lethality assessment under certain circumstances; requiring the department to submit to the Legislature a specified report; requiring that training on administering lethality assessments be available to law enforcement officers in an online format; requiring the department to submit to the Legislature a specified report upon certain circumstances; requiring certain information be included in such report; requiring the Criminal Justice Standards and Training Commission to require by rule that law enforcement officers receive instruction on the policies and procedures for administering a lethality assessment as part of basic recruit training or required instruction for continued employment; prohibiting a law enforcement officer from administering a lethality assessment if he or she has not received specified training; requiring that basic recruit training programs and continuing training or education requirements incorporate such training, and that all law enforcement officers successfully complete such training; requiring the head of each law enforcement agency to provide a specified certification to the department; requiring the department to submit to the Governor and Legislature a specified report; requiring

On motion by Senator Burton, the Senate concurred in **House Amendment 1 (114061)**.

CS for CS for CS for SB 1224 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1380, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 1380—A bill to be entitled An act relating to transportation services for persons with disabilities and the transportation disadvantaged; amending s. 341.041, F.S.; revising duties of the Department of Transportation, within specified resources, with respect to required provisions of grants and agreements with entities providing paratransit services; amending s. 427.012, F.S.; revising membership of the Commission for the Transportation Disadvantaged and qualifications therefor; providing length of terms for specified commission members; revising voting and quorum requirements; deleting a requirement for the commission to appoint a specified working group; creating s. 427.02, F.S.; defining the term "transportation service provider"; providing requirements for paratransit service contracts entered

into on or after October 1, 2024; requiring that such contracts be competitively procured; prohibiting the awarding of contracts using specified provisions; creating s. 427.021, F.S.; defining the term "transportation service provider"; requiring the commission to establish a model system for reporting and investigating adverse incidents; requiring transportation service providers to adopt the system by a certain date; requiring the commission to develop requirements for the investigation of adverse incidents; requiring such an investigation to commence within a certain timeframe; requiring reports of adverse incidents to be submitted to the commission; requiring the department to provide the Governor and the Legislature with a report on the transportation disadvantaged services and the Commission for the Transportation Disadvantaged which includes specified information; providing applicability; providing an effective date.

House Amendment 1 (517321) (with title amendment)—Remove lines 247-269 and insert: *persons with disabilities. This term does not include the department.*

(2) The Commission for the Transportation Disadvantaged shall establish model procedures for transportation service providers to receive and investigate reports related to adverse incidents during the provision of services to persons with disabilities. The procedures must include a periodic review of ongoing investigations and documentation of final outcomes thereof. At a minimum, the investigation of a reported adverse incident must commence within 48 hours after receipt of the report.

(3) Reports of adverse incidents received by the local government or the transportation service provider shall be submitted on a quarterly basis to the Commission for the Transportation Disadvantaged.

Section 5. Subsection (4) of section 334.065, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section to read:

334.065 Center for Urban Transportation Research.—

(4) By January 1, 2025, the center must deliver a report to the department on model policies and procedures or best practices for paratransit providers to complete trips within an acceptable time after pickup.

Section 6. Subsection (4) is added to section 334.066, Florida Statutes, to read:

334.066 Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab.—

(4) By January 1, 2025, I-STREET must deliver a comprehensive report on technology and training improvements to better support persons with disabilities using paratransit services, including services administered by the federal, state, or local government, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the department. The report must, at a minimum, include recommendations on technology improvements for paratransit providers serving persons with disabilities, including through local, state, and federal funding sources. At a minimum, the report shall include a review of and recommendations on:

(a) Technology systems to ensure the safety of individuals, including the use of in-cabin camera systems and other technologies to monitor the safety and well-being of individuals using fixed routes.

(b) Best practices for data retention, including protection of personally identifiable information, length of retention, and location of retained files.

(c) State-of-the-industry on hardware and software, including camera providers, product specifications, and human-machine interfaces.

(d) Safety standards of professional engineering organizations on camera-mounting best practices.

(e) Costs of installation and maintenance of camera systems to paratransit providers.

(f) The use of Internet, mobile, and application-based interfaces to book, monitor, and seek transportation services. The review must also consider accessibility needs.

(g) The use of Internet, mobile, and application-based interfaces to track the location, in real time, of an individual using paratransit services.

And the title is amended as follows:

Remove lines 23-30 and insert: commission to establish model procedures for transportation service providers to receive and investigate reports related to adverse incidents; providing requirements for such procedures; requiring investigation of a reported adverse incident to commence within a certain timeframe; requiring reports of adverse incidents to be submitted to the commission; amending s. 334.065, F.S.; requiring the Center for Urban Transportation Research to deliver a certain report to the department by a specified date; amending s. 334.066, F.S.; requiring the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab to deliver a certain report to the Governor, Legislature, and department by a specified date;

On motion by Senator Hutson, the Senate concurred in **House Amendment 1 (517321)**.

CS for CS for SB 1380 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1698, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

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.

House Amendment 2 (953311)—Remove lines 46-66 and insert: especially by children; or containing any color additives.

(e) "Hemp" means the plant *Cannabis sativa*L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether

growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis, with the exception of hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol *concentration* on a wet-weight basis *or that does not exceed 5 milligrams per serving and 50 milligrams per container on a wet-weight basis, whichever is less*.

(f) "Hemp extract" means *hemp that is* ~~a substance or compound~~ intended for ingestion *or inhalation and that contains*~~, containing~~ more than trace amounts of a cannabinoid *but*~~, or for inhalation which is derived from or contains hemp and which~~ does not contain controlled substances *listed in s. 893.03; any quantity of synthetic cannabinoids; or delta-8-tetrahydrocannabinol, delta-10-tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol acetate, tetrahydrocannabiphorol, or tetrahydrocannabivarin*.

On motion by Senator Burton, the Senate concurred in **House Amendment 2 (953311)**.

CS for SB 1698 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Thompson

SPECIAL ORDER CALENDAR, continued

CS for CS for CS for SB 1470—A bill to be entitled An act relating to clerks of court; amending s. 27.52, F.S.; revising the fund into which moneys recovered by certain state attorneys must be deposited; amending s. 27.54, F.S.; revising the fund into which certain payments received must be deposited as related to public defenders or criminal conflict and civil regional counsels; amending s. 27.703, F.S.; revising the entity that funds the capital collateral regional counsel; amending s. 28.35, F.S.; revising the list of court-related functions that clerks may fund from filing fees, service charges, court costs, and fines; amending s. 34.041, F.S.; revising the fund into which certain filing fees are to be deposited; amending s. 57.082, F.S.; conforming provisions to changes made by the act; amending s. 110.112, F.S.; deleting a provision requiring each state attorney to publish an annual report addressing results of his or her affirmative action program; amending s. 186.003, F.S.; revising the definition of the term "state agency" for certain purposes; amending s. 318.18, F.S.; revising the distribution of certain administrative fees; creating s. 322.76, F.S.; creating the Clerk of the Court Driver License Reinstatement Pilot Program; authorizing the clerk of the circuit court for Miami-Dade County to reinstate or provide an affidavit to the department to reinstate certain suspended driver licenses; establishing requirements for the clerk under the program to be performed by a date certain; providing for expiration of the program; amending s. 501.2101, F.S.; revising the funds into which certain moneys received by state attorneys must be deposited; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1470**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1077** was withdrawn from the Committee on Appropriations.

On motion by Senator Hutson—

CS for CS for HB 1077—A bill to be entitled An act relating to clerks of court; amending s. 27.52, F.S.; revising the fund into which moneys recovered by certain state attorneys must be remitted; amending s. 27.54, F.S.; revising the fund into which certain payments received must be remitted as related to public defenders or regional counsels; amending s. 27.703, F.S.; revising the entity that funds the capital collateral regional counsel; amending s. 28.35, F.S.; revising the list of court-related functions that clerks may fund from filing fees, service charges, court costs, and fines; amending s. 34.041, F.S.; revising the fund into which certain filing fees are to be deposited; amending 57.082, F.S.; conforming provisions to changes made by the act; amending s. 110.112, F.S.; removing a provision requiring each state attorney to publish an annual report addressing results of his or her affirmative action program; amending s. 142.01, F.S.; authorizing clerks of the circuit court to invest specified funds in an interest-bearing account; requiring that interest earned in the fine and forfeiture fund be deposited in the Public Records Modernization Trust Fund and used exclusively for certain operations and enhancements; amending s. 186.003, F.S.; revising the definition of "state agency" for certain purposes; amending s. 318.18, F.S.; revising the distribution of certain administrative fees; creating s. 322.76, F.S.; creating the Clerk of the Court Driver License Reinstatement Pilot Program; authorizing the Clerk of the Circuit Court for Miami-Dade County to reinstate or provide an affidavit to the department to reinstate certain suspended driver licenses; establishing requirements for the clerk under the program to be performed by a date certain; providing for expiration of the program; amending s. 501.2101, F.S.; revising the funds into which certain moneys received by state attorneys must be deposited; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1470** and read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **CS for CS for HB 1077** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 1528—A bill to be entitled An act relating to violations against vulnerable road users; creating s. 318.195, F.S.; providing a short title; requiring a person who commits a moving violation that causes serious bodily injury to or the death of a vulnerable road user to pay specified fines and attend a specified driver improvement course; requiring the court to revoke the person's driver license for a specified period; defining the term "vulnerable road user"; providing construction; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1528**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1133** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for HB 1133—A bill to be entitled An act relating to violations against vulnerable road users; amending s. 318.14, F.S.; requiring a person who commits an infraction that causes serious bodily injury to, or causes the death of, a vulnerable road user to pay a specified civil penalty; requiring the person's driver license to be suspended for a specified period; requiring the person to attend a specified driver improvement course; republishing s. 318.19(1) and (2), F.S., relating to infractions requiring a mandatory hearing; providing an effective date.

—a companion measure, was substituted for **CS for SB 1528** and read the second time by title.

On motion by Senator Collins, by two-thirds vote, **CS for CS for HB 1133** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Consideration of **CS for SB 1640** and **CS for CS for CS for SB 684** was deferred.

CS for CS for SB 1624—A bill to be entitled An act relating to energy resources; creating s. 163.3210, F.S.; providing legislative intent; defining terms; providing that resilience facilities are a permitted use in certain land use categories in local government comprehensive plans and specified districts if certain criteria are met; authorizing local governments to adopt ordinances specifying certain requirements for resiliency facilities if such ordinances meet certain requirements; prohibiting amendments after a specified date to a local government's comprehensive plan, land use map, zoning districts, or land development regulations if such amendments would conflict with resiliency facility classification; amending s. 286.29, F.S.; revising energy guidelines for public businesses; eliminating the requirement that the Department of Management Services develop and maintain the Florida Climate-Friendly Preferred Products List; deleting the requirement that state agencies contract for meeting and conference space only with facilities that have a Green Lodging designations; deleting the requirement that state agencies, state universities, community colleges, and local governments that procure new vehicles under a state purchasing plan select certain vehicles under a specified circumstance; requiring the Department of Management Services to develop a Florida Humane Preferred Energy Products List in consultation with the Department of Commerce and the Department of Agriculture and Consumer Services; providing assessment requirements developing the list; defining the term "forced labor"; requiring state agencies and political subdivisions that procure energy products from state term contracts to consult the list and purchase or procure such products; prohibiting state agencies and political subdivisions from purchasing or procuring products not included on the list; amending s. 366.032, F.S.; including development districts as a type of political subdivision for purposes of preemption over utility service restrictions; creating s. 366.042, F.S.; requiring electric cooperatives and municipal electric utilities to enter into and maintain at least one mutual aid agreement or pre-event agreement with certain entities for purposes of restoring power after a natural disaster; requiring electric cooperatives and municipal electric utilities to annually submit attestations of compliance to the Public Service Commission; requiring the commission to compile the attestations and annually submit a copy of such attestations to the Division of Emergency Management; providing that the submission of such attestations makes electric cooperatives and municipal electric utilities eligible to receive state financial assistance; providing that electric cooperatives and municipal electric utilities that do not submit such attestations are not eligible to receive state financial assistance until such attestations are submitted; providing construction; amending s. 366.94, F.S.; removing terminology; authorizing the commission to approve voluntary electric vehicle charging programs upon petition of a public utility, to become effective on or after a specified date, if certain requirements are met; providing applicability; creating s. 366.99, F.S.; defining terms; authorizing public utilities to submit to the commission a petition for a proposed cost recovery for certain natural gas facilities relocation costs; requiring the commission to conduct annual proceedings to determine each utility's prudently incurred natural gas facilities relocation costs and to allow for the recovery of such costs; providing requirements for the commission's review; providing requirements for the allocation of such recovered costs; requiring the commission to adopt rules; providing a timeframe for such rulemaking; amending s. 377.601, F.S.; revising legislative intent; amending s. 377.6015, F.S.; revising the powers and duties of the Department of Agriculture and Consumer Services; conforming provisions to changes made by the act; amending s. 377.703, F.S.; revising additional functions of the department relating to energy resources; conforming provisions to changes made by the act; creating s. 377.708, F.S.; defining terms; prohibiting the construction, operation, or expansion of certain wind energy facilities and wind turbines in this state; requiring the Department of Environmental Protection to review applications for federal wind energy leases in territorial waters of the United States adjacent to waters of this state and signify its approval or objection to such applications; authorizing the department to seek injunctive relief for violations; repealing ss. 377.801, 377.802, 377.803, 377.804, 377.808, 377.809, and 377.816, F.S., relating to the Florida Energy and Climate Protection Act, the purpose of the act, definitions under the act, the Renewable Energy and Energy-Efficient Technologies Grants Program, the Florida Green Government Grants Act, the Energy Economic Zone Pilot Program, and the Qualified Energy Conservation Bond Allocation Program, respectively; prohibiting the approval of new or additional applications, certifications, or allocations under such programs; prohibiting new contracts, agreements, and awards under such programs; rescinding all certifications or allocations issued under such programs; providing an exception; providing applicability relating to existing contracts or agreements under such programs; amending ss. 220.193, 288.9606, and 380.0651, F.S.; conforming provisions to changes made by the act; amending s. 403.9405, F.S.; revising the applicability of the Natural Gas Transmission Pipeline Siting Act; amending s. 720.3075, F.S.; prohibiting certain homeowners' association documents from precluding certain types or fuel sources of energy production and the use of certain appliances; defining the term "appliance"; requiring the commission to conduct an assessment of the security and resiliency of the state's electric grid and natural gas facilities against physical threats and cyber threats; requiring the commission to consult with the Division of Emergency Management and the Florida Digital Service; requiring cooperation from all operating facilities in the state relating to such assessment; requiring the commission to submit by a specified date a report of such assessment to the Governor and the Legislature; providing additional content requirements for such report; requiring the commission to study and evaluate the technical and economic feasibility of using advanced nuclear power technologies to meet the electrical power needs of this state; requiring the commission to research means to encourage and foster the installation and use of such technologies at military installations in partnership with public utilities; requiring the commission to consult with the Department of Environmental Protection and the Division of Emergency Management; requiring the commission to submit by a specified date a report to the Governor and the Legislature which contains its findings and any additional recommendations for potential legislative or administrative actions; requiring the Department of Transportation, in consultation with the Office of Energy within the Department of Agriculture and Consumer Services, to study and evaluate the potential development of hydrogen fueling infrastructure to support hydrogen-powered vehicles; requiring the

Department of Transportation to submit by a specified date a report to the Governor and the Legislature which contains its findings and recommendations for legislative or administrative actions that may accommodate the future development of hydrogen fueling infrastructure; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1624**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1645** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Collins—

CS for CS for HB 1645—A bill to be entitled An act relating to energy resources; creating s. 163.3210, F.S.; providing legislative intent; providing definitions; allowing resiliency facilities in certain land use categories in local government comprehensive plans and specified districts if certain criteria are met; allowing local governments to adopt ordinances for resiliency facilities if certain requirements are met; prohibiting amendments to a local government's comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with resiliency facility classification after a specified date; amending s. 286.29, F.S.; revising energy guidelines for public businesses; eliminating the requirement that the Department of Management Services develop and maintain the Florida Climate-Friendly Preferred Products List; eliminating the requirement that state agencies contract for meeting and conference space only with facilities that have a Green Lodging designations; eliminating the requirement that state agencies, state universities, community colleges, and local governments that procure new vehicles under a state purchasing plan select certain vehicles under a specified circumstance; requiring the Department of Management Services to develop a Florida Humane Preferred Energy Products List in consultation with the Department of Commerce and the Department of Agriculture and Consumer Services; providing for assessment considerations in developing the list; defining the term "forced labor"; requiring state agencies and political subdivisions that procure energy products from state term contracts to consult the list and purchase or procure such products; prohibiting state agencies and political subdivisions from purchasing or procuring products not included in the list; amending s. 366.032, F.S.; including development districts as a type of political subdivision for purposes of preemption over utility service restrictions; creating s. 366.042, F.S.; requiring electric cooperatives and municipal electric utilities to enter into and maintain at least one mutual aid agreement or pre-event agreement with certain entities for purposes of restoring power after a natural disaster; requiring electric cooperatives and municipal electric utilities to annually submit attestations of compliance to the Public Service Commission; providing construction; requiring the commission to compile the attestations and annually submit a copy of such attestations to the Division of Emergency Management; providing that the submission of such attestations makes electric cooperatives and municipal electric utilities eligible to receive state financial assistance; providing that if such attestations are not submitted, electric cooperatives and municipal electric utilities are not eligible to receive state financial assistance; providing construction; creating s. 366.057, F.S.; requiring public utilities to provide notice to the commission of certain power plant retirements within a specified timeframe; authorizing the commission to schedule hearings within a specified timeframe to make certain determinations on such plant retirements; specifying information to be provided by public utilities at the hearing; amending s. 366.94, F.S.; removing terminology; authorizing the commission to approve voluntary electric vehicle charging programs upon petition of a public utility, to become effective on or after a specified date, if certain requirements are met; providing applicability; creating s. 366.99, F.S.; providing definitions; authorizing public utilities to submit to the commission a petition for a proposed cost recovery for certain natural gas facilities relocation costs; requiring the commission to conduct annual proceedings to determine each utility's prudently incurred natural gas facilities relocation costs and to allow for the recovery of such costs; providing requirements for the commission's review; providing requirements for the allocation of such recovered costs; requiring the commission to adopt rules; providing a timeframe for such rulemaking; amending s. 377.601, F.S.; revising legislative intent; amending s. 377.6015, F.S.; revising the powers and duties of the Department of Agriculture and Consumer Services; conforming provisions to changes made by the act; amending s. 377.703, F.S.; revising additional functions of the department relating to energy resources; conforming provisions to changes made by the act; creating s. 377.708, F.S.; providing definitions; prohibiting the construction or expansion of certain wind energy facilities and wind turbines in the state; requiring the Department of Environmental Protection to review applications for federal wind energy leases in territorial waters of the United States adjacent to water of this state and signify its approval or objection to such applications; authorizing the department to seek injunctive relief for violations; repealing s. 377.801, F.S., relating to the Florida Energy and Climate Protection Act; repealing s. 377.802, F.S., relating to the purpose of the act; repealing s. 377.803, F.S., relating to definitions under the act; repealing s. 377.804, F.S., relating to the Renewable Energy and Energy-Efficient Technologies Grants Program; repealing s. 377.808, F.S., relating to the Florida Green Government Grants Act; repealing s. 377.809, F.S., relating to the Energy Economic Zone Pilot Program; repealing s. 377.816, F.S., relating to the Qualified Energy Conservation Bond Allocation Program; prohibiting the approval of new or additional applications, certifications, or allocations under such programs; prohibiting new contracts, agreements, and awards under such programs; rescinding all certifications or allocations issued under such programs; providing an exception; providing application relating to existing contracts or agreements under such programs; amending ss. 220.193, 288.9606, and 380.0651, F.S.; conforming provisions to changes made by the act; amending s. 403.9405, F.S.; revising the applicability of the Natural Gas Transmission Pipeline Siting Act; amending s. 720.3075, F.S.; prohibiting certain homeowners' association documents from precluding certain types or fuel sources of energy production and the use of certain appliances; requiring the commission to coordinate, develop, and recommend a plan under which an assessment of the security and resiliency of the state's electric grid and natural gas facilities against physical threats and cyber threats may be conducted; requiring the commission to consult with the Division of Emergency Management and the Florida Digital Service; requiring cooperation from all operating facilities in the state relating to such plan; providing additional content requirements for such plan; requiring the commission to submit by a recommended plan by a specified date to the Governor and the Legislature; providing additional content requirements for such plan; requiring the commission to study and evaluate the technical and economic feasibility of using advanced nuclear power technologies to meet the electrical power needs of the state; requiring the commission to research means to encourage and foster the installation and use of such technologies at military installations in partnership with public utilities; requiring the commission to consult with the Department of Environmental Protection and the Division of Emergency Management; requiring the commission to submit by a specified date a report to the Governor and the Legislature that contains its findings and any additional recommendations for potential legislative or administrative actions; requiring the Department of Transportation, in consultation with the Office of Energy within the Department of Agriculture and Consumer Services, to study and evaluate the potential development of hydrogen fueling infrastructure to support hydrogen-powered vehicles; requiring the department to submit by a specified date a report to the Governor and the Legislature that contains its findings and recommendations for specified actions that may accommodate the future development of hydrogen fueling infrastructure; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1624** and read the second time by title.

Senator Collins moved the following amendment:

Amendment 1 (282208) (with title amendment)—Delete lines 281-883 and insert:

Section 3. Subsections (1), (2), and (5) of section 366.032, Florida Statutes, are amended to read:

366.032 Preemption over utility service restrictions.—

(1) A municipality, county, special district, *community development district created pursuant to chapter 190,* or other political subdivision of the state may not enact or enforce a resolution, ordinance, rule, code, or policy or take any action that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers that such entities are authorized to serve:

(a) A public utility or an electric utility as defined in this chapter;

(b) An entity formed under s. 163.01 that generates, sells, or transmits electrical energy;

(c) A natural gas utility as defined in s. 366.04(3)(c);

(d) A natural gas transmission company as defined in s. 368.103; or

(e) A Category I liquefied petroleum gas dealer or Category II liquefied petroleum gas dispenser or Category III liquefied petroleum gas cylinder exchange operator as defined in s. 527.01.

(2) Except to the extent necessary to enforce the Florida Building Code adopted pursuant to s. 553.73 or the Florida Fire Prevention Code adopted pursuant to s. 633.202, a municipality, county, special district, *community development district created pursuant to chapter 190,* or other political subdivision of the state may not enact or enforce a resolution, an ordinance, a rule, a code, or a policy or take any action that restricts or prohibits or has the effect of restricting or prohibiting the use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in subsection (1). As used in this subsection, the term "appliance" means a device or apparatus manufactured and designed to use energy and for which the Florida Building Code or the Florida Fire Prevention Code provides specific requirements.

(5) Any municipality, county, special district, *community development district created pursuant to chapter 190,* or political subdivision charter, resolution, ordinance, rule, code, policy, or action that is preempted by this act that existed before or on July 1, 2021, is void.

Section 4. Section 366.042, Florida Statutes, is created to read:

366.042 Mutual aid agreements of rural electric cooperatives and municipal electric utilities.—

(1) For the purposes of restoring power following a natural disaster that is subject to a state of emergency declared by the Governor, all rural electric cooperatives and municipal electric utilities shall enter into and maintain, at a minimum, one of the following:

(a) A mutual aid agreement with a municipal electric utility;

(b) A mutual aid agreement with a rural electric cooperative;

(c) A mutual aid agreement with a public utility; or

(d) A pre-event agreement with a private contractor.

(2) All rural electric cooperatives and municipal electric utilities operating in this state shall annually submit to the commission an attestation, in conformity with s. 92.525, stating that the organization has complied with the requirements of this section on or before May 15. Nothing in this section shall be construed to give the commission jurisdiction over the terms and conditions of a mutual aid agreement or agreement with a private contractor entered into by a rural electric cooperative or a municipal electric utility.

(3) The commission shall compile the attestations and annually submit a copy to the Division of Emergency Management no later than May 30.

(4) A rural electric cooperative or municipal electric utility that submits the attestation required by this section is eligible to receive state financial assistance, if such funding is available, for power restoration efforts following a natural disaster that is subject to a state of emergency declared by the Governor.

(5) A rural electric cooperative or municipal electric utility that does not submit an attestation required by this section is ineligible to receive state financial assistance for power restoration efforts following a natural disaster that is subject to a state of emergency declared by the Governor, until such time as the attestation is submitted.

(6) Nothing in this section shall be construed to prohibit, limit, or disqualify a rural electric cooperative or municipal electric utility from receiving funding under The Stafford Act, 42 U.S.C. 5121 et seq., or any other federal program, including programs administered by the state.

(7) This section does not expand or alter the jurisdiction of the commission over public utilities or electric utilities.

Section 5. Section 366.057, Florida Statutes, is created to read:

366.057 Retirement of electrical power plants.—A public utility shall provide notice to the commission at least 90 days before the full retirement of an electrical power plant if the date of such retirement does not coincide with the retirement date in the public utility's most recently approved depreciation study. No later than 90 days after such notice, the commission may schedule a hearing to determine whether retirement of the plant is prudent and consistent with the state's energy policy goals in s. 377.601(2). At a hearing scheduled under this section, the utility shall present its proposed retirement date for the plant, remaining depreciation expense on the plant, any other costs to be recovered in relation to the plant, and any planned replacement capacity.

Section 6. Subsection (4) is added to Section 366.94, Florida Statutes, to read:

366.94 Electric vehicle charging ~~stations~~.—

(4) Upon petition of a public utility, the commission may approve voluntary electric vehicle charging programs to become effective on or after January 1, 2025, to include, but not be limited to, residential, fleet, and public electric vehicle charging, upon a determination by the commission that the utility's general body of ratepayers, as a whole, will not pay to support recovery of its electric vehicle charging investment by the end of the useful life of the assets dedicated to the electric vehicle charging service. This provision does not preclude cost recovery for electric vehicle charging programs approved by the commission before January 1, 2024.

Section 7. Present subsections (17) through (31) of section 403.503, Florida Statutes, are redesignated as subsections (18) through (32), respectively, and a new subsection (17) is added to that section, to read:

403.503 Definitions relating to Florida Electrical Power Plant Siting Act.—As used in this act:

(17) "Gross capacity" means, for a steam facility, the maximum generating capacity based on nameplate generator rating, and for a solar electrical generating facility, the capacity measured as alternating current which is independently metered prior to the point of interconnection to the transmission grid.

Section 8. Section 366.99, Florida Statutes, is created to read:

366.99 Natural gas facilities relocation costs.—

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

(a) "Authority" has the same meaning as in s. 337.401(1)(a).

(b) "Facilities relocation" means the physical moving, modification, or reconstruction of public utility facilities to accommodate the requirements imposed by an authority.

(c) "Natural gas facilities" or "facilities" means gas mains, laterals, and service lines used to distribute natural gas to customers. The term includes all ancillary equipment needed for safe operations, including, but not limited to, regulating stations, meters, other measuring devices, regulators, and pressure monitoring equipment.

(d) "Natural gas facilities relocation costs" means the costs to relocate or reconstruct facilities as required by a mandate, a statute, a law, an ordinance, or an agreement between the utility and an authority, including, but not limited to, costs associated with reviewing plans provided by an authority. The term does not include any costs recovered through the public utility's base rates.

(e) "Public utility" or "utility" has the same meaning as in s. 366.02, except that the term does not include an electric utility.

(2) A utility may submit to the commission, pursuant to commission rule, a petition describing the utility's projected natural gas facilities relocation costs for the next calendar year, actual natural gas facilities relocation costs for the prior calendar year, and proposed cost-recovery factors designed to recover such costs. A utility's decision to proceed with

implementing a plan before filing such a petition does not constitute imprudence.

(3) The commission shall conduct an annual proceeding to determine each utility's prudently incurred natural gas facilities relocation costs and to allow each utility to recover such costs through a charge separate and apart from base rates, to be referred to as the natural gas facilities relocation cost recovery clause. The commission's review in the proceeding is limited to determining the prudence of the utility's actual incurred natural gas facilities relocation costs and the reasonableness of the utility's projected natural gas facilities relocation costs for the following calendar year; and providing for a true-up of the costs with the projections on which past factors were set. The commission shall require that any refund or collection made as a part of the true-up process includes interest.

(4) All costs approved for recovery through the natural gas facilities relocation cost recovery clause must be allocated to customer classes pursuant to the rate design most recently approved by the commission.

(5) If a capital expenditure is recoverable as a natural gas facilities relocation cost, the public utility may recover the annual depreciation on the cost, calculated at the public utility's current approved depreciation rates, and a return on the undepreciated balance of the costs at the public utility's weighted average cost of capital using the last approved return on equity.

(6) The commission shall adopt rules to implement and administer this section and shall propose a rule for adoption as soon as practicable after July 1, 2024.

Section 9. Section 377.601, Florida Statutes, is amended to read:

377.601 Legislative intent.—

(1) *The purpose of the state's energy policy is to ensure an adequate, reliable, and cost-effective supply of energy for the state in a manner that promotes the health and welfare of the public and economic growth. The Legislature intends that governance of the state's energy policy be efficiently directed toward achieving this purpose.* ~~The Legislature finds that the state's energy security can be increased by lessening dependence on foreign oil; that the impacts of global climate change can be reduced through the reduction of greenhouse gas emissions; and that the implementation of alternative energy technologies can be a source of new jobs and employment opportunities for many Floridians. The Legislature further finds that the state is positioned at the front line against potential impacts of global climate change. Human and economic costs of those impacts can be averted by global actions and, where necessary, adapted to by a concerted effort to make Florida's communities more resilient and less vulnerable to these impacts. In focusing the government's policy and efforts to benefit and protect our state, its citizens, and its resources, the Legislature believes that a single government entity with a specific focus on energy and climate change is both desirable and advantageous. Further, the Legislature finds that energy infrastructure provides the foundation for secure and reliable access to the energy supplies and services on which Florida depends. Therefore, there is significant value to Florida consumers that comes from investment in Florida's energy infrastructure that increases system reliability, enhances energy independence and diversification, stabilizes energy costs, and reduces greenhouse gas emissions.~~

(2) For the purposes of subsection (1), the state's energy policy must be guided by the following goals:

(a) Ensuring a cost-effective and affordable energy supply.

(b) Ensuring adequate supply and capacity.

(c) Ensuring a secure, resilient, and reliable energy supply, with an emphasis on a diverse supply of domestic energy resources.

(d) Protecting public safety.

(e) Protecting the state's natural resources, including its coastlines, tributaries, and waterways.

(f) Supporting economic growth.

(3)~~(2)~~ *In furtherance of the goals in subsection (2),* it is the policy of the state ~~of Florida~~ to:

(a) ~~Develop and~~ Promote the *cost-effective development and* ~~effective~~ use of *a diverse supply of domestic* energy *resources* in the state *and*~~,~~ discourage ~~all forms of~~ energy waste~~, and recognize and address the potential of global climate change wherever possible~~.

(b) *Promote the cost-effective development and maintenance of energy infrastructure that is resilient to natural and manmade threats to the security and reliability of the state's energy supply* ~~Play a leading role in developing and instituting energy management programs aimed at promoting energy conservation, energy security, and the reduction of greenhouse gas emissions~~.

(c) Reduce reliance on foreign energy resources.

(d)~~(c)~~ Include energy *reliability and security* considerations in all state, regional, and local planning.

(e)~~(d)~~ Utilize and manage effectively energy resources used within state agencies.

(f)~~(e)~~ Encourage local governments to include energy considerations in all planning and to support their work in promoting energy management programs.

(g)~~(f)~~ Include the full participation of citizens in the development and implementation of energy programs.

(h)~~(g)~~ Consider in its decisions the energy needs of each economic sector, including residential, industrial, commercial, agricultural, and governmental uses, and reduce those needs whenever possible.

(i)~~(h)~~ Promote energy education and the public dissemination of information on energy and its *impacts in relation to the goals in subsection (2)* ~~environmental, economic, and social impact~~.

(j)~~(i)~~ Encourage the research, development, demonstration, and application of *domestic energy resources, including the use of* ~~alternative energy resources, particularly~~ renewable energy resources.

(k)~~(j)~~ Consider, in its decisionmaking, the *impacts of energy-related activities on the goals in subsection (2)* ~~social, economic, and environmental impacts of energy-related activities~~, including the whole-life-cycle impacts of any potential energy use choices, so that detrimental effects of these activities are understood and minimized.

(l)~~(k)~~ Develop and maintain energy emergency preparedness plans to minimize the effects of an energy shortage within *this state* ~~Florida~~.

Section 10. Subsection (2) of section 377.6015, Florida Statutes, is amended to read:

377.6015 Department of Agriculture and Consumer Services; powers and duties.—

(2) The department shall:

~~(a) Administer the Florida Renewable Energy and Energy Efficient Technologies Grants Program pursuant to s. 377.804 to assure a robust grant portfolio.~~

(a)~~(b)~~ Develop policy for requiring grantees to provide royalty-sharing or licensing agreements with state government for commercialized products developed under a state grant.

~~(c) Administer the Florida Green Government Grants Act pursuant to s. 377.808 and set annual priorities for grants.~~

(b)~~(d)~~ Administer the information gathering and reporting functions pursuant to ss. 377.601-377.608.

~~(e) Administer the provisions of the Florida Energy and Climate Protection Act pursuant to ss. 377.801-377.804~~.

(c)~~(f)~~ Advocate for energy ~~and climate change~~ issues *consistent with the goals in s. 377.601(2)* and provide educational outreach and technical assistance in cooperation with the state's academic institutions.

(d)~~(g)~~ Be a party in the proceedings to adopt goals and submit comments to the Public Service Commission pursuant to s. 366.82.

(e)~~(h)~~ Adopt rules pursuant to chapter 120 in order to implement all powers and duties described in this section.

Section 11. Subsection (1) and paragraphs (e), (f), (h), and (m) of subsection (2) of section 377.703, Florida Statutes, are amended to read:

377.703 Additional functions of the Department of Agriculture and Consumer Services.—

(1) LEGISLATIVE INTENT.—Recognizing that energy supply and demand questions have become a major area of concern to the state which must be dealt with by effective and well-coordinated state action, it is the intent of the Legislature to promote the efficient, effective, and economical management of energy problems, centralize energy coordination responsibilities, pinpoint responsibility for conducting energy programs, and ensure the accountability of state agencies for the implementation of *s. 377.601* ~~s. 377.601(2)~~, the state energy policy. It is the specific intent of the Legislature that nothing in this act shall in any way change the powers, duties, and responsibilities assigned by the Florida Electrical Power Plant Siting Act, part II of chapter 403, or the powers, duties, and responsibilities of the Florida Public Service Commission.

(2) DUTIES.—The department shall perform the following functions, unless as otherwise provided, consistent with the development of a state energy policy:

(e) The department shall analyze energy data collected and prepare long-range forecasts of energy supply and demand in coordination with the Florida Public Service Commission, which is responsible for electricity and natural gas forecasts. To this end, the forecasts shall contain:

1. An analysis of the relationship of state economic growth and development to energy supply and demand, including the constraints to economic growth resulting from energy supply constraints.

2. ~~Plans for the development of renewable energy resources and reduction in dependence on depletable energy resources, particularly oil and natural gas, and~~ An analysis of the extent to which *domestic energy resources, including* renewable energy sources*,* are being utilized in *this* ~~the~~ state.

3. Consideration of alternative scenarios of statewide energy supply and demand for 5, 10, and 20 years to identify strategies for long-range action, including identification of potential *impacts in relation to the goals in s. 377.601(2)* ~~social, economic, and environmental effects~~.

4. An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels, and an analysis of anticipated *impacts in relation to the goals in s. 377.601(2)* ~~effects on the state's environment and social services~~ resulting from energy resource development activities or from energy supply constraints, or both.

(f) The department shall submit an annual report to the Governor and the Legislature reflecting its activities and making recommendations for policies for improvement of the state's response to energy supply and demand and its effect on the health, safety, and welfare of the residents of this state. The report must include a report from the Florida Public Service Commission on electricity and natural gas and information on energy conservation programs conducted and underway in the past year and include recommendations for energy efficiency and conservation programs for the state, including:

1. Formulation of specific recommendations for improvement in the efficiency of energy utilization in governmental, residential, commercial, industrial, and transportation sectors.

2. Collection and dissemination of information relating to energy efficiency and conservation.

3. Development and conduct of educational and training programs relating to energy efficiency and conservation.

4. An analysis of the ways in which state agencies are seeking to implement *s. 377.601* ~~s. 377.601(2)~~, the state energy policy, and recommendations for better fulfilling this policy.

(h) The department shall promote the development and use of renewable energy resources, in conformance with chapter 187 and s. 377.601, by:

~~1. Establishing goals and strategies for increasing the use of renewable energy in this state.~~

1.~~2.~~ Aiding and promoting the commercialization of renewable energy resources, in cooperation with the Florida Energy Systems Consortium; the Florida Solar Energy Center; and any other federal, state, or local governmental agency that may seek to promote research, development, and the demonstration of renewable energy equipment and technology.

2.~~3.~~ Identifying barriers to greater use of renewable energy resources in this state, and developing specific recommendations for overcoming identified barriers, with findings and recommendations to be submitted annually in the report to the Governor and Legislature required under paragraph (f).

3.~~4.~~ In cooperation with the Department of Environmental Protection, the Department of Transportation, the Department of Commerce, the Florida Energy Systems Consortium, the Florida Solar Energy Center, and the Florida Solar Energy Industries Association, investigating opportunities, pursuant to the national Energy Policy Act of 1992, the Housing and Community Development Act of 1992, and any subsequent federal legislation, for renewable energy resources, electric vehicles, and other renewable energy manufacturing, distribution, installation, and financing efforts that enhance this state's position as the leader in renewable energy research, development, and use.

4.~~5.~~ Undertaking other initiatives to advance the development and use of renewable energy resources in this state.

In the exercise of its responsibilities under this paragraph, the department shall seek the assistance of the renewable energy industry in this state and other interested parties and may enter into contracts, retain professional consulting services, and expend funds appropriated by the Legislature for such purposes.

(m) In recognition of the devastation to the economy of this state and the dangers to the health and welfare of residents of this state caused by severe hurricanes, and the potential for such impacts caused by other natural disasters, the Division of Emergency Management shall include in its energy emergency contingency plan and provide to the Florida Building Commission for inclusion in the Florida Energy Efficiency Code for Building Construction specific provisions to facilitate the use of cost-effective ~~solar~~ energy technologies as emergency remedial and preventive measures for providing electric power, street lighting, and water heating service in the event of electric power outages.

Section 12. Section 377.708, Florida Statutes, is created to read:

377.708 Wind energy.—

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

(a) "Coastline" means the established line of mean high water.

(b) "Department" means the Department of Environmental Protection.

(c) "Offshore wind energy facility" means any wind energy facility located on waters of this state, including other buildings, structures, vessels, or electrical transmission cabling to be sited on waters of this state, or connected to corresponding onshore substations that are used to support the operation of one or more wind turbines sited or constructed on waters of this state and any submerged lands or territorial waters that are not under the jurisdiction of the state.

(d) "Real property" has the same meaning as provided in s. 192.001(12).

(e) "Vessel" has the same meaning as provided in s. 327.02.

(f) "Waters of this state" has the same meaning as provided in s. 327.02, except the term also includes all state submerged lands.

(g) "Wind energy facility" means an electrical wind generation facility or expansion thereof comprised of one or more wind turbines and including substations; meteorological data towers; aboveground, underground, and electrical transmission lines; and transformers, control systems, and other buildings or structures under common ownership or operating control used to support the operation of the facility the primary purpose of which is to offer electricity supply for sale.

(h) "Wind turbine" means a device or apparatus that has the capability to convert kinetic wind energy into rotational energy that drives an electrical generator, consisting of a tower body and rotator with two or more blades and capable of producing more than 10 kilowatts of electrical power. The term includes both horizontal and vertical axis turbines. The term does not include devices used to measure wind speed and direction, such as an anemometer.

(2) PROHIBITED ACTIVITIES.—

(a) Construction or expansion of the following is prohibited:

1. An offshore wind energy facility.

2. A wind turbine or wind energy facility on real property within 1 mile of coastline in this state.

3. A wind turbine or wind energy facility on real property within 1 mile of the Atlantic Intracoastal Waterway or Gulf Intracoastal Waterway.

4. A wind turbine or wind energy facility on waters of this state and any submerged lands.

(b) This subsection does not prohibit:

1. Affixation of a wind turbine directly to a vessel solely for the purpose of providing power to electronic equipment located onboard the vessel.

2. Operation of a wind turbine installed before July 1, 2024.

(3) REVIEW.—The department shall review all applications for federal wind energy leases in the territorial waters of the United States adjacent to waters of this state and shall signify its approval of or objection to each application.

(4) INJUNCTIVE RELIEF.—The department may bring an action for injunctive relief against any person who constructs or expands an offshore wind energy facility or a wind turbine in this state in violation of this section.

Section 13. *Sections 377.801, 377.802, 377.803, 377.804, 377.808, 377.809, and 377.816, Florida Statutes, are repealed.*

Section 14. *(1) For programs established pursuant to s. 377.804, s. 377.808, s. 377.809, or s. 377.816, Florida Statutes, there may not be:*

(a) New or additional applications, certifications, or allocations approved.

(b) New letters of certification issued.

(c) New contracts or agreements executed.

(d) New awards made.

(2) All certifications or allocations issued under such programs are rescinded except for the certifications of, or allocations to, those certified applicants or projects that continue to meet the applicable criteria in effect before July 1, 2024. Any existing contract or agreement authorized under any of these programs shall continue in full force and effect in accordance with the statutory requirements in effect when the contract or agreement was executed or last modified. However, further modifications, extensions, or waivers may not be made or granted relating to such contracts or agreements, except computations by the Department of Revenue of the income generated by or arising out of the qualifying project.

Section 15. Paragraph (d) of subsection (2) of section 220.193, Florida Statutes, is amended to read:

220.193 Florida renewable energy production credit.—

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

(d) "Florida renewable energy facility" means a facility in the state that produces electricity for sale from renewable energy~~, as defined in s. 377.803~~.

Section 16. Subsection (7) of section 288.9606, Florida Statutes, is amended to read:

288.9606 Issue of revenue bonds.—

(7) Notwithstanding any provision of this section, the corporation in its corporate capacity may, without authorization from a public agency under s. 163.01(7), issue revenue bonds or other evidence of indebtedness under this section to:

(a) Finance the undertaking of any project within the state that promotes renewable energy as defined in s. 366.91 ~~or s. 377.803~~;

(b) Finance the undertaking of any project within the state that is a project contemplated or allowed under s. 406 of the American Recovery and Reinvestment Act of 2009; ~~or~~

(c) If permitted by federal law, finance qualifying improvement projects within the state under s. 163.08*; or*~~.~~

(d) Finance the costs of acquisition or construction of a transportation facility by a private entity or consortium of private entities under a public-private partnership agreement authorized by s. 334.30.

Section 17. Paragraph (w) of subsection (2) of section 380.0651, Florida Statutes, is amended to read:

380.0651 Statewide guidelines, standards, and exemptions.—

(2) STATUTORY EXEMPTIONS.—The following developments are exempt from s. 380.06:

~~(w) Any development in an energy economic zone designated pursuant to s. 377.809 upon approval by its local governing body.~~

If a use is exempt from review pursuant to paragraphs (a)-(u), but will be part of a larger project that is subject to review pursuant to s. 380.06(12), the impact of the exempt use must be included in the review of the larger project, unless such exempt use involves a development that includes a landowner, tenant, or user that has entered into a funding agreement with the state land planning agency under the Innovation Incentive Program and the agreement contemplates a state award of at least $50 million.

Section 18. Subsection (2) of section 403.9405, Florida Statutes, is amended to read:

403.9405 Applicability; certification; exemption; notice of intent.—

(2) ~~No construction of~~ A natural gas transmission pipeline may *not be constructed* ~~be undertaken after October 1, 1992,~~ without first obtaining certification under ss. 403.9401-403.9425, but these sections do not apply to:

(a) Natural gas transmission pipelines which are less than *100* ~~15~~ miles in length or which do not cross a county line, unless the applicant has elected to apply for certification under ss. 403.9401-403.9425.

(b) Natural gas transmission pipelines for which a certificate of public convenience and necessity has been issued under s. 7(c) of the Natural Gas Act, 15 U.S.C. s. 717f, or a natural gas transmission pipeline certified as an associated facility to an electrical power plant pursuant to the Florida Electrical Power Plant Siting Act, ss. 403.501-403.518, unless the applicant elects to apply for certification of that pipeline under ss. 403.9401-403.9425.

(c) Natural gas transmission pipelines that are owned or operated by a municipality or any agency thereof, by any person primarily for the local distribution of natural gas, or by a special district created by

special act to distribute natural gas, unless the applicant elects to apply for certification of that pipeline under ss. 403.9401-403.9425.

Section 19. Subsection (3) of section 720.3075, Florida Statutes, is amended to read:

720.3075 Prohibited clauses in association documents.—

(3) Homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude*:*

(a) The display of up to two portable, removable flags as described in s. 720.304(2)(a) by property owners. However, all flags must be displayed in a respectful manner consistent with the requirements for the United States flag under 36 U.S.C. chapter 10.

(b) Types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers within the association that such entities are authorized to serve:

1. A public utility or an electric utility as defined in s. 366.02;

And the title is amended as follows:

Delete lines 25-70 and insert: specified circumstance; amending s. 366.032, F.S.; including community development districts as a type of political subdivision for purposes of preemption over utility service restrictions; creating s. 366.042, F.S.; requiring rural electric cooperatives and municipal electric utilities to enter into and maintain at least one mutual aid agreement or pre-event agreement with certain entities for purposes of restoring power after a natural disaster; requiring rural electric cooperatives and municipal electric utilities to annually submit attestations of compliance to the Public Service Commission; providing construction; requiring the commission to compile the attestations and annually submit a copy of such attestations to the Division of Emergency Management; providing that the submission of such attestations makes rural electric cooperatives and municipal electric utilities eligible to receive state financial assistance; providing that if such attestations are not submitted, rural electric cooperatives and municipal electric utilities are not eligible to receive state financial assistance; providing construction; creating s. 366.057, F.S.; requiring public utilities to provide notice to the commission of certain power plant retirements within a specified timeframe; authorizing the commission to schedule hearings within a specified timeframe to make certain determinations on such plant retirements; specifying information to be provided by public utilities at the hearing; amending s. 366.94, F.S.; removing terminology; authorizing the commission to approve voluntary electric vehicle charging programs upon petition of a public utility, to become effective on or after a specified date, if certain requirements are met; providing applicability; amending s. 403.503, F.S.; defining the term "gross capacity"; creating s. 366.99,

Senator Berman moved the following amendment to **Amendment 1 (282208)** which failed:

Amendment 1A (110200)—Between lines 282 and 283 insert:

(m) Consider the growing impact of consumers choosing to transition to clean, renewable energy resources on the industries regulated under this chapter, and act to preserve the positive impact the workforce of a transition-impacted industry has on the economy of this state and local communities.

1. Such actions must include identifying and supporting transition activities that are not addressed by existing resources and making recommendations for new programs as necessary, including, but not limited to:

a. Programs to support transition workers with supplemental income, health care benefits, and retirement benefits and programs that provide transition workers with access to education and training opportunities; and

b. Programs to support transition communities.

2. As used in this paragraph, the term:

a. "Transition activities" means activities to avoid the suffering of economic harm. The term includes, but is not limited to, the following activities:

(I) Educating transition workers regarding various programs available to them;

(II) Replacing lost income, bridging gaps in income, and providing benefits for transition workers;

(III) Services for transition workers, such as education, training, career counseling, skills-matching, maintaining employment with current employers or reemployment services, and financial planning assistance;

(IV) Replacing lost tax base revenue for transition communities; and

(V) Promoting the hiring of transition workers and the creation of jobs in transition communities which provide comparable or higher wages and benefits to jobs in transition-impacted industries.

b. "Transition communities" means municipalities, counties, or regions that demonstrate they will be impacted between July 1, 2024, and January 1, 2035, by the loss of 50 or more jobs in a transition-impacted industry.

c. "Transition-impacted industry" means an industry impacted by transition to clean renewable energy resources, including industries with the following workers:

(I) Fossil fuel energy workers who have employment tied to the generation, transportation, and refinement of fossil fuel;

(II) Internal combustion engine vehicle workers and workers in the supply chain or repair services for internal combustion engine vehicles;

(III) Workers in the building and construction trades; and

(IV) Any other affected workers.

d. "Transition worker" means a worker in this state who has been laid off from employment in a transition-impacted industry since January 1, 2023, or who is or will be laid off from employment in a transition-impacted industry on or after July 1, 2024, and before January 1, 2035.

Amendment 1 (282208) was adopted.

On motion by Senator Collins, by two-thirds vote, **CS for CS for HB 1645**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

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

Nays—12

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

Consideration of **CS for CS for CS for SB 1098** and **CS for CS for HB 1181** was deferred.

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.

—was read the second time by title.

Pending further consideration of **CS for SB 7044**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1203** was withdrawn from the Committee on Rules.

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

CS for CS for HB 1203—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.; requiring certain community association managers to take a specific number of hours of continuing education biennially; amending s. 720.303, F.S.; requiring official records of a homeowners' association to be maintained for a certain number of years; requiring certain associations to post certain documents on its website or make available such documents through an application by a date certain; providing requirements for an association's website or application; requiring an association to provide certain information to parcel owners upon 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; defining the term "repeatedly"; 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 that certain associations prepare audited financial statements; prohibiting associations from preparing financial statements for consecutive years; prohibiting an association and certain persons from using specified debit cards for payment of association expenses; providing a criminal penalty; defining the term "lawful obligation of the association"; requiring a detailed accounting of amounts due to the association be given to certain persons within a certain timeframe upon written request; limiting how often certain persons may request from the board a detailed accounting; providing for a complete waiver of outstanding fines under certain circumstances; amending s. 720.3033, F.S.; providing education requirements for newly elected or appointed directors; providing requirements for the educational curriculum; requiring certain directors to complete a certain number of hours of continuing education annually; requiring the Department of Business and Professional Regulation to adopt certain rules; defining the term "kickback"; providing criminal penalties for certain actions by an officer, a director, or a manager of an association; providing that a vacancy is declared if a director or an officer is charged by information or indictment with certain crimes; amending s. 720.3035, F.S.; requiring an association or any architectural, construction improvement, or other such similar committee of an association to apply and enforce certain standards reasonably and equitably; requiring an association or any architectural, construction improvement, or other such similar committee of an association to provide certain written notice to a parcel owner; prohibiting an association or certain committees of the association from enforcing or adopting certain covenants, rules, or guidelines; authorizing a parcel owner to appeal certain decisions of the association or certain committees of the association to an appeals committee within a specified timeframe; providing for membership and authority of the appeals committee; requiring the appeals committee to make its decisions within a specified timeframe; amending s. 720.3045, F.S.; authorizing parcel owners or their tenants to install, display, or store clotheslines and vegetable gardens under certain circumstances; amending s. 720.305, F.S.; prohibiting certain fines from being aggregated and becoming a lien on a parcel without a supermajority vote of a certain percentage of the voting members; specifying how fines, suspensions, attorney fees, and costs are determined; requiring certain notices to be provided to parcel owners and, if applicable, an occupant, a licensee, or an invitee of the parcel owner; requiring certain hearings to be held within a specified timeframe and authorizing such hearings to be held by telephone or other electronic means; prohibiting the accrual of attorney fees and costs after a specified time; specifying the priority of payments made by a parcel owner to an association; authorizing certain persons to request a hearing to dispute certain fees and costs; providing that certain fines may not become a lien on a parcel; requiring fines or suspensions related to traffic infractions to be determined and issued by a certain person; prohibiting a parcel owner from being fined for certain traffic infractions; defining the term "traffic infraction"; prohibiting an association from levying a fine or imposing a suspension for certain actions; prohibiting an association from enforcing certain rules or covenants under certain circumstances; amending s. 720.3075, F.S.; prohibiting certain homeowners' association documents from precluding property owners from taking, limiting, or requiring certain actions; amending s. 720.308, F.S.; prohibiting a board from increasing assessments by more than specified percentages without approval by a certain percentage of the voting members; providing an exception; prohibiting certain assessments from becoming a lien on a parcel without approval by a certain percentage of the voting members; amending s. 720.3085, F.S.; specifying when a lien is effective for mortgages of record; deleting provisions relating to the priority of certain liens, mortgages, or certified judgments; specifying that simple interest accrues on assessments and installments on assessments that are not paid when due; providing that assessments and installments on assessments may not accrue compound interest; amending s. 720.317, F.S.; authorizing a member to consent electronically to online voting if certain conditions are met;

amending s. 720.318, F.S.; authorizing a law enforcement officer to park his or her assigned law enforcement vehicle on public roads and rights-of-way; providing an effective date.

—a companion measure, was substituted for **CS for SB 7044** and read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (254472) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) is added to section 468.4334, Florida Statutes, to read:

468.4334 Professional practice standards; liability*; community association manager requirements*.—

(3) A community association manager or community association management firm that is authorized by contract to provide community association management services to a homeowners' association shall do all of the following:

(a) Attend in person at least one member meeting or board meeting of the homeowners' association annually.

(b) Provide to the members of the homeowners' association the name and contact information for each community association manager or representative of a community association management firm assigned to the homeowners' association, the manager's or representative's hours of availability, and a summary of the duties for which the manager or representative is responsible. The homeowners' association shall also post this information on the association's website or application required under s. 720.303(4)(b). The community association manager or community association management firm shall update the homeowners' association and its members within 14 business days after any change to such information.

(c) Provide to any member upon request a copy of the contract between the community association manager or community association management firm and the homeowners' association and include such contract with association's official records.

Section 2. Section 468.4337, Florida Statutes, is amended to read:

468.4337 Continuing education.—The department may not renew a license until the licensee submits proof that the licensee has completed the requisite hours of continuing education. ~~No more than 10 hours of continuing education annually shall be required for renewal of a license.~~ The number of *continuing education* hours, criteria, and course content shall be approved by the council by rule. *The council may not require more than 10 hours of continuing education annually for renewal of a license. A community association manager who provides community association management services to a homeowners' association must biennially complete at least 5 hours of continuing education that pertains specifically to homeowners' associations, 3 hours of which must relate to recordkeeping.*

Section 3. Subsections (1), (4), and (5), paragraph (f) of subsection (6), and paragraphs (a) and (d) of subsection (7) of section 720.303, Florida Statutes, are amended, and subsections (13) and (14) are added to that section, to read:

720.303 Association powers and duties; meetings of board; official records; budgets; financial reporting; association funds; recalls.—

(1) POWERS AND DUTIES.—An association *that* ~~which~~ operates a community as defined in s. 720.301, must be operated by an association that is a Florida corporation. After October 1, 1995, the association must be incorporated and the initial governing documents must be recorded in the official records of the county in which the community is located. An association may operate more than one community. The officers and directors of an association *are subject to s. 617.0830 and* have a fiduciary relationship to the members who are served by the association. The powers and duties of an association include those set forth in this chapter and, except as expressly limited or restricted in this chapter, those set forth in the governing documents. After control of the association is obtained by members other than the developer, the association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all members concerning matters of common interest to the members, including, but not limited to, the common areas; roof or structural components of a building, or other improvements for which the association is responsible; mechanical, electrical, or plumbing elements serving an improvement or building for which the association is responsible; representations of the developer pertaining to any existing or proposed commonly used facility; and protesting ad valorem taxes on commonly used facilities. The association may defend actions in eminent domain or bring inverse condemnation actions. Before commencing litigation against any party in the name of the association involving amounts in controversy in excess of $100,000, the association must obtain the affirmative approval of a majority of the voting interests at a meeting of the membership at which a quorum has been attained. This subsection does not limit any statutory or common-law right of any individual member or class of members to bring any action without participation by the association. A member does not have authority to act for the association by virtue of being a member. An association may have more than one class of members and may issue membership certificates. An association of 15 or fewer parcel owners may enforce only the requirements of those deed restrictions established prior to the purchase of each parcel upon an affected parcel owner or owners.

(4) OFFICIAL RECORDS.—

(a) The association shall maintain each of the following items, when applicable, *for at least 7 years, unless the governing documents of the association require a longer period of time,* which constitute the official records of the association:

1.~~(a)~~ Copies of any plans, specifications, permits, and warranties related to improvements constructed on the common areas or other property that the association is obligated to maintain, repair, or replace.

2.~~(b)~~ A copy of the bylaws of the association and of each amendment to the bylaws.

3.~~(c)~~ A copy of the articles of incorporation of the association and of each amendment thereto.

4.~~(d)~~ A copy of the declaration of covenants and a copy of each amendment thereto.

5.~~(e)~~ A copy of the current rules of the homeowners' association.

6.~~(f)~~ The minutes of all meetings of the board of directors and of the members~~, which minutes must be retained for at least 7 years~~.

7.~~(g)~~ A current roster of all members and their designated mailing addresses and parcel identifications. A member's designated mailing address is the member's property address, unless the member has sent written notice to the association requesting that a different mailing address be used for all required notices. The association shall also maintain the e-mail addresses and the facsimile numbers designated by members for receiving notice sent by electronic transmission of those members consenting to receive notice by electronic transmission. A member's e-mail address is the e-mail address the member provided when consenting in writing to receiving notice by electronic transmission, unless the member has sent written notice to the association requesting that a different e-mail address be used for all required notices. The e-mail addresses and facsimile numbers provided by members to receive notice by electronic transmission must be removed from association records when the member revokes consent to receive notice by electronic transmission. However, the association is not liable for an erroneous disclosure of the e-mail address or the facsimile number for receiving electronic transmission of notices.

8.~~(h)~~ All of the association's insurance policies or a copy thereof~~, which policies must be retained for at least 7 years~~.

9.~~(i)~~ A current copy of all contracts to which the association is a party, including, without limitation, any management agreement, lease, or other contract under which the association has any obligation or responsibility. Bids received by the association for work to be performed *are* ~~must also be~~ considered official records and must be kept for a period of 1 year.

10.~~(j)~~ The financial and accounting records of the association, kept according to good accounting practices. ~~All financial and accounting~~

~~records must be maintained for a period of at least 7 years.~~ The financial and accounting records must include:

a.~~1.~~ Accurate, itemized, and detailed records of all receipts and expenditures.

b.~~2.~~ A current account and a periodic statement of the account for each member, designating the name and current address of each member who is obligated to pay assessments, the due date and amount of each assessment or other charge against the member, the date and amount of each payment on the account, and the balance due.

c.~~3.~~ All tax returns, financial statements, and financial reports of the association.

d.~~4.~~ Any other records that identify, measure, record, or communicate financial information.

11.~~(k)~~ A copy of the disclosure summary described in s. 720.401(1).

12.~~(l)~~ Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by parcel owners, which must be maintained for at least 1 year after the date of the election, vote, or meeting.

13.~~(m)~~ All affirmative acknowledgments made pursuant to s. 720.3085(3)(c)3.

14.~~(n)~~ All other written records of the association not specifically included in this subsection which are related to the operation of the association.

(b)1. By January 1, 2025, an association that has 100 or more parcels shall post the following documents on its website or make available such documents through an application that can be downloaded on a mobile device:

a. The articles of incorporation of the association and each amendment thereto.

b. The recorded bylaws of the association and each amendment thereto.

c. The declaration of covenants and a copy of each amendment thereto.

d. The current rules of the association.

e. A list of all current executory contracts or documents to which the association is a party or under which the association or the parcel owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year.

f. The annual budget required by subsection (6) and any proposed budget to be considered at the annual meeting.

g. The financial report required by subsection (7) and any monthly income or expense statement to be considered at a meeting.

h. The association's current insurance policies.

i. The certification of each director as required by s. 720.3033(1)(a).

j. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated homeowners' association or any other entity in which a director of an association is also a director or an officer and has a financial interest.

k. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 720.3033(2).

l. Notice of any scheduled meeting of members and the agenda for the meeting, as required by s. 720.306, at least 14 days before such meeting. The notice must be posted in plain view on the homepage of the website or application, or on a separate subpage of the website or application labeled "Notices" which is conspicuously visible and linked from the homepage. The association shall also post on its website or application any document to be considered and voted on by the members during the meeting or any document listed on the meeting agenda at least 7 days before the meeting at which such document or information within the document will be considered.

m. Notice of any board meeting, the agenda, and any other document required for such meeting as required by subsection (3), which must be posted on the website or application no later than the date required for notice under subsection (3).

2. The association's website or application must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to parcel owners and employees of the association.

3. Upon written request by a parcel owner, the association must provide the parcel owner with a username and password and access to the protected sections of the association's website or application which contains the official documents of the association.

4. The association shall ensure that the information and records described in paragraph (5)(g), which are not allowed to be accessible to parcel owners, are not posted on the association's website or application. If protected information or information restricted from being accessible to parcel owners is included in documents that are required to be posted on the association's website or application, the association must ensure the information is redacted before posting the documents. Notwithstanding the foregoing, the association or its authorized agent is not liable for disclosing information that is protected or restricted under paragraph (5)(g) unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

(c) The association shall adopt written rules governing the method or policy by which the official records of the association are to be retained and the time period such records must be retained pursuant to paragraph (a). Such information must be made available to the parcel owners through the association's website or application.

(5) INSPECTION AND COPYING OF RECORDS.—

(a) Unless otherwise provided by law or the governing documents of the association, the official records *must* ~~shall~~ be maintained within *this* ~~the~~ state for at least 7 years and ~~shall~~ be made available to a parcel owner for inspection or photocopying within 45 miles of the community or within the county in which the association is located within 10 business days after receipt by the board or its designee of a written request *from the parcel owner*. This subsection may be complied with by having a copy of the official records available for inspection or copying in the community or~~, at the option of the association,~~ by making the records available to a parcel owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. If the association has a photocopy machine available where the records are maintained, it must provide parcel owners with copies on request during the inspection if the entire request is limited to no more than 25 pages. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a fee to a member or his or her authorized representative for the use of a portable device.

(b)~~(a)~~ The failure of an association to provide access to the records within 10 business days after receipt of a written request submitted by certified mail, return receipt requested, creates a rebuttable presumption that the association willfully failed to comply with this subsection.

(c)~~(b)~~ A member ~~who is~~ denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply with this subsection. The minimum damages are to be $50 per calendar day up to 10 days, the calculation to begin on the 11th business day after receipt of the written request.

(d) Any director or member of the board or association or a community association manager who knowingly, willfully, and repeatedly violates paragraph (a), with the intent of causing harm to the association or one or more of its members, commits a misdemeanor of the second

degree, punishable as provided in s. 775.082 or s. 775.083. For purposes of this paragraph, the term "repeatedly" means two or more violations within a 12-month period.

(e) Any person who knowingly and intentionally defaces or destroys accounting records during the period in which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(f) Any person who willfully and knowingly refuses to release or otherwise produce association records with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(g)~~(e)~~ The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not require a parcel owner to demonstrate any proper purpose for the inspection, state any reason for the inspection, or limit a parcel owner's right to inspect records to less than one 8-hour business day per month. The association may impose fees to cover the costs of providing copies of the official records, including the costs of copying and the costs required for personnel to retrieve and copy the records if the time spent retrieving and copying the records exceeds one-half hour and if the personnel costs do not exceed $20 per hour. Personnel costs may not be charged for records requests that result in the copying of 25 or fewer pages. The association may charge up to 25 cents per page for copies made on the association's photocopier. If the association does not have a photocopy machine available where the records are kept, or if the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside duplicating service and may charge the actual cost of copying, as supported by the vendor invoice. The association shall maintain an adequate number of copies of the recorded governing documents, to ensure their availability to members and prospective members. Notwithstanding this *subsection* ~~paragraph~~, the following records are not accessible to members or parcel owners:

1. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including, but not limited to, a record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

2. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.

3. Information an association obtains in a gated community in connection with guests' visits to parcel owners or community residents.

4. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an association or management company employee or budgetary or financial records that indicate the compensation paid to an association or management company employee.

5. Medical records of parcel owners or community residents.

6. Social security numbers, driver license numbers, credit card numbers, electronic mailing addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a parcel owner other than as provided for association notice requirements, and other personal identifying information of any person, excluding the person's name, parcel designation, mailing address, and property address. Notwithstanding the restrictions in this subparagraph, an association may print and distribute to parcel owners a directory containing the name, parcel address, and all telephone numbers of each parcel owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this subparagraph. The association is not liable for the disclosure of information that is protected under this subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

7. Any electronic security measure that is used by the association to safeguard data, including passwords.

8. The software and operating system used by the association which allows the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

9. All affirmative acknowledgments made pursuant to s. 720.3085(3)(c)3.

(h)~~(d)~~ The association or its authorized agent is not required to provide a prospective purchaser or lienholder with information about the residential subdivision or the association other than information or documents required by this chapter to be made available or disclosed. The association or its authorized agent may charge a reasonable fee to the prospective purchaser or lienholder or the current parcel owner or member for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder, other than that required by law, if the fee does not exceed $150 plus the reasonable cost of photocopying and any attorney fees incurred by the association in connection with the response.

(i) If an association receives a subpoena for records from a law enforcement agency, the association must provide a copy of such records or otherwise make the records available for inspection and copying to a law enforcement agency within 5 business days after receipt of the subpoena, unless otherwise specified by the law enforcement agency or subpoena. An association must assist a law enforcement agency in its investigation to the extent permissible by law.

(6) BUDGETS.—

(f) After one or more reserve accounts are established, the membership of the association, upon a majority vote at a meeting at which a quorum is present, may provide for no reserves or less reserves than required by this section. If a meeting of the *parcel* ~~unit~~ owners has been called to determine whether to waive or reduce the funding of reserves and such result is not achieved or a quorum is not present, the reserves as included in the budget go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves. Any vote taken pursuant to this subsection to waive or reduce reserves is applicable only to one budget year.

(7) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on the date provided in the bylaws, the association shall prepare and complete, or contract with a third party for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall, within the time limits set forth in subsection (5), provide each member with a copy of the annual financial report or a written notice that a copy of the financial report is available upon request at no charge to the member. Financial reports shall be prepared as follows:

(a) An association that meets the criteria of this paragraph shall prepare or cause to be prepared a complete set of financial statements in accordance with generally accepted accounting principles as adopted by the Board of Accountancy. The financial statements shall be based upon the association's total annual revenues, as follows:

1. An association with total annual revenues of $150,000 or more, but less than $300,000, shall prepare compiled financial statements.

2. An association with total annual revenues of at least $300,000, but less than $500,000, shall prepare reviewed financial statements.

3. An association with total annual revenues of $500,000 or more shall prepare audited financial statements.

4. An association with at least 1,000 parcels shall prepare audited financial statements, notwithstanding the association's total annual revenues.

(d) If approved by a majority of the voting interests present at a properly called meeting of the association, an association may prepare or cause to be prepared:

1. A report of cash receipts and expenditures in lieu of a compiled, reviewed, or audited financial statement;

2. A report of cash receipts and expenditures or a compiled financial statement in lieu of a reviewed or audited financial statement; or

3. A report of cash receipts and expenditures, a compiled financial statement, or a reviewed financial statement in lieu of an audited financial statement.

An association may not prepare a financial statement pursuant to this paragraph for consecutive fiscal years.

(13) DEBIT CARDS.—

(a) An association and its officers, directors, employees, and agents may not use a debit card issued in the name of the association, or billed directly to the association, for the payment of any association expenses.

(b) A person who uses a debit card issued in the name of the association, or billed directly to the association, for any expense that is not a lawful obligation of the association commits theft as provided under s. 812.014.

For the purposes of this subsection, the term "lawful obligation of the association" means an obligation that has been properly preapproved by the board and is reflected in the meeting minutes or the written budget.

(14) REQUIREMENT TO PROVIDE AN ACCOUNTING.—A parcel owner may make a written request to the board for a detailed accounting of any amounts he or she owes to the association related to the parcel, and the board shall provide such information within 15 business days after receipt of the written request. After a parcel owner makes such written request to the board, he or she may not request another detailed accounting for at least 90 calendar days. Failure by the board to respond within 15 business days to a written request for a detailed accounting constitutes a complete waiver of any outstanding fines of the person who requested such accounting which are more than 30 days past due and for which the association has not given prior written notice of the imposition of the fines.

Section 4. Subsections (1) and (3) and paragraph (a) of subsection (4) of section 720.3033, Florida Statutes, are amended to read:

720.3033 Officers and directors.—

(1)(a) Within 90 days after being elected or appointed to the board, each ~~director shall certify in writing to the secretary of the association that he or she has read the association's declaration of covenants, articles of incorporation, bylaws, and current written rules and policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. Within 90 days after being elected or appointed to the board, in lieu of such written certification, the newly elected or appointed~~ director *must* ~~may~~ submit a certificate of having satisfactorily completed the educational curriculum administered by a *department-approved* ~~division approved~~ education provider.

1. The newly elected or appointed director must complete the department-approved education for newly elected or appointed directors within 90 days after being elected or appointed.

2. The certificate of completion is valid for a up to 4 years.

3. A director must complete the education specific to newly elected or appointed directors at least every 4 years.

4. The department-approved educational curriculum specific to newly elected or appointed directors must include training relating to financial literacy and transparency, recordkeeping, levying of fines, and notice and meeting requirements.

5. In addition to the educational curriculum specific to newly elected or appointed directors:

a. A director of an association that has fewer than 2,500 parcels must complete at least 4 hours of continuing education annually.

b. A director of an association that has 2,500 parcels or more must complete at least 8 hours of continuing education annually ~~within 1 year before or 90 days after the date of election or appointment~~.

(b) ~~The written certification or educational certificate is valid for the uninterrupted tenure of the director on the board.~~ A director who does not timely file the ~~written certification or~~ educational certificate *is* ~~shall be~~ suspended from the board until he or she complies with the requirement. The board may temporarily fill the vacancy during the period of suspension.

(c) The association shall retain each director's ~~written certification or~~ educational certificate for inspection by the members for 5 years after the director's election. However, the failure to have the written certification or educational certificate on file does not affect the validity of any board action.

(d) The department shall adopt rules to implement and administer the educational curriculum and continuing education requirements under this subsection.

(3) An officer, a director, or a manager may not solicit, offer to accept, or accept *a kickback. As used in this subsection, the term "kickback" means* any thing or service of value for which consideration has not been provided for *an officer's, a director's, or a manager's* ~~his or her~~ benefit or for the benefit of a member of his or her immediate family from any person providing or proposing to provide goods or services to the association. An officer, a director, or a manager who knowingly solicits, offers to accept, or accepts *a* ~~any thing or service of value or~~ kickback *commits a felony of the third degree, punishable as provided in s. 775.082, 775.083, or s. 775.084, and* ~~for which consideration has not been provided for his or her own benefit or that of his or her immediate family from any person providing or proposing to provide goods or services to the association~~ is subject to monetary damages under s. 617.0834. If the board finds that an officer or a director has violated this subsection, the board *must* ~~shall~~ immediately remove the officer or director from office. The vacancy shall be filled according to law until the end of the officer's or director's term of office. However, an officer, a director, or a manager may accept food to be consumed at a business meeting with a value of less than $25 per individual or a service or good received in connection with trade fairs or education programs.

(4)(a) A director or an officer charged by information or indictment with any of the following crimes must be removed from office *and a vacancy declared*:

1. Forgery of a ballot envelope or voting certificate used in a homeowners' association election as provided in s. 831.01.

2. Theft or embezzlement involving the association's funds or property as provided in s. 812.014.

3. Destruction of or the refusal to allow inspection or copying of an official record of a homeowners' association which is accessible to parcel owners within the time periods required by general law, in furtherance of any crime. Such act constitutes tampering with physical evidence as provided in s. 918.13.

4. Obstruction of justice as provided in chapter 843.

5. Any criminal violation under this chapter.

Section 5. Subsections (1) and (4) of section 720.3035, Florida Statutes, are amended to read:

720.3035 Architectural control covenants; parcel owner improvements; rights and privileges.—

(1)*(a)* The authority of an association or any architectural, construction improvement, or other such similar committee of an associa-

tion to review and approve plans and specifications for the location, size, type, or appearance of any structure or other improvement on a parcel, or to enforce standards for the external appearance of any structure or improvement located on a parcel, shall be permitted only to the extent that the authority is specifically stated or reasonably inferred as to such location, size, type, or appearance in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants. *An association or any architectural, construction improvement, or similar committee of an association must reasonably and equitably apply and enforce on all parcel owners the architectural and construction improvement standards authorized by the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants.*

(b) An association or any architectural, construction improvement, or other such similar committee of an association may not enforce or adopt a covenant, rule, or guideline that:

1. Limits or places requirements on the interior of a structure that is not visible from the parcel's frontage or an adjacent parcel, an adjacent common area, or a community golf course.

2. Requires the review and approval of plans and specifications for a central air-conditioning, refrigeration, heating, or ventilating system by the association or any architectural, construction improvement, or other such similar committee of an association, if such system is not visible from the parcel's frontage, an adjacent parcel, an adjacent common area, or a community golf course and is substantially similar to a system that is approved or recommended by the association or a committee thereof.

(4)*(a)* Each parcel owner *is* ~~shall be~~ entitled to the rights and privileges set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants concerning the architectural use of the parcel, and the construction of permitted structures and improvements on the parcel. ~~and~~ Such rights and privileges *may* ~~shall~~ not be unreasonably infringed upon or impaired by the association or any architectural, construction improvement, or other such similar committee of the association. *If the association or any architectural, construction improvement, or other such similar committee of the association denies a parcel owner's request or application for the construction of a structure or other improvement on a parcel, the association or committee must provide written notice to the parcel owner stating with specificity the rule or covenant on which the association or committee relied when denying the request or application and the specific aspect or part of the proposed improvement that does not conform to such rule or covenant.*

(b) If the association or any architectural, construction improvement, or other such similar committee of the association should unreasonably, knowingly, and willfully infringe upon or impair the rights and privileges set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, the adversely affected parcel owner *is* ~~shall be~~ entitled to recover damages caused by such infringement or impairment, including any costs and reasonable *attorney* ~~attorney's~~ fees incurred in preserving or restoring the rights and privileges of the parcel owner set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants.

Section 6. Section 720.3045, Florida Statutes, is amended to read:

720.3045 Installation, display, and storage of items.—Regardless of any covenants, restrictions, bylaws, rules, or requirements of an association, and unless prohibited by general law or local ordinance, an association may not restrict parcel owners or their tenants from installing, displaying, or storing any items on a parcel which are not visible from the parcel's frontage or an adjacent parcel, *an adjacent common area, or a community golf course,* including, but not limited to, artificial turf, boats, flags, *vegetable gardens, clotheslines,* and recreational vehicles.

Section 7. Present paragraph (e) of subsection (2) of section 720.305, Florida Statutes, is redesignated as paragraph (f) and amended, a new paragraph (e) and paragraph (g) are added to that subsection, subsection (7) is added to that section, and paragraphs (b) and (d) of subsection (2) of that section are amended, to read:

720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.—

(2) An association may levy reasonable fines for violations of the declaration, association bylaws, or reasonable rules of the association. A fine may not exceed $100 per violation against any member or any member's tenant, guest, or invitee for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association unless otherwise provided in the governing documents. A fine may be levied by the board for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed $1,000 in the aggregate unless otherwise provided in the governing documents. A fine of less than $1,000 may not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to reasonable attorney fees and costs from the nonprevailing party as determined by the court.

(b) A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least 14 days' *written* notice *of the parcel owner's right to a hearing* to the parcel owner at his or her designated mailing or e-mail address in the association's official records and, if applicable, *to* any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended. *Such* ~~and a~~ hearing *must be held within 90 days after issuance of the notice* before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. *The committee may hold the hearing by telephone or other electronic means.* The notice must include a description of the alleged violation; the specific action required to cure such violation, if applicable; and the *hearing* date*,* ~~and~~ location*, and access information if held by telephone or other electronic means* ~~of the hearing~~. A parcel owner has the right to attend a hearing by telephone or other electronic means.

(d) *Within 7 days* after the hearing, the committee shall provide written notice to the parcel owner at his or her designated mailing or e-mail address in the association's official records and, if applicable, any occupant, licensee, or invitee of the parcel owner, of the committee's findings related to the violation, including any applicable fines or suspensions that the committee approved or rejected, and how the parcel owner or any occupant, licensee, or invitee of the parcel owner may cure the violation, if applicable*, or fulfill a suspension, or the date by which a fine must be paid*.

(e) If a violation has been cured before the hearing or in the manner specified in the written notice required in paragraph (b) or paragraph (d), a fine or suspension may not be imposed.

(f)~~(e)~~ If *a violation is not cured and* the proposed fine or suspension levied by the board is approved by the committee by a majority vote, the *committee must set a date by which the fine must be paid, which date must be at least 30 days after delivery of the written notice required in paragraph (d). Attorney fees and costs may not be awarded against the parcel owner based on actions taken by the board before the date set for the fine to be paid.*

(g) If a violation and the proposed fine or suspension levied by the board is approved by the committee and the violation is not cured or the fine is not paid per the written notice required in paragraph (d), reasonable attorney fees and costs may be awarded to the association. Attorney fees and costs may not begin to accrue until after the date noticed for payment under paragraph (d) and the time for an appeal has expired.

(7) Notwithstanding any provision to the contrary in an association's governing documents, an association may not levy a fine or impose a suspension for any of the following:

(a) Leaving garbage receptacles at the curb or end of the driveway within 24 hours before or after the designated garbage collection day or time.

(b) Leaving holiday decorations or lights on a structure or other improvement on a parcel longer than indicated in the governing documents, unless such decorations or lights are left up for longer than 1 week after the association provides written notice of the violation to the parcel owner ~~fine payment is due 5 days after notice of the approved fine required under paragraph (d) is provided to the parcel owner and, if~~

~~applicable, to any occupant, licensee, or invitee of the parcel owner. The association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any occupant, licensee, or invitee of the parcel owner~~.

Section 8. Section 720.3065, Florida Statutes, is amended to read:

720.3065 Fraudulent voting activities relating to association elections; penalties.—

(1) A person who engages in ~~Each of~~ the following acts *of* ~~is a~~ fraudulent voting activity relating to association elections *commits* ~~and constitutes~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083:

(a)~~(1)~~ Willfully and falsely swearing to or affirming an oath or affirmation, or willfully procuring another person to falsely swear to or affirm an oath or affirmation, in connection with or arising out of voting activities.

(b)~~(2)~~ Perpetrating or attempting to perpetrate, or aiding in the perpetration of, fraud in connection with a vote cast, to be cast, or attempted to be cast.

(c)~~(3)~~ Preventing a member from voting or preventing a member from voting as he or she intended by fraudulently changing or attempting to change a ballot, ballot envelope, vote, or voting certificate of the member.

(d)~~(4)~~ Menacing, threatening, or using bribery or any other corruption to attempt, directly or indirectly, to influence, deceive, or deter a member when the member is voting.

(e)~~(5)~~ Giving or promising, directly or indirectly, anything of value to another member with the intent to buy the vote of that member or another member or to corruptly influence that member or another member in casting his or her vote. This *paragraph* ~~subsection~~ does not apply to any food served which is to be consumed at an election rally or a meeting or to any item of nominal value which is used as an election advertisement, including a campaign message designed to be worn by a member.

(f)~~(6)~~ Using or threatening to use, directly or indirectly, force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel a member to vote or refrain from voting in an election or on a particular ballot measure.

(2) Each of the following acts constitutes a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083:

(a) Knowingly aiding, abetting, or advising a person in the commission of a fraudulent voting activity related to association elections.

(b) Agreeing, conspiring, combining, or confederating with at least one other person to commit a fraudulent voting activity related to association elections.

(c) Having knowledge of a fraudulent voting activity related to association elections and giving any aid to the offender with intent that the offender avoid or escape detection, arrest, trial, or punishment.

This subsection does not apply to a licensed attorney giving legal advice to a client.

Section 9. Subsection (3) of section 720.3075, Florida Statutes, is amended, and paragraph (c) is added to subsection (4) of that section, to read:

720.3075 Prohibited clauses in association documents.—

(3) Homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude*:*

(a) The display of up to two portable, removable flags as described in s. 720.304(2)(a) by property owners. However, all flags must be displayed in a respectful manner consistent with the requirements for the United States flag under 36 U.S.C. chapter 10.

(b) A property owner or a tenant, a guest, or an invitee of the property owner from parking his or her personal vehicle, including a pickup truck, in the property owner's driveway, or in any other area at which the property owner or the property owner's tenant, guest, or invitee has a right to park as governed by state, county, and municipal regulations. The homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not prohibit, regardless of any official insignia or visible designation, a property owner or a tenant, a guest, or an invitee of the property owner from parking his or her work vehicle, which is not a commercial motor vehicle as defined in s. 320.01(25), in the property owner's driveway.

(c) A property owner from inviting, hiring, or allowing entry to a contractor or worker on the owner's parcel solely because the contractor or worker is not on a preferred vendor list of the association. Additionally, homeowners' association documents may not preclude a property owner from inviting, hiring, or allowing entry to a contractor or worker on his or her parcel solely because the contractor or worker does not have a professional or an occupational license. The association may not require a contractor or worker to present or prove possession of a professional or an occupational license to be allowed entry onto a property owner's parcel.

(d) Operating a vehicle that is not a commercial motor vehicle as defined in s. 320.01(25) in conformance with state traffic laws, on public roads or rights-of-way or the property owner's parcel.

Section 10. Subsection (3) of section 720.3085, Florida Statutes, are amended to read:

720.3085 Payment for assessments; lien claims.—

(3) Assessments and installments on assessments that are not paid when due bear interest from the due date until paid at the rate provided in the declaration of covenants or the bylaws of the association, which rate may not exceed the rate allowed by law. If no rate is provided in the declaration or bylaws, *simple* interest accrues at the rate of 18 percent per year. *Notwithstanding the declaration or bylaws, compound interest may not accrue on assessments and installments on assessments that are not paid when due.*

(a) If the declaration or bylaws so provide, the association may also charge an administrative late fee not to exceed the greater of $25 or 5 percent of the amount of each installment that is paid past the due date.

(b) Any payment received by an association and accepted shall be applied first to any interest accrued, then to any administrative late fee, then to any costs and reasonable attorney fees incurred in collection, and then to the delinquent assessment. This paragraph applies notwithstanding any restrictive endorsement, designation, or instruction placed on or accompanying a payment. A late fee is not subject to the provisions of chapter 687 and is not a fine. The foregoing is applicable notwithstanding s. 673.3111, any purported accord and satisfaction, or any restrictive endorsement, designation, or instruction placed on or accompanying a payment. The preceding sentence is intended to clarify existing law.

(c)1. If an association sends out an invoice for assessments or a parcel's statement of the account described in *s. 720.303(4)(a)10.b.* ~~s. 720.303(4)(j)2.~~, the invoice for assessments or the parcel's statement of account must be delivered to the parcel owner by first-class United States mail or by electronic transmission to the parcel owner's e-mail address maintained in the association's official records.

2. Before changing the method of delivery for an invoice for assessments or the statement of the account, the association must deliver a written notice of such change to each parcel owner. The written notice must be delivered to the parcel owner at least 30 days before the association sends the invoice for assessments or the statement of the account by the new delivery method. The notice must be sent by first-class United States mail to the owner at his or her last address as reflected in the association's records and, if such address is not the parcel address, must be sent by first-class United States mail to the parcel address. Notice is deemed to have been delivered upon mailing as required by this subparagraph.

3. A parcel owner must affirmatively acknowledge his or her understanding that the association will change its method of delivery of

the invoice for assessments or the statement of the account before the association may change the method of delivering an invoice for assessments or the statement of account. The parcel owner may make the affirmative acknowledgment electronically or in writing.

(d) An association may not require payment of attorney fees related to a past due assessment without first delivering a written notice of late assessment to the parcel owner which specifies the amount owed the association and provides the parcel owner an opportunity to pay the amount owed without the assessment of attorney fees. The notice of late assessment must be sent by first-class United States mail to the owner at his or her last address as reflected in the association's records and, if such address is not the parcel address, must also be sent by first-class United States mail to the parcel address. Notice is deemed to have been delivered upon mailing as required by this paragraph. A rebuttable presumption that an association mailed a notice in accordance with this paragraph is established if a board member, officer, or agent of the association, or a manager licensed under part VIII of chapter 468, provides a sworn affidavit attesting to such mailing. The notice must be in substantially the following form:

NOTICE OF LATE ASSESSMENT

RE: Parcel .... of ...(name of association)...

The following amounts are currently due on your account to ...(name of association)..., and must be paid within 30 days after the date of this letter. This letter shall serve as the association's notice to proceed with further collection action against your property no sooner than 30 days after the date of this letter, unless you pay in full the amounts set forth below:

Maintenance due ...(dates)... $.....

Late fee, if applicable $.....

Interest through ...(dates)...* $.....

TOTAL OUTSTANDING $.....

*Interest accrues at the rate of .... percent per annum.

Section 11. Section 720.317, Florida Statutes, is amended to read:

720.317 Electronic voting.—

(1) The association may conduct elections and other membership votes through an Internet-based online voting system if a member consents, *electronically or* in writing, to online voting and if the following requirements are met:

(a)~~(1)~~ The association provides each member with:

1.~~(a)~~ A method to authenticate the member's identity to the online voting system.

2.~~(b)~~ A method to confirm, at least 14 days before the voting deadline, that the member's electronic device can successfully communicate with the online voting system.

3.~~(c)~~ A method that is consistent with the election and voting procedures in the association's bylaws.

(b)~~(2)~~ The association uses an online voting system that is:

1.~~(a)~~ Able to authenticate the member's identity.

2.~~(b)~~ Able to authenticate the validity of each electronic vote to ensure that the vote is not altered in transit.

3.~~(c)~~ Able to transmit a receipt from the online voting system to each member who casts an electronic vote.

4.~~(d)~~ Able to permanently separate any authentication or identifying information from the electronic election ballot, rendering it impossible to tie an election ballot to a specific member. This *subparagraph* ~~paragraph~~ only applies if the association's bylaws provide for secret ballots for the election of directors.

5.~~(e)~~ Able to store and keep electronic ballots accessible to election officials for recount, inspection, and review purposes.

(2)~~(3)~~ A member voting electronically pursuant to this section shall be counted as being in attendance at the meeting for purposes of determining a quorum.

(3)~~(4)~~ This section applies to an association that provides for and authorizes an online voting system pursuant to this section by a board resolution. The board resolution must provide that members receive notice of the opportunity to vote through an online voting system, must establish reasonable procedures and deadlines for members to consent, *electronically or* in writing, to online voting, and must establish reasonable procedures and deadlines for members to opt out of online voting after giving consent. Written notice of a meeting at which the board resolution regarding online voting will be considered must be mailed, delivered, or electronically transmitted to the unit owners and posted conspicuously on the condominium property or association property at least 14 days before the meeting. Evidence of compliance with the 14-day notice requirement must be made by an affidavit executed by the person providing the notice and filed with the official records of the association.

(4)~~(5)~~ A member's consent to online voting is valid until the member opts out of online voting pursuant to the procedures established by the board of administration *under subsection (3)* ~~pursuant to subsection (4)~~.

(5)~~(6)~~ This section may apply to any matter that requires a vote of the members.

Section 12. Section 720.318, Florida Statutes, is amended to read:

720.318 *First responder* ~~Law enforcement~~ vehicles.—An association may not prohibit a *first responder* ~~law enforcement officer~~, as defined in *s. 112.1815(1)* ~~s. 943.10(1)~~, who is a parcel owner, or who is a tenant, guest, or invitee of a parcel owner, from parking his or her assigned *first responder* ~~law enforcement~~ vehicle in an area where the parcel owner, or the tenant, guest, or invitee of the parcel owner, otherwise has a right to park*, including on public roads or rights-of-way*.

Section 13. This act shall take effect July 1, 2024.

And the title is amended as follows:

Delete everything before the enacting clause and insert: 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.; requiring certain community association managers to take a specific number of hours of continuing education biennially; amending s. 720.303, F.S.; requiring that official records of a homeowners' association be maintained for a certain number of years; requiring certain associations to post certain documents on its website or make available such documents through an application by a date certain; providing requirements for an association's website or application; requiring an association to provide certain information to parcel owners upon 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; defining the term "repeatedly"; 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 that certain associations prepare audited financial statements; prohibiting associations from preparing financial statements for consecutive years; prohibiting an association and certain persons from using specified debit cards for payment of association expenses; providing a criminal penalty; defining the term "lawful obligation of the association"; requiring a detailed accounting of amounts due to the association be given to certain persons within a certain timeframe upon written request; limiting how often certain persons may request from the board a detailed accounting; providing for a waiver of outstanding fines which are more than a specified timeframe past due under certain circumstances; making technical changes; amending s. 720.3033, F.S.; providing education requirements for newly elected or appointed directors; providing requirements for the educational curriculum; requiring certain directors to complete a certain number of hours of continuing education annually;

requiring the Department of Business and Professional Regulation to adopt certain rules; defining the term "kickback"; providing criminal penalties for certain actions by an officer, a director, or a manager of an association; providing that a vacancy is declared if a director or an officer is charged by information or indictment with certain crimes; making technical changes; amending s. 720.3035, F.S.; requiring an association or any architectural, construction improvement, or other such similar committee of an association to apply and enforce certain standards reasonably and equitably; prohibiting an association or certain committees of the association from enforcing or adopting certain covenants, rules, or guidelines; requiring an association or any architectural, construction improvement, or other such similar committee of an association to provide certain written notice to a parcel owner; amending s. 720.3045, F.S.; authorizing parcel owners or their tenants to install, display, or store clotheslines and vegetable gardens under certain circumstances; conforming to a provision made by this act; amending s. 720.305, F.S.; specifying the manner in which fines, suspensions, attorney fees, and costs are determined; requiring that certain notices be provided to parcel owners and, if applicable, an occupant, a licensee, or an invitee of the parcel owner; requiring that certain hearings be held within a specified timeframe and authorizing such hearings to be held by telephone or other electronic means; prohibiting a fine or suspension from being imposed if a violation has been cured before the hearing; requiring the committee to set a hearing no later than a specified timeframe if a violation is not cured; prohibiting attorney fees and costs from being awarded against a parcel owner based on certain actions by the board before the date the fine is to be paid; prohibiting an association from levying a fine or imposing a suspension for certain actions; amending s. 720.3065, F.S.; providing criminal penalties for certain voting violations; providing applicability; making technical changes; amending s. 720.3075, F.S.; prohibiting certain homeowners' association documents from precluding property owners from taking, limiting, or requiring certain actions; amending s. 720.3085, F.S.; specifying when a lien is effective for mortgages of record; deleting provisions relating to the priority of certain liens, mortgages, or certified judgments; specifying that simple interest accrues on assessments and installments on assessments that are not paid when due; providing that assessments and installments on assessments may not accrue compound interest; amending s. 720.317, F.S.; authorizing a member to consent electronically to online voting if certain conditions are met; amending s. 720.318, F.S.; authorizing a law enforcement officer to park his or her assigned law enforcement vehicle on public roads and rights-of-way; providing an effective date.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 1203**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 1622—A bill to be entitled An act relating to insurance; amending s. 624.3161, F.S.; revising the entities for which the Office of Insurance Regulation is required to conduct market conduct examinations; amending s. 624.424, F.S.; beginning on a specified date, requiring insurers and insurer groups to file a specified supplemental report on a monthly basis; requiring that such report include certain information for each zip code; amending s. 624.4305, F.S.; authorizing the Financial Services Commission to adopt rules related to notice of nonrenewal of residential property insurance policies; amending s. 624.46226, F.S.; revising the requirements for public housing authority self-insurance funds; amending s. 626.9201, F.S.; prohibiting insurers from canceling or nonrenewing certain insurance policies under certain circumstances; providing exceptions; providing construction; authorizing the commission to adopt rules and the Commissioner of Insurance Regulation to issue orders; amending s. 627.062, F.S.; specifying requirements for rate filings if certain models are used; amending s. 627.351, F.S.; revising requirements for certain policies that are not subject to certain rate increase limitations; amending s. 627.7011, F.S.; revising the definition of the term "authorized inspector"; amending s. 628.011, F.S.; conforming provisions to changes made by the act; amending s. 628.061, F.S.; conforming a provision to changes made by the act; revising the persons that the office is required to investigate in connection with a proposal to organize or incorporate a domestic insurer; amending s. 628.801, F.S.; revising requirements for rules adopted for insurers that are members of an insurance holding company; deleting an obsolete date; authorizing the commission to adopt rules; amending s. 629.011, F.S.; defining terms; repealing s. 629.021, F.S., relating to the definition of the term "reciprocal insurer"; repealing s. 629.061, F.S., relating to the term "attorney"; amending s. 629.081, F.S.; revising the procedure for persons to organize as a domestic reciprocal insurer; specifying requirements for the permit application; requiring that the application be accompanied by a specified fee and other pertinent information and documents; requiring the office to evaluate and grant or deny the permit application in accordance with specified provisions; amending s. 629.091, F.S.; providing that a domestic reciprocal insurer may seek a certificate of authority only under certain circumstances; providing requirements for an application for a certificate of authority to operate as a domestic reciprocal insurer; requiring the office to grant authorization to issue nonassessable policies under certain circumstances; requiring that a certificate of authority be issued in the name of the reciprocal insurer to its attorney in fact; creating s. 629.094, F.S.; requiring a domestic reciprocal insurer to meet certain requirements to maintain its eligibility for a certificate of authority; amending s. 629.101, F.S.; revising requirements for the power of attorney given by subscribers of a domestic reciprocal insurer to its attorney in fact; requiring that such power of attorney contain certain provisions; creating s. 629.225, F.S.; providing applicability; prohibiting persons from concluding a tender offer or exchange offer or acquiring securities of certain attorneys in fact and controlling companies of certain attorneys in fact; providing an exception; providing applicability; authorizing certain persons to request that the office waive certain requirements; providing that the office may waive certain requirements if specified determinations are made; specifying the requirements of an application to the office relating to certain acquisitions; requiring that such application be accompanied by a specified fee; requiring that amendments be filed with the office under certain circumstances; specifying the manner in which the acquisition application must be reviewed; authorizing the office, and requiring the office if a request for a proceeding is filed, to conduct a proceeding within a specified timeframe to consider the appropriateness of such application; requiring that certain time periods be tolled; requiring that written requests for a proceeding be filed within a certain timeframe; authorizing certain persons to take all steps to conclude the acquisition during the pendency of the proceeding or review period; requiring the office to order a proposed acquisition disapproved and that actions to conclude the acquisition be ceased under certain circumstances; prohibiting certain persons from making certain changes during the pendency of the office's review of an acquisition; providing an exception; defining the terms "material change in the operation of the attorney in fact" and "material change in the management of the attorney in fact"; requiring the office to approve or disapprove certain changes upon making certain findings; requiring that a proceeding be conducted within a certain timeframe; requiring that recommended orders and final orders be issued within a certain timeframe; specifying the circumstances under which the office may disapprove an acquisition; specifying that certain persons have the burden of proof; requiring the office to approve an acquisition upon certain findings; specifying that certain votes are not valid and that certain acquisitions are void; specifying that certain provisions may be enforced by an injunction; creating a private right of action in favor of the attorney in fact or the controlling company to enforce certain provisions; providing that a certain demand upon the office is not required before certain legal actions; providing that the office is not a necessary party to certain actions; specifying the persons who are deemed designated for service of process and who have submitted to the administrative jurisdiction of the office; providing that approval by the office

does not constitute a certain recommendation; providing that certain actions are unlawful; providing criminal penalties; providing a statute of limitations; authorizing a person to rebut a presumption of control by filing certain disclaimers; specifying the contents of such disclaimer; specifying that, after a disclaimer is filed, the attorney in fact is relieved of a certain duty; authorizing the office to order certain persons to cease acquisition of the attorney in fact or controlling company and divest themselves of any stock or ownership interest under certain circumstances; requiring the office to suspend or revoke the reciprocal certificate of authority under certain circumstances; creating s. 629.227, F.S.; specifying the information as to the background and identity of certain persons which must be furnished by such persons; creating s. 629.229, F.S.; prohibiting certain persons who served in certain capacities before a specified date from serving in certain other roles or having certain control over certain selections; providing an exception; amending s. 629.261, F.S.; requiring the office to revoke certain authorization under certain circumstances; prohibiting insurers subject to such action from issuing or renewing nonassessable policies or converting assessable policies to nonassessable policies; providing that specified provisions apply to such insurers; deleting provisions regarding the office's authority to issue a certificate authorizing the insurer to extinguish the contingent liability of subscribers; deleting a prohibition regarding the office's authorization to extinguish the contingent liability of certain subscribers; amending s. 629.291, F.S.; providing that certain insurers that merge are governed by the insurance code; prohibiting domestic stock insurers from being converted to reciprocal insurers; requiring that specified plans be filed with the office and that such plans contain certain information; deleting a provision regarding a stock or mutual insurer's capital and surplus requirements and rights; authorizing the conversion of assessable reciprocal insurers to nonassessable reciprocal insurers under certain circumstances; creating s. 629.525, F.S.; requiring the commission to adopt, amend, or repeal certain rules; amending ss. 163.01 and 626.9531, F.S.; conforming cross-references; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1622**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1611** was withdrawn from the Committee on Rules.

On motion by Senator Trumbull—

CS for CS for HB 1611—A bill to be entitled An act relating to insurance; amending s. 624.3161, F.S.; revising the entities for which the Office of Insurance Regulation is required to conduct market conduct examinations; amending s. 624.424, F.S.; requiring insurers and insurer groups to file a specified supplemental report on a monthly basis; requiring that such report include certain information for each zip code; amending s. 624.4305, F.S.; authorizing the Financial Services Commission to adopt rules relating to notice of nonrenewal of residential property insurance policies; amending s. 624.462, F.S.; authorizing a group of nursing homes and assisted living facilities to organize a commercial self-insurance fund; amending s. 624.46226, F.S.; revising the requirements for public housing authority self-insurance funds; amending s. 626.9201, F.S.; prohibiting insurers from canceling and nonrenewing policies covering dwellings and residential properties damaged as a result hurricanes or wind losses within certain timeframes; providing exceptions to prohibitions against insurers' policy cancellations and nonrenewals within certain timeframes under certain circumstances; providing construction; authorizing the Financial Services Commission to adopt rules and the Commissioner of Insurance Regulation to issue orders; amending s. 627.062, F.S.; specifying requirements for rate filings if certain models are used; amending s. 627.351, F.S.; revising requirements for certain policies issued by Citizens Property Insurance Corporation which are not subject to certain rate increase limitations; amending s. 627.4133, F.S.; prohibiting eligible surplus lines insurers from canceling and nonrenewing policies covering dwellings and residential properties damaged by covered perils within certain timeframes; revising circumstances and timeframes under which authorized insurers are prohibited from canceling and nonrenewing policies covering dwellings and residential properties damaged by covered perils within certain timeframes; providing exceptions to such prohibitions against eligible surplus lines insurers within certain timeframes; revising exceptions to such prohibitions against authorized insurers within certain timeframes; revising conditions under which a structure is deemed to be repaired; revising the definition of the term "insurer" to include eligible surplus lines insurers; defining the term "damage"; authorizing the commissioner to issue orders under certain circumstances; providing applicability; amending s. 627.7011, F.S.; revising the definition of the term "authorized inspector" to include licensed roofing contractors for the purpose of homeowners' insurance policies; amending ss. 628.011 and 628.061, F.S.; conforming provisions to changes made by the act; amending s. 628.801, F.S.; revising requirements for rules adopted for insurers that are members of an insurance holding company; deleting an obsolete date; authorizing the office to adopt rules; amending s. 629.011, F.S.; defining terms; repealing s. 629.021, F.S., relating to the definition of the term "reciprocal insurer"; repealing s. 629.061, F.S., relating to attorney; amending s. 629.081, F.S.; revising the procedure for persons to organize as a domestic reciprocal insurer; specifying requirements for the permit application; requiring that the application be accompanied by a specified fee; requiring that the office evaluate and grant or deny the permit application in accordance with specified provisions; removing the requirement that a specified declaration be acknowledged by an attorney; amending s. 629.091, F.S.; providing requirements for the application for a certificate of authority to operate as a domestic reciprocal insurer; requiring the office to grant the authorization for reciprocal insurers to issue nonassessable policies under certain circumstances; requiring that certificates of authority be issued in the name of the reciprocal insurer to its attorney in fact; creating s. 629.094, F.S.; requiring a domestic reciprocal insurer to meet certain requirements to maintain its eligibility for a certificate of authority; amending s. 629.101, F.S.; revising requirements for the power of attorney given by subscribers of a domestic reciprocal insurer to the attorney in fact; conforming provisions to changes made by the act; creating s. 629.225, F.S.; prohibiting persons from acquiring certain securities or ownership interests of certain attorneys in fact and controlling companies of certain attorneys in fact; providing an exception; authorizing certain persons to request that the office waive certain requirements; providing that the office may waive certain requirements if specified determinations are made; specifying the requirements of an application to the office relating to certain acquisitions; requiring that such application be accompanied by a specified fee; requiring that amendments be filed with the office under certain circumstances; specifying the manner in which the acquisition application must be reviewed; authorizing the office, and requiring the office if a request for a proceeding is filed, to conduct a proceeding within a specified timeframe to consider the appropriateness of such application; requiring that certain time periods be tolled; requiring that written requests for a proceeding be filed within a certain timeframe; authorizing certain persons to take all steps to conclude the acquisition during the pendency of the proceeding or review period; requiring the office to order a proposed acquisition disapproved and that actions to conclude the acquisition be ceased under certain circumstances; prohibiting certain persons from making certain changes during the pendency of the office's review of an acquisition; providing an exception; defining the terms "material change in the operation of the attorney in fact" and "material change in the management of the attorney in fact"; requiring the office to approve or disapprove certain changes upon making certain findings; requiring that a proceeding be conducted within a certain timeframe; requiring that recommended orders and final orders be issued within a certain timeframe; specifying the circumstances under which the office may disapprove an acquisition; specifying that certain persons have the burden of proof; requiring the office to approve an acquisition upon certain findings; specifying that certain votes are not valid and that certain acquisitions are void; specifying that certain provisions may be enforced by an injunction; creating a private right of action in favor of the attorney in fact or the controlling company to enforce certain provisions; providing that a certain demand upon the office is not required before certain legal actions; providing that the office is not a necessary party to certain actions; specifying the persons who are deemed designated for service of process and who have submitted to the administrative jurisdiction of the office; providing that approval by the office does not constitute a certain recommendation; providing that certain actions are unlawful; providing criminal penalties; providing a statute of limitations; authorizing a person to rebut a presumption of control by filing certain disclaimers; specifying the contents of such disclaimer; specifying that, after a disclaimer is filed, the attorney in fact is relieved of a certain duty; authorizing the office to order certain persons to cease acquisition of the attorney in fact or controlling company and divest themselves of any stock or ownership interest under certain circumstances; requiring the office to suspend or revoke the reciprocal certificate of authority under certain circumstances; specifying that the attorney in fact is deemed to be hazardous to its policyholders if the reciprocal insurer is

subject to suspension or revocation; authorizing the office to offer the reciprocal insurer the ability to cure any suspension or revocation under certain circumstances; providing applicability; creating s. 629.227, F.S.; specifying the information as to the background and identity of certain persons which must be furnished by such persons; creating s. 629.229, F.S.; prohibiting certain persons from serving in specified positions of reciprocal insurers or insurers under certain circumstances; amending s. 629.261, F.S.; removing provisions relating to certain authorizations for reciprocal insurers; prohibiting reciprocal insurers from issuing or renewing nonassessable policies or converting assessable policies to nonassessable policies under certain circumstances; providing applicability; amending s. 629.291, F.S.; providing that certain insurers that merge are governed by the insurance code; prohibiting domestic stock insurers from converting to reciprocal insurers; requiring that specified plans be filed with the office and that such plans contain certain information; authorizing the conversion of assessable reciprocal insurers to nonassessable reciprocal insurers under certain circumstances; providing certain procedures when certain reciprocal insurers convert; authorizing reciprocal insurers to issue contingent liability policies in another state under certain circumstances; creating s. 629.525, F.S.; requiring the commission to adopt, amend, or repeal certain rules; amending ss. 163.01 and 626.9531, F.S.; conforming provisions to changes made by the act; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1622** and read the second time by title.

Senator Trumbull moved the following amendments which were adopted:

Amendment 1 (570148) (with title amendment)—Delete lines 250-297.

And the title is amended as follows:

Delete lines 12-15 and insert: property insurance policies; amending s. 624.46226, F.S.;

Amendment 2 (717574) (with title amendment)—Between lines 1347 and 1348 insert:

Section 26. Paragraph (c) of subsection (10) of section 766.302, Florida Statutes, is amended to read:

766.302 Definitions; ss. 766.301-766.316.—As used in ss. 766.301-766.316, the term:

(10) "Family residential or custodial care" means care normally rendered by trained professional attendants which is beyond the scope of child care duties, but which is provided by family members. Family members who provide nonprofessional residential or custodial care may not be compensated under this act for care that falls within the scope of child care duties and other services normally and gratuitously provided by family members. Family residential or custodial care shall be performed only at the direction and control of a physician when such care is medically necessary. Reasonable charges for expenses for family residential or custodial care provided by a family member shall be determined as follows:

~~(c) The award of family residential or custodial care as defined in this section shall not be included in the current estimates for purposes of s. 766.314(9)(c).~~

Section 27. Paragraph (c) of subsection (9) of section 766.314, Florida Statutes, is amended to read:

766.314 Assessments; plan of operation.—

(9)

(c) If the total of all current estimates equals *or exceeds 100* ~~80~~ percent of the funds on hand and the funds that will become available to the association within the next 12 months from all sources described in *subsection* ~~subsections~~ (4) and *paragraph (5)(a)* ~~(5) and paragraph (7)(a)~~, the association may not accept any new claims without express authority from the Legislature. ~~Nothing in~~ This section *does not preclude* ~~precludes~~ the association from accepting any claim if the injury occurred 18 months or more before the effective date of this suspension. Within 30 days after the effective date of this suspension, the association shall notify the Governor, the Speaker of the House of Representatives, the President of the Senate, the Office of Insurance Regulation, the Agency for Health Care Administration, and the Department of Health of this suspension.

Section 28. *The Florida Birth-Related Neurological Injury Compensation Association shall, in consultation with the Office of Insurance Regulation and the Agency for Health Care Administration, provide a report to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by September 1, 2024, which must include, but is not limited to, all of the following recommendations for:*

(1) Defining actuarial soundness for the association, including options for phase-in, if appropriate.

(2) Timing of reporting actuarial soundness and to whom it should be reported.

(3) Ensuring a revenue level to maintain actuarial soundness, including options for phase-in, if appropriate.

And the title is amended as follows:

Delete line 183 and insert: adopt, amend, or repeal certain rules; amending s. 766.302, F.S.; revising the manner in which reasonable charges for expenses for family residential or custodial care are determined; amending s. 766.314, F.S.; revising the prohibition relating to the Florida Birth-Related Neurological Injury Compensation Plan accepting new claims; requiring the Florida Birth-Related Neurological Injury Compensation Association, in consultation with specified entities, to submit, by a specified date, a specified report to the Governor, the Chief Financial Officer, and the Legislature; specifying requirements for the report; amending ss.

On motion by Senator Trumbull, by two-thirds vote, **CS for CS for HB 1611**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 558—A bill to be entitled An act relating to homeless service professionals; amending s. 420.621, F.S.; defining the term "person with lived experience"; creating s. 420.6241, F.S.; providing legislative findings and intent; providing qualifications for certification as a person with lived experience; requiring the Department of Children and Families to conduct background screening; specifying disqualifying offenses for a person applying for certification; authorizing a person who does not meet background screening requirements to request an exemption from disqualification from the department; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 558**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 975** was withdrawn from the Committee on Fiscal Policy.

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

CS for CS for HB 975—A bill to be entitled An act relating background screenings and certifications; amending s. 420.621, F.S.; defining the term "person with lived experience"; creating s. 420.6241, F.S.; providing legislative intent; providing qualifications for a person seeking certification as a person with lived experience; requiring continuum of care lead agencies to submit certain information to the Department of Children and Families for purposes of background screening; providing duties of the department; prescribing screening requirements; specifying disqualifying offenses for a person applying for certification; authorizing a person who does not meet background screening requirements to apply to the department for an exemption from disqualification; requiring the department to accept or reject such application within a specified time; amending s. 456.0135, F.S.; expanding certain background screening requirements to apply to all health care practitioners, rather than specified practitioners; requiring health care practitioners licensed before a specified date to comply with certain background screening requirements upon licensure renewal that takes place after a specified date; prohibiting the Department of Health from renewing health care practitioner licenses in certain circumstances beginning on a specified date; amending ss. 457.105, 463.006, 465.007, 465.0075, 465.013, 465.014, 466.006, 466.0067, 466.007, 467.011, 468.1185, 468.1215, 468.1695, 468.209, 468.213, 468.355, 468.358, 468.509, 468.513, 468.803, 478.45, 483.815, 483.901, 483.914, 484.007, 484.045, 486.031, 486.102, 490.005, 490.0051, 490.006, 491.0045, 491.0046, 491.005, and 491.006, F.S.; revising licensure, registration, or certification requirements, as applicable, for acupuncturists; optometrists; pharmacists; pharmacist licenses by endorsement; registered pharmacy interns; pharmacy technicians; dentists; health access dental licenses; dental hygienists; midwives; speech-language pathologists and audiologists; speech-language pathology assistants and audiology assistants; nursing home administrators; occupational therapists and occupational therapy assistants; occupational therapist and occupational therapy assistant licenses by endorsement; respiratory therapists; respiratory therapist licenses by endorsement; dietitian/nutritionists; dietitian/nutritionist licenses by endorsement; practitioners of orthotics, prosthetics, or pedorthics; electrologists; clinical laboratory personnel; medical physicists; genetic counselors; opticians; hearing aid specialists; physical therapists; physical therapist assistants; psychologists and school psychologists; provisional licenses for psychologists; psychologist and school psychologist licenses by endorsement; intern registrations for clinical social work, marriage and family therapy, and mental health counseling; provisional licenses for clinical social workers, marriage and family therapists, and mental health counselors; clinical social workers, marriage and family therapists, and mental health counselors; and clinical social worker, marriage and family therapist, and mental health counselor licenses by endorsement, respectively, to include background screening requirements; making conforming and technical changes; amending ss. 468.505, 486.025, 486.0715, 486.1065, and 491.003, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **SB 558** and read the second time by title.

Senator Grall moved the following amendment:

Amendment 1 (639998) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective July 1, 2024, present subsection (6) of section 420.621, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

420.621 Definitions.—As used in ss. 420.621-420.628, the term:

(6) "Person with lived experience" means any person with current or past experience of homelessness, as defined in 24 C.F.R. s. 578.3, including persons who have accessed or sought homeless services while fleeing domestic violence.

Section 2. Effective July 1, 2024, section 420.6241, Florida Statutes, is created to read:

420.6241 Persons with lived experience.—

(1) LEGISLATIVE INTENT.—The Legislature finds that the ability to provide adequate homeless services is limited due to a shortage of professionals and paraprofessionals in the field. Persons with lived experience of homelessness are uniquely qualified to provide effective support services because they share common life experiences with the persons they assist. A person with lived experience may have a criminal history that prevents him or her from meeting background screening requirements.

(2) QUALIFICATIONS.—A person may seek certification as a person with lived experience if he or she has received homeless services. A continuum of care lead agency serving the homeless must include documentation of the homeless services such person received when requesting a background check of the applicant.

(3) DUTIES OF THE DEPARTMENT.—The department shall ensure that an applicant's background screening required to achieve certification is conducted as provided in subsection (4).

(4) BACKGROUND SCREENING.—

(a) The background screening conducted under this subsection must ensure that the qualified applicant has not, during the preceding 3 years, been arrested for and is not awaiting final disposition of, has not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has not been adjudicated delinquent and the record has been sealed or expunged for, any felony.

(b) The background screening conducted under this subsection must ensure that the qualified applicant has not been arrested for and is not awaiting final disposition of, has not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has not been adjudicated delinquent and the record has been sealed or expunged for, any offense prohibited under any of the following state laws or similar laws of another jurisdiction:

1. Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

2. Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

3. Section 409.920, relating to Medicaid provider fraud, if the offense is a felony of the first or second degree.

4. Section 415.111, relating to criminal penalties for abuse, neglect, or exploitation of vulnerable adults.

5. Any offense that constitutes domestic violence, as defined in s. 741.28.

6. Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this paragraph.

7. Section 782.04, relating to murder.

8. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or a disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

9. Section 782.071, relating to vehicular homicide.

10. Section 782.09, relating to killing of an unborn child by injury to the mother.

11. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

12. Section 787.01, relating to kidnapping.

13. Section 787.02, relating to false imprisonment.

14. Section 787.025, relating to luring or enticing a child.

15. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

16. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

17. Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

18. Section 790.115(2)(b), relating to possessing an electric weapon or device, a destructive device, or any other weapon on school property.

19. Section 794.011, relating to sexual battery.

20. Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

21. Section 794.05, relating to unlawful sexual activity with certain minors.

22. Section 794.08, relating to female genital mutilation.

23. Section 796.07, relating to procuring another to commit prostitution, except for those offenses expunged pursuant to s. 943.0583.

24. Section 798.02, relating to lewd and lascivious behavior.

25. Chapter 800, relating to lewdness and indecent exposure.

26. Section 806.01, relating to arson.

27. Section 810.02, relating to burglary, if the offense is a felony of the first degree.

28. Section 810.14, relating to voyeurism, if the offense is a felony.

29. Section 810.145, relating to video voyeurism, if the offense is a felony.

30. Section 812.13, relating to robbery.

31. Section 812.131, relating to robbery by sudden snatching.

32. Section 812.133, relating to carjacking.

33. Section 812.135, relating to home-invasion robbery.

34. Section 817.034, relating to communications fraud, if the offense is a felony of the first degree.

35. Section 817.234, relating to false and fraudulent insurance claims, if the offense is a felony of the first or second degree.

36. Section 817.50, relating to fraudulently obtaining goods or services from a health care provider and false reports of a communicable disease.

37. Section 817.505, relating to patient brokering.

38. Section 817.568, relating to fraudulent use of personal identification, if the offense is a felony of the first or second degree.

39. Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or a disabled adult.

40. Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or a disabled person.

41. Section 825.103, relating to exploitation of an elderly person or a disabled adult, if the offense is a felony.

42. Section 826.04, relating to incest.

43. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

44. Section 827.04, relating to contributing to the delinquency or dependency of a child.

45. Former s. 827.05, relating to negligent treatment of children.

46. Section 827.071, relating to sexual performance by a child.

47. Section 831.30, relating to fraud in obtaining medicinal drugs.

48. Section 831.31, relating to the sale, manufacture, delivery, or possession with intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense is a felony.

49. Section 843.01, relating to resisting arrest with violence.

50. Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer of the means of protection or communication.

51. Section 843.12, relating to aiding in an escape.

52. Section 843.13, relating to aiding in the escape of juvenile inmates of correctional institutions.

53. Chapter 847, relating to obscenity.

54. Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

55. Chapter 893, relating to drug abuse prevention and control, if the offense is a felony of the second degree or greater severity.

56. Section 895.03, relating to racketeering and collection of unlawful debts.

57. Section 896.101, relating to the Florida Money Laundering Act.

58. Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

59. Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate, resulting in great bodily harm.

60. Section 944.40, relating to escape.

61. Section 944.46, relating to harboring, concealing, or aiding an escaped prisoner.

62. Section 944.47, relating to introduction of contraband into a correctional institution.

63. Section 985.701, relating to sexual misconduct in juvenile justice programs.

64. Section 985.711, relating to introduction of contraband into a detention facility.

(5) EXEMPTION REQUESTS.—An applicant who desires to become a certified person with lived experience but is disqualified under subsection (4) may apply to the department for an exemption from disqualification under s. 435.07, as applicable. The department shall accept or reject an application for exemption within 90 days after receiving the application from the applicant.

Section 3. Effective July 1, 2024, subsection (2) of section 435.04, Florida Statutes, as amended by section 2 of chapter 2023-220, Laws of Florida, is amended to read:

435.04 Level 2 screening standards.—

(2) The security background investigations under this section must ensure that persons subject to this section have not been arrested for and are awaiting final disposition of~~,~~ have not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to~~,~~ or have not been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or similar law of another jurisdiction:

(a) *Section 39.205, relating to the failure to report child abuse, abandonment, or neglect.*

(b) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(c)~~(b)~~ Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(d) Section 414.39, relating to fraud, if the offense was a felony.

(e)~~(c)~~ Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(f)~~(d)~~ Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.

(g)~~(e)~~ Section 782.04, relating to murder.

(h)~~(f)~~ Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

(i)~~(g)~~ Section 782.071, relating to vehicular homicide.

(j)~~(h)~~ Section 782.09, relating to killing of an unborn child by injury to the mother.

(k)~~(i)~~ Chapter 784, relating to assault, battery, and culpable negligence, if the offense was a felony.

(l)~~(j)~~ Section 784.011, relating to assault, if the victim of the offense was a minor.

(m)~~(k)~~ Section 784.021, relating to aggravated assault.

(n)~~(l)~~ Section 784.03, relating to battery, if the victim of the offense was a minor.

(o)~~(m)~~ Section 784.045, relating to aggravated battery.

(p)~~(n)~~ Section 784.075, relating to battery on staff of a detention or commitment facility or on a juvenile probation officer.

(q)~~(o)~~ Section 787.01, relating to kidnapping.

(r)~~(p)~~ Section 787.02, relating to false imprisonment.

(s)~~(q)~~ Section 787.025, relating to luring or enticing a child.

(t)~~(r)~~ Section 787.04(2), relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.

(u)~~(s)~~ Section 787.04(3), relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.

(v) Section 787.06, relating to human trafficking.

(w) Section 787.07, relating to human smuggling.

(x)~~(t)~~ Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

(y)~~(u)~~ Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.

(z)~~(v)~~ Section 794.011, relating to sexual battery.

(aa)~~(w)~~ Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

(bb)~~(x)~~ Section 794.05, relating to unlawful sexual activity with certain minors.

(cc)~~(y)~~ Section 794.08, relating to female genital mutilation.

(dd)~~(z)~~ Chapter 796, relating to prostitution.

(ee)~~(aa)~~ Section 798.02, relating to lewd and lascivious behavior.

(ff)~~(bb)~~ Chapter 800, relating to lewdness and indecent exposure and offenses against students by authority figures.

(gg)~~(cc)~~ Section 806.01, relating to arson.

(hh)~~(dd)~~ Section 810.02, relating to burglary.

(ii)~~(ee)~~ Section 810.14, relating to voyeurism, if the offense is a felony.

(jj)~~(ff)~~ Section 810.145, relating to video voyeurism, if the offense is a felony.

(kk)~~(gg)~~ Chapter 812, relating to theft, robbery, and related crimes, if the offense is a felony.

(ll)~~(hh)~~ Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.

(mm)~~(ii)~~ Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(nn)~~(jj)~~ Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(oo)~~(kk)~~ Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.

(pp)~~(ll)~~ Section 826.04, relating to incest.

(qq)~~(mm)~~ Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(rr)~~(nn)~~ Section 827.04, relating to contributing to the delinquency or dependency of a child.

(ss)~~(oo)~~ Former s. 827.05, relating to negligent treatment of children.

(tt)~~(pp)~~ Section 827.071, relating to sexual performance by a child.

(uu) Section 831.311, relating to the unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.

(vv) Section 836.10, relating to written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

(ww)~~(qq)~~ Section 843.01, relating to resisting arrest with violence.

(xx)~~(rr)~~ Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.

(yy)~~(ss)~~ Section 843.12, relating to aiding in an escape.

(zz)~~(tt)~~ Section 843.13, relating to aiding in the escape of juvenile inmates in correctional institutions.

(aaa)~~(uu)~~ Chapter 847, relating to obscene literature.

(bbb) Section 859.01, relating to poisoning food or water.

(ccc) Section 873.01, relating to the prohibition on the purchase or sale of human organs and tissue.

(ddd)~~(vv)~~ Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

(eee)~~(ww)~~ Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

(fff)~~(xx)~~ Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ggg)~~(yy)~~ Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.

(hhh)~~(zz)~~ Section 944.40, relating to escape.

(iii)~~(aaa)~~ Section 944.46, relating to harboring, concealing, or aiding an escaped prisoner.

(jjj)~~(bbb)~~ Section 944.47, relating to introduction of contraband into a correctional facility.

(kkk)~~(ccc)~~ Section 985.701, relating to sexual misconduct in juvenile justice programs.

(lll)~~(ddd)~~ Section 985.711, relating to contraband introduced into detention facilities.

Section 4. Effective July 1, 2024, subsection (1) of section 435.07, Florida Statutes, as amended by section 3 of chapter 2023-220, Laws of Florida, is amended to read:

435.07 Exemptions from disqualification.—Unless otherwise provided by law, the provisions of this section apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required under this chapter, regardless of whether those disqualifying offenses are listed in this chapter or other laws.

(1)(a) The head of the appropriate agency or qualified entity may grant to any employee or person with an affiliation otherwise disqualified from employment an exemption from disqualification for:

1. Felonies for which at least *2* ~~3~~ years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying felony;

2. Misdemeanors prohibited under any of the statutes cited in this chapter or under similar statutes of other jurisdictions for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court;

3. Offenses that were felonies when committed but that are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court; or

4. Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, the exemption may not be granted until at least 3 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying offense.

(b) A person applying for an exemption who was ordered to pay any amount for any fee, fine, fund, lien, ~~civil judgment,~~ application, costs of prosecution, trust, or restitution as part of the judgment and sentence for any disqualifying felony or misdemeanor must pay the court-ordered amount in full before he or she is eligible for the exemption.

For the purposes of this subsection, the term "felonies" means both felonies prohibited under any of the statutes cited in this chapter or under similar statutes of other jurisdictions.

Section 5. Effective July 1, 2024, paragraph (a) of subsection (2) of section 943.0438, Florida Statutes, as amended by section 5 of chapter 2023-220, Laws of Florida, is amended to read:

943.0438 Athletic coaches for independent sanctioning authorities.—

(2) An independent sanctioning authority shall:

(a) *Effective January 1, 2025,* conduct a level 2 background screening under s. 435.04 of each current and prospective athletic coach. The authority may not delegate this responsibility to an individual team and may not authorize any person to act as an athletic coach unless a level 2 background screening is conducted and does not result in disqualification under paragraph (b).

Section 6. Subsection (1) of section 456.0135, Florida Statutes, is amended to read:

456.0135 General background screening provisions.—

(1) An application for initial licensure received on or after January 1, 2013, under chapter 458, chapter 459, chapter 460, chapter 461, *chapter 462, chapter 463,* chapter 464, *s. 465.007, s. 465.0075, chapter 466, chapter 467, part I, part II, part III, part V, part X* ~~s. 465.022~~, part XIII*, or part XIV* of chapter 468, *chapter 478,* ~~or~~ chapter 480*, chapter 483, chapter 484, chapter 486, chapter 490, or chapter 491 must* ~~shall~~ include fingerprints pursuant to procedures established by the department through a vendor approved by the Department of Law Enforcement and fees imposed for the initial screening and retention of fingerprints. Fingerprints must be submitted electronically to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. Each board, or the department if there is no board, *must* ~~shall~~ screen the results to determine *whether* ~~if~~ an applicant meets licensure requirements. For any subsequent renewal of the applicant's license *which* ~~that~~ requires a national criminal history check, the department shall request the Department of Law Enforcement to forward the retained fingerprints of the applicant to the Federal Bureau of Investigation unless the fingerprints are enrolled in the national retained print arrest notification program.

Section 7. *Beginning July 1, 2025, the amendments made by this act to s. 456.0135, Florida Statutes, apply to applicants seeking initial licensure in any of the health care professions specified in that section. To ensure that all health care practitioners practicing in the health care professions subject to the background screening requirements for initial licensure under s. 456.0135, Florida Statutes, as amended by this act, are screened, health care practitioners who were already licensed in such health care professions before July 1, 2025, must submit to background screening in accordance with s. 456.0135, Florida Statutes, by their next licensure renewal that takes place on or after July 1, 2025, notwithstanding the fact that s. 456.0135, Florida Statutes, applies to initial licensure only. The Department of Health may not renew the license of such a health care practitioner after July 1, 2025, until he or she complies with these background screening requirements.*

Section 8. Subsection (2) of section 457.105, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

457.105 Licensure qualifications and fees.—

(2) A person may become licensed to practice acupuncture if the person applies to the department and *meets all of the following criteria*:

(a) Is 21 years of age or older, has good moral character, and has the ability to communicate in English, which is demonstrated by having passed the national written examination in English or, if such examination was passed in a foreign language, by also having passed a nationally recognized English proficiency examination.~~;~~

(b) Has completed 60 college credits from an accredited postsecondary institution as a prerequisite to enrollment in an authorized 3-year course of study in acupuncture and oriental medicine, and has completed a 3-year course of study in acupuncture and oriental medicine, and effective July 31, 2001, a 4-year course of study in acupuncture and oriental medicine, which meets standards established by the board by rule, which standards include, but are not limited to, successful completion of academic courses in western anatomy, western physiology, western pathology, western biomedical terminology, first aid, and cardiopulmonary resuscitation (CPR). However, any person who enrolled in an authorized course of study in acupuncture before August 1, 1997, must have completed only a 2-year course of study which meets standards established by the board by rule, which standards must include, but are not limited to, successful completion of academic courses in western anatomy, western physiology, and western pathology.~~;~~

(c) Has successfully completed a board-approved national certification process, meets the requirements for licensure by endorsement under s. 456.0145, or passes an examination administered by the department, which examination tests the applicant's competency and knowledge of the practice of acupuncture and oriental medicine. At the request of any applicant, oriental nomenclature for the points *must* ~~shall~~ be used in the examination. The examination *must* ~~shall~~ include a practical examination of the knowledge and skills required to practice modern and traditional acupuncture and oriental medicine, covering diagnostic and treatment techniques and procedures.~~; and~~

(d) Pays the required fees set by the board by rule not to exceed the following amounts:

1. Examination fee: $500 plus the actual per applicant cost to the department for purchase of the written and practical portions of the examination from a national organization approved by the board.

2. Application fee: $300.

3. Reexamination fee: $500 plus the actual per applicant cost to the department for purchase of the written and practical portions of the examination from a national organization approved by the board.

4. Initial biennial licensure fee: $400, if licensed in the first half of the biennium, and $200, if licensed in the second half of the biennium.

(e) Submits to background screening in accordance with s. 456.0135.

Section 9. Subsection (1) of section 463.006, Florida Statutes, is amended to read:

463.006 Licensure and certification by examination.—

(1) Any person desiring to be a licensed practitioner *under* ~~pursuant to~~ this chapter must apply to the department*, submit to background screening in accordance with s. 456.0135,* and ~~must~~ submit proof to the department that she or he *meets all of the following criteria*:

(a) Has completed the application forms as required by the board, remitted an application fee for certification not to exceed $250, remitted an examination fee for certification not to exceed $250, and remitted an examination fee for licensure not to exceed $325, all as set by the board.

(b) Is at least 18 years of age.

(c) Has graduated from an accredited school or college of optometry approved by rule of the board.

(d) Is of good moral character.

(e) Has successfully completed at least 110 hours of transcript-quality coursework and clinical training in general and ocular pharmacology as determined by the board, at an institution that:

1. Has facilities for both didactic and clinical instructions in pharmacology; and

2. Is accredited by a regional or professional accrediting organization that is recognized and approved by the Commission on Recognition of Postsecondary Accreditation or the United States Department of Education.

(f) Has completed at least 1 year of supervised experience in differential diagnosis of eye disease or disorders as part of the optometric training or in a clinical setting as part of the optometric experience.

Section 10. Subsection (1) of section 465.007, Florida Statutes, is amended to read:

465.007 Licensure by examination.—

(1) Any person desiring to be licensed as a pharmacist shall apply to the department to take the licensure examination. The department shall examine each applicant who the board certifies has *met all of the following criteria*:

(a) Completed the application form and remitted an examination fee set by the board not to exceed $100 plus the actual per applicant cost to the department for purchase of portions of the examination from the National Association of Boards of Pharmacy or a similar national organization. The fees authorized under this section shall be established in sufficient amounts to cover administrative costs.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Submitted satisfactory proof that she or he is not less than 18 years of age and:

1. Is a recipient of a degree from a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education; or

2. Is a graduate of a 4-year undergraduate pharmacy program of a school or college of pharmacy located outside the United States, has demonstrated proficiency in English by passing both the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE), has passed the Foreign Pharmacy Graduate Equivalency Examination that is approved by rule of the board, and has completed a minimum of 500 hours in a supervised work activity program within this state under the supervision of a pharmacist licensed by the department, which program is approved by the board.

(d)~~(c)~~ Submitted satisfactory proof that she or he has completed an internship program approved by the board. No such board-approved program shall exceed 2,080 hours, all of which may be obtained prior to graduation.

Section 11. Subsection (1) of section 465.0075, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

465.0075 Licensure by endorsement; requirements; fee.—The department shall issue a license by endorsement to any applicant who, upon applying to the department*, submitting to background screening in accordance with s. 456.0135,* and remitting a nonrefundable fee set by the board in an amount not to exceed $100, the board certifies has met the requirements for licensure by endorsement under s. 456.0145.

Section 12. Paragraph (b) of subsection (1) of section 466.006, Florida Statutes, is amended to read:

466.006 Examination of dentists.—

(1)

(b)*1.* Any person desiring to be licensed as a dentist shall apply to the department to take the licensure examinations and shall verify the information required on the application by oath. The application *must* ~~shall~~ include two recent photographs. There shall be an application fee set by the board not to exceed $100 which shall be nonrefundable *and*~~. There shall also be~~ an examination fee set by the board~~, which shall~~ not *to* exceed $425 plus the actual per applicant cost to the department for purchase of some or all of the examination from the American Board of Dental Examiners or its successor entity, if any, provided the board finds the successor entity's clinical examination complies with ~~the provisions of~~ this section. The examination fee may be *refunded* ~~refundable~~ if the applicant is found ineligible to take the examinations.

2. Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

Section 13. Section 466.0067, Florida Statutes, is amended to read:

466.0067 Application for health access dental license.—The Legislature finds that there is an important state interest in attracting dentists to practice in underserved health access settings in this state and further, that allowing out-of-state dentists who meet certain criteria to practice in health access settings without the supervision of a dentist licensed in this state is substantially related to achieving this important state interest. Therefore, notwithstanding the requirements of s. 466.006, the board shall grant a health access dental license to practice dentistry in this state in health access settings as defined in s. 466.003 to an applicant who *meets all of the following criteria*:

(1) Files an appropriate application approved by the board.~~;~~

(2) Pays an application license fee for a health access dental license, laws-and-rule exam fee, and an initial licensure fee. The fees specified in this subsection may not differ from an applicant seeking licensure pursuant to s. 466.006.~~;~~

(3) Has *submitted to background screening in accordance with s. 456.0135 and has* not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession.~~;~~

(4) Submits proof of graduation from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency.~~;~~

(5) Submits documentation that she or he has completed, or will obtain before licensure, continuing education equivalent to this state's requirement for dentists licensed under s. 466.006 for the last full reporting biennium before applying for a health access dental license.~~;~~

(6) Submits proof of her or his successful completion of parts I and II of the dental examination by the National Board of Dental Examiners and a state or regional clinical dental licensing examination that the

board has determined effectively measures the applicant's ability to practice safely.~~;~~

(7) Currently holds a valid, active dental license in good standing which has not been revoked, suspended, restricted, or otherwise disciplined from another of the United States, the District of Columbia, or a United States territory.~~;~~

(8) Has never had a license revoked from another of the United States, the District of Columbia, or a United States territory.~~;~~

(9) Has never failed the examination specified in s. 466.006, unless the applicant was reexamined pursuant to s. 466.006 and received a license to practice dentistry in this state.~~;~~

(10) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank.~~;~~

(11) Submits proof that he or she has been engaged in the active, clinical practice of dentistry providing direct patient care for 5 years immediately preceding the date of application, or in instances when the applicant has graduated from an accredited dental school within the preceding 5 years, submits proof of continuous clinical practice providing direct patient care since graduation.~~; and~~

(12) Has passed an examination covering the laws and rules of the practice of dentistry in this state as described in s. 466.006(4)(a).

Section 14. Subsection (1) of section 466.007, Florida Statutes, is amended to read:

466.007 Examination of dental hygienists.—

(1)*(a)* Any person desiring to be licensed as a dental hygienist shall apply to the department to take the licensure examinations and shall verify the information required on the application by oath. The application *must* ~~shall~~ include two recent photographs of the applicant. There shall be a nonrefundable application fee set by the board not to exceed $100 and an examination fee set by the board ~~which shall~~ not *to exceed* ~~be more than~~ $225. The examination fee may be refunded if the applicant is found ineligible to take the examinations.

(b) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

Section 15. Subsection (5) is added to section 467.011, Florida Statutes, to read:

467.011 Licensed midwives; qualifications; examination.—The department shall issue a license to practice midwifery to an applicant who meets all of the following criteria:

(5) Submits to background screening in accordance with s. 456.0135.

Section 16. Subsection (2) of section 468.1185, Florida Statutes, is amended to read:

468.1185 Licensure.—

(2) The board shall certify for licensure any applicant who has *met all of the following criteria*:

(a) Satisfied the education and supervised clinical requirements of s. 468.1155.

(b) Satisfied the professional experience requirement of s. 468.1165.

(c) Passed the licensure examination required by s. 468.1175.

(d) *For* an applicant for an audiologist license who has obtained a doctoral degree in audiology, has satisfied the education and supervised clinical requirements of paragraph (a) and the professional experience requirements of paragraph (b).

(e) Submitted to background screening in accordance with s. 456.0135.

Section 17. Subsections (1) and (2) of section 468.1215, Florida Statutes, are amended to read:

468.1215 Speech-language pathology assistant and audiology assistant; certification.—

(1) The department shall issue a certificate as a speech-language pathology assistant to each applicant who the board certifies has *met all of the following criteria*:

(a) Completed the application form and remitted the required fees, including a nonrefundable application fee.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Earned a bachelor's degree from a college or university accredited by a regional association of colleges and schools recognized by the Department of Education which includes at least 24 semester hours of coursework as approved by the board at an institution accredited by an accrediting agency recognized by the Council for Higher Education Accreditation.

(2) The department shall issue a certificate as an audiology assistant to each applicant who the board certifies has *met all of the following criteria*:

(a) Completed the application form and remitted the required fees, including a nonrefundable application fee.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Earned a high school diploma or its equivalent.

Section 18. Present subsections (2), (3), and (4) of section 468.1695, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

468.1695 Licensure by examination.—

(2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

(3)~~(2)~~ The department shall examine each applicant who the board certifies has completed the application form*, submitted to background screening,* and remitted an examination fee set by the board not to exceed $250 and who:

(a)1. Holds a baccalaureate degree from an accredited college or university and majored in health care administration, health services administration, or an equivalent major, or has credit for at least 60 semester hours in subjects, as prescribed by rule of the board, which prepare the applicant for total management of a nursing home; and

2. Has fulfilled the requirements of a college-affiliated or university-affiliated internship in nursing home administration or of a 1,000-hour nursing home administrator-in-training program prescribed by the board; or

(b)1. Holds a baccalaureate degree from an accredited college or university; and

2.a. Has fulfilled the requirements of a 2,000-hour nursing home administrator-in-training program prescribed by the board; or

b. Has 1 year of management experience allowing for the application of executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program and, if such experience is not in a skilled nursing facility, has fulfilled the requirements of a 1,000-hour nursing home administrator-in-training program prescribed by the board.

Section 19. Subsections (1) and (2) of section 468.209, Florida Statutes, are amended to read:

468.209 Requirements for licensure.—

(1) An applicant applying for a license as an occupational therapist or as an occupational therapy assistant shall *apply to the department on forms furnished by the department. The department shall license each applicant who the board certifies meets all of the following criteria:*

(a) Has completed the ~~file a written~~ application *form and remitted*~~, accompanied by~~ the application for licensure fee prescribed in s. 468.221.

(b) Has submitted to background screening in accordance with s. 456.0135.~~, on forms provided by the department, showing to the satisfaction of the board that she or he:~~

(c)~~(a)~~ Is of good moral character.

(d)~~(b)~~ Has successfully completed the academic requirements of an educational program in occupational therapy recognized by the board, with concentration in biologic or physical science, psychology, and sociology, and with education in selected manual skills. Such a program shall be accredited by the American Occupational Therapy Association's Accreditation Council for Occupational Therapy Education, or its successor.

(e)~~(c)~~ Has successfully completed a period of supervised fieldwork experience at a recognized educational institution or a training program approved by the educational institution where she or he met the academic requirements. For an occupational therapist, a minimum of 6 months of supervised fieldwork experience is required. For an occupational therapy assistant, a minimum of 2 months of supervised fieldwork experience is required.

(f)~~(d)~~ Has passed an examination conducted or adopted by the board as provided in s. 468.211.

(2) An applicant who has practiced as a state-licensed or American Occupational Therapy Association-certified occupational therapy assistant for 4 years and who, before January 24, 1988, completed a minimum of 24 weeks of supervised occupational-therapist-level fieldwork experience may take the examination to be licensed as an occupational therapist without meeting the educational requirements for occupational therapists made otherwise applicable under paragraph *(1)(d)* ~~(1)(b)~~.

Section 20. Subsection (3) is added to section 468.213, Florida Statutes, to read:

468.213 Licensure by endorsement.—

(3) Applicants for licensure by endorsement under s. 456.0145 must submit to background screening in accordance with s. 456.0135.

Section 21. Section 468.355, Florida Statutes, is amended to read:

468.355 Licensure requirements.—To be eligible for licensure by the board, an applicant must be an active "certified respiratory therapist" or an active "registered respiratory therapist" as designated by the National Board for Respiratory Care, or its successor*, and submit to background screening in accordance with s. 456.0135*.

Section 22. Subsection (4) of section 468.358, Florida Statutes, is amended to read:

468.358 Licensure by endorsement.—

(4) *Applicants for* licensure ~~shall not be granted~~ by endorsement *under* ~~as provided in~~ this section *must submit* ~~without the submission of~~ a proper application*, remit* ~~and the payment of~~ the requisite *application fee, and submit to background screening in accordance with s. 456.0135* ~~fees therefor~~.

Section 23. Present subsections (2), (3), and (4) of section 468.509, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

468.509 Dietitian/nutritionist; requirements for licensure.—

(2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

(3)~~(2)~~ The department shall examine any applicant who the board certifies has completed the application form*, submitted to background screening,* and remitted the application and examination fees specified in s. 468.508 and who:

(a)1. Possesses a baccalaureate or postbaccalaureate degree with a major course of study in human nutrition, food and nutrition, dietetics, or food management, or an equivalent major course of study, from a school or program accredited, at the time of the applicant's graduation, by the appropriate accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation and the United States Department of Education; and

2. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board; or

(b)1. Has an academic degree, from a foreign country, that has been validated by an accrediting agency approved by the United States Department of Education as equivalent to the baccalaureate or postbaccalaureate degree conferred by a regionally accredited college or university in the United States;

2. Has completed a major course of study in human nutrition, food and nutrition, dietetics, or food management; and

3. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board.

Section 24. Section 468.513, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

468.513 Dietitian/nutritionist; licensure by endorsement.—The department shall issue a license to practice dietetics and nutrition by endorsement to any applicant who *submits to background screening in accordance with s. 456.0135 and* meets the requirements for licensure by endorsement under s. 456.0145, upon receipt of a completed application and the fee specified in s. 468.508.

Section 25. Subsection (2) of section 468.803, Florida Statutes, is amended to read:

468.803 License, registration, and examination requirements.—

(2) An applicant for registration, examination, or licensure must apply to the department on a form prescribed by the board for consideration of board approval. Each initial applicant shall submit fingerprints to the department in accordance with *s. 456.0135 and any other* procedures specified by the department for state and national criminal history checks of the applicant. The board shall screen the results to determine if an applicant meets licensure requirements. The board shall consider for examination, registration, or licensure each applicant whom the board verifies *meets all of the following criteria*:

(a) Has submitted the completed application and completed the fingerprinting requirements and has paid the applicable application fee, not to exceed $500. The application fee is nonrefundable.~~;~~

(b) Is of good moral character.~~;~~

(c) Is 18 years of age or older.~~; and~~

(d) Has completed the appropriate educational preparation.

Section 26. Subsection (1) of section 478.45, Florida Statutes, is amended to read:

478.45 Requirements for licensure.—

(1) An applicant applying for licensure as an electrologist shall *apply to the department on forms furnished by the department. The department shall license each applicant who the board certifies meets all of the following criteria:*

(a) Has completed the ~~file a written~~ application *form and remitted*~~, accompanied by~~ the application for licensure fee prescribed in s. 478.55.

(b) Has submitted to background screening in accordance with s. 456.0135.~~, on a form provided by the board, showing to the satisfaction of the board that the applicant:~~

(c)~~(a)~~ Is at least 18 years old.

(d)~~(b)~~ Is of good moral character.

(e)~~(c)~~ Possesses a high school diploma or a high school equivalency diploma.

(f)~~(d)~~ Has not committed an act in any jurisdiction which would constitute grounds for disciplining an electrologist in this state.

(g)~~(e)~~ Has successfully completed the academic requirements of an electrolysis training program, not to exceed 120 hours, and the practical application thereof as approved by the board.

Section 27. Section 483.815, Florida Statutes, is amended to read:

483.815 Application for clinical laboratory personnel license.—An application for a clinical laboratory personnel license shall be made under oath on forms provided by the department and shall be accompanied by payment of fees as provided by this part. *Applicants for licensure must also submit to background screening in accordance with s. 456.0135.* A license may be issued authorizing the performance of procedures of one or more categories.

Section 28. Present paragraphs (b) through (k) of subsection (4) of section 483.901, Florida Statutes, are redesignated as paragraphs (c) through (l), respectively, a new paragraph (b) is added to that subsection, and paragraph (a) of that subsection is amended, to read:

483.901 Medical physicists; definitions; licensure.—

(4) LICENSE REQUIRED.—An individual may not engage in the practice of medical physics, including the specialties of diagnostic radiological physics, therapeutic radiological physics, medical nuclear radiological physics, or medical health physics, without a license issued by the department for the appropriate specialty.

(a) The department shall adopt rules to administer this section which specify license application and renewal fees, continuing education requirements, *background screening requirements,* and standards for practicing medical physics. The department shall require a minimum of 24 hours per biennium of continuing education offered by an organization approved by the department. The department may adopt rules to specify continuing education requirements for persons who hold a license in more than one specialty.

(b) Applicants for a medical physicist license must submit to background screening in accordance with s. 456.0135.

Section 29. Subsections (2) and (3) of section 483.914, Florida Statutes, are amended to read:

483.914 Licensure requirements.—

(2) The department shall issue a license, valid for 2 years, to each applicant who *meets all of the following criteria*:

(a) Has completed an application.

(b) Has submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Is of good moral character.

(d)~~(c)~~ Provides satisfactory documentation of having earned:

1. A master's degree from a genetic counseling training program or its equivalent as determined by the Accreditation Council of Genetic Counseling or its successor or an equivalent entity; or

2. A doctoral degree from a medical genetics training program accredited by the American Board of Medical Genetics and Genomics or the Canadian College of Medical Geneticists.

(e)~~(d)~~ Has passed the examination for certification as:

1. A genetic counselor by the American Board of Genetic Counseling, Inc., the American Board of Medical Genetics and Genomics, or the Canadian Association of Genetic Counsellors; or

2. A medical or clinical geneticist by the American Board of Medical Genetics and Genomics or the Canadian College of Medical Geneticists.

(3) The department may issue a temporary license for up to 2 years to an applicant who meets all requirements for licensure except for the certification examination requirement imposed under paragraph *(2)(e)* ~~(2)(d)~~ and is eligible to sit for that certification examination.

Section 30. Present paragraphs (b), (c), and (d) of subsection (1) of section 484.007, Florida Statutes, as amended by SB 1600, 2024 Regular Session, are redesignated as paragraphs (c), (d), and (e), respectively, and a new paragraph (b) is added to that subsection, to read:

484.007 Licensure of opticians; permitting of optical establishments.—

(1) Any person desiring to practice opticianry shall apply to the department, upon forms prescribed by it, to take a licensure examination. The department shall examine each applicant who the board certifies meets all of the following criteria:

(b) Submits to background screening in accordance with s. 456.0135.

Section 31. Subsection (2) of section 484.045, Florida Statutes, is amended to read:

484.045 Licensure by examination.—

(2) The department shall license each applicant who the board certifies meets all of the following criteria:

(a) Has completed the application form and remitted the required fees.

(b) Has submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Is of good moral character.

(d)~~(c)~~ Is 18 years of age or older.

(e)~~(d)~~ Is a graduate of an accredited high school or its equivalent.

(f)1.~~(e)1.~~ Has met the requirements of the training program; or

2.a. Has a valid, current license as a hearing aid specialist or its equivalent from another state and has been actively practicing in such capacity for at least 12 months; or

b. Is currently certified by the National Board for Certification in Hearing Instrument Sciences and has been actively practicing for at least 12 months.

(g)~~(f)~~ Has passed an examination, as prescribed by board rule.

(h)~~(g)~~ Has demonstrated, in a manner designated by rule of the board, knowledge of state laws and rules relating to the fitting and dispensing of prescription hearing aids.

Section 32. Section 486.031, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

486.031 Physical therapist; licensing requirements.—To be eligible for licensing as a physical therapist, an applicant must *meet all of the following criteria*:

(1) Be at least 18 years old.~~;~~

(2) Be of good moral character.

(3) Have submitted to background screening in accordance with s. 456.0135.~~; and~~

(4)(a)~~(3)(a)~~ Have ~~been~~ graduated from a school of physical therapy which has been approved for the educational preparation of physical therapists by the appropriate accrediting agency recognized by the

Council for Higher Education Accreditation, or its successor entity, ~~Commission on Recognition of Postsecondary Accreditation~~ or the United States Department of Education at the time of her or his graduation and have passed, to the satisfaction of the board, the American Registry Examination prior to 1971 or a national examination approved by the board to determine her or his fitness for practice as a physical therapist as hereinafter provided;

(b) Have received a diploma from a program in physical therapy in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapists in this country, as recognized by the appropriate agency as identified by the board, and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist as hereinafter provided; or

(c) Be entitled to licensure by endorsement or without examination as provided in s. 486.081.

Section 33. Section 486.102, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

486.102 Physical therapist assistant; licensing requirements.—To be eligible for licensing by the board as a physical therapist assistant, an applicant must *meet all of the following criteria*:

(1) Be at least 18 years old.~~;~~

(2) Be of good moral character.

(3) Have submitted to background screening in accordance with s. 456.0135.~~; and~~

(4)(a)~~(3)(a)~~ Have ~~been~~ graduated from a school giving a course of not less than 2 years for physical therapist assistants, which has been approved for the educational preparation of physical therapist assistants by the appropriate accrediting agency recognized by the *Council for Higher Education Accreditation, or its successor entity,* ~~Commission on Recognition of Postsecondary Accreditation~~ or the United States Department of Education~~,~~ at the time of her or his graduation and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist assistant as hereinafter provided;

(b) Have ~~been~~ graduated from a school giving a course for physical therapist assistants in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapist assistants in this country, as recognized by the appropriate agency as identified by the board, and passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist assistant as hereinafter provided;

(c) Be entitled to licensure by endorsement as provided in s. 486.107; or

(d) Have been enrolled between July 1, 2014, and July 1, 2016, in a physical therapist assistant school in this state which was accredited at the time of enrollment; and

1. Have ~~been~~ graduated ~~or be eligible to graduate from such school no later than July 1, 2018~~; and

2. Have passed to the satisfaction of the board an examination to determine his or her fitness for practice as a physical therapist assistant as provided in s. 486.104.

Section 34. Present paragraphs (b), (c), and (d) of subsection (1) of section 490.005, Florida Statutes, are redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, and subsection (2) of that section is amended, to read:

490.005 Licensure by examination.—

(1) Any person desiring to be licensed as a psychologist shall apply to the department to take the licensure examination. The department shall license each applicant whom the board certifies has met all of the following requirements:

(b) Submitted to background screening in accordance with s. 456.0135.

(2) Any person desiring to be licensed as a school psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the department certifies has *met all of the following requirements*:

(a) Satisfactorily completed the application form and submitted a nonrefundable application fee not to exceed $250 and an examination fee sufficient to cover the per applicant cost to the department for development, purchase, and administration of the examination, but not to exceed $250 as set by department rule.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Submitted satisfactory proof to the department that the applicant:

1. Has received a doctorate, specialist, or equivalent degree from a program primarily psychological in nature and has completed 60 semester hours or 90 quarter hours of graduate study, in areas related to school psychology as defined by rule of the department, from a college or university which at the time the applicant was enrolled and graduated was accredited by an accrediting agency recognized and approved by the Council for Higher Education Accreditation or its successor organization or from an institution that is a member in good standing with the Association of Universities and Colleges of Canada.

2. Has had a minimum of 3 years of experience in school psychology, 2 years of which must be supervised by an individual who is a licensed school psychologist or who has otherwise qualified as a school psychologist supervisor, by education and experience, as set forth by rule of the department. A doctoral internship may be applied toward the supervision requirement.

3. Has passed an examination provided by the department.

Section 35. Present paragraphs (b) and (c) of subsection (1) of section 490.0051, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and a new paragraph (b) is added to that subsection, to read:

490.0051 Provisional licensure; requirements.—

(1) The department shall issue a provisional psychology license to each applicant whom the board certifies has met all of the following criteria:

(b) Submitted to background screening in accordance with s. 456.0135.

Section 36. Subsection (1) of section 490.006, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

490.006 Licensure by endorsement.—

(1) The department shall license a person as a psychologist or school psychologist who, upon applying to the department*, submitting to background screening in accordance with s. 456.0135,* and remitting the appropriate fee, demonstrates to the department or, in the case of psychologists, to the board that the applicant meets the requirements for licensure by endorsement under s. 456.0145.

Section 37. Subsections (1), (2), (4), and (6) of section 491.0045, Florida Statutes, are amended to read:

491.0045 Intern registration; requirements.—

(1) An individual who has not satisfied the postgraduate or post-master's level experience requirements, as specified in *s. 491.005(1)(d), (3)(d), or (4)(d)* ~~s. 491.005(1)(c), (3)(c), or (4)(c)~~, must register as an intern in the profession for which he or she is seeking licensure before commencing the post-master's experience requirement or an individual who intends to satisfy part of the required graduate-level practicum, internship, or field experience, outside the academic arena for any profession, and must register as an intern in the profession for which he

or she is seeking licensure before commencing the practicum, internship, or field experience.

(2) The department shall register as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern each applicant who the board certifies has *met all of the following criteria*:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed $200, as set by board rule.~~;~~

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~1. Completed the education requirements as specified in *s. 491.005(1)(d), (3)(d), or (4)(d)* ~~s. 491.005(1)(e), (3)(e), or (4)(e)~~ for the profession for which he or she is applying for licensure, if needed; and

2. Submitted an acceptable supervision plan, as determined by the board, for meeting the practicum, internship, or field work required for licensure that was not satisfied in his or her graduate program.

(d)~~(c)~~ Identified a qualified supervisor.

(4) An individual who fails to comply with this section may not be granted a license under this chapter, and any time spent by the individual completing the experience requirement as specified in *s. 491.005(1)(d), (3)(d), or (4)(d)* ~~s. 491.005(1)(e), (3)(e), or (4)(e)~~ before registering as an intern does not count toward completion of the requirement.

(6) Any registration issued after March 31, 2017, expires 60 months after the date it is issued. The board may make a one-time exception to the requirements of this subsection in emergency or hardship cases, as defined by board rule, if the candidate has passed the theory and practice examination described in *s. 491.005(1)(e), (3)(e), and (4)(e)* ~~s. 491.005(1)(d), (3)(d), and (4)(d)~~.

Section 38. Subsection (2) of section 491.0046, Florida Statutes, is amended to read:

491.0046 Provisional license; requirements.—

(2) The department shall issue a provisional clinical social worker license, provisional marriage and family therapist license, or provisional mental health counselor license to each applicant who the board certifies has *met all of the following criteria*:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed $100, as set by board rule.~~; and~~

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~ Earned a graduate degree in social work, a graduate degree with a major emphasis in marriage and family therapy or a closely related field, or a graduate degree in a major related to the practice of mental health counseling.~~; and~~

(d)~~(c)~~ Met the following minimum coursework requirements:

1. For clinical social work, a minimum of 15 semester hours or 22 quarter hours of the coursework required by *s. 491.005(1)(c)2.b.* ~~s. 491.005(1)(b)2.b.~~

2. For marriage and family therapy, 10 of the courses required by *s. 491.005(3)(c)* ~~s. 491.005(3)(b)~~, as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques.

3. For mental health counseling, a minimum of seven of the courses required under *s. 491.005(4)(c)1.a., b., or c.* ~~s. 491.005(4)(b)1.a. c.~~

Section 39. Subsections (1) through (4) of section 491.005, Florida Statutes, are amended to read:

491.005 Licensure by examination.—

(1) CLINICAL SOCIAL WORK.—Upon verification of documentation and payment of a fee not to exceed $200, as set by board rule, the department shall issue a license as a clinical social worker to an applicant whom the board certifies has met all of the following criteria:

(a) Submitted an application and paid the appropriate fee.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~1. Received a doctoral degree in social work from a graduate school of social work which at the time the applicant graduated was accredited by an accrediting agency recognized by the United States Department of Education or received a master's degree in social work from a graduate school of social work which at the time the applicant graduated:

a. Was accredited by the Council on Social Work Education;

b. Was accredited by the Canadian Association for Social Work Education; or

c. Has been determined to have been a program equivalent to programs approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work Education. An applicant who graduated from a program at a university or college outside of the United States or Canada must present documentation of the equivalency determination from the council in order to qualify.

2. The applicant's graduate program emphasized direct clinical patient or client health care services, including, but not limited to, coursework in clinical social work, psychiatric social work, medical social work, social casework, psychotherapy, or group therapy. The applicant's graduate program must have included all of the following coursework:

a. A supervised field placement which was part of the applicant's advanced concentration in direct practice, during which the applicant provided clinical services directly to clients.

b. Completion of 24 semester hours or 32 quarter hours in theory of human behavior and practice methods as courses in clinically oriented services, including a minimum of one course in psychopathology, and no more than one course in research, taken in a school of social work accredited or approved pursuant to subparagraph 1.

3. If the course title which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant provided additional documentation, including, but not limited to, a syllabus or catalog description published for the course.

(d)~~(c)~~ Completed at least 2 years of clinical social work experience, which took place subsequent to completion of a graduate degree in social work at an institution meeting the accreditation requirements of this section, under the supervision of a licensed clinical social worker or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If the applicant's graduate program was not a program which emphasized direct clinical patient or client health care services as described in subparagraph *(c)2.* ~~(b)2.~~, the supervised experience requirement must take place after the applicant has completed a minimum of 15 semester hours or 22 quarter hours of the coursework required. A doctoral internship may be applied toward the clinical social work experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(e)~~(d)~~ Passed a theory and practice examination designated by board rule.

(f)~~(e)~~ Demonstrated, in a manner designated by board rule, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

(2) CLINICAL SOCIAL WORK.—

(a) Notwithstanding ~~the provisions of~~ paragraph *(1)(c)* ~~(1)(b)~~, coursework which was taken at a baccalaureate level shall not be considered

toward completion of education requirements for licensure unless an official of the graduate program certifies in writing on the graduate school's stationery that a specific course, which students enrolled in the same graduate program were ordinarily required to complete at the graduate level, was waived or exempted based on completion of a similar course at the baccalaureate level. If this condition is met, the board shall apply the baccalaureate course named toward the education requirements.

(b) An applicant from a master's or doctoral program in social work which did not emphasize direct patient or client services may complete the clinical curriculum content requirement by returning to a graduate program accredited by the Council on Social Work Education or the Canadian Association of Schools of Social Work, or to a clinical social work graduate program with comparable standards, in order to complete the education requirements for examination. However, a maximum of 6 semester or 9 quarter hours of the clinical curriculum content requirement may be completed by credit awarded for independent study coursework as defined by board rule.

(3) MARRIAGE AND FAMILY THERAPY.—Upon verification of documentation and payment of a fee not to exceed $200, as set by board rule, the department shall issue a license as a marriage and family therapist to an applicant whom the board certifies has met all of the following criteria:

(a) Submitted an application and paid the appropriate fee.

(b) *Submitted to background screening in accordance with s. 456.0135.*

*(c)*1. Attained one of the following:

a. A minimum of a master's degree in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

b. A minimum of a master's degree with a major emphasis in marriage and family therapy or a closely related field from a university program accredited by the Council on Accreditation of Counseling and Related Educational Programs and graduate courses approved by the board.

c. A minimum of a master's degree with an emphasis in marriage and family therapy or a closely related field, with a degree conferred before September 1, 2027, from an institutionally accredited college or university and graduate courses approved by the board.

2. If the course title that appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant provided additional documentation, including, but not limited to, a syllabus or catalog description published for the course. The required master's degree must have been received in an institution of higher education that, at the time the applicant graduated, was fully accredited by an institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization or was a member in good standing with Universities Canada, or an institution of higher education located outside the United States and Canada which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by an institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as professional marriage and family therapists or psychotherapists. The applicant has the burden of establishing that the requirements of this provision have been met, and the board shall require documentation, such as an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. An applicant with a master's degree from a program that did not emphasize marriage and family therapy may complete the coursework requirement in a training institution fully accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education.

(d)~~(c)~~ Completed at least 2 years of clinical experience during which 50 percent of the applicant's clients were receiving marriage and family therapy services, which must be at the post-master's level under the supervision of a licensed marriage and family therapist with at least 5 years of experience, or the equivalent, who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major emphasis in marriage and family therapy or a closely related field which did not include all of the coursework required by paragraph *(c)* ~~(b)~~, credit for the post-master's level clinical experience may not commence until the applicant has completed a minimum of 10 of the courses required by paragraph *(c)* ~~(b)~~, as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques. Within the 2 years of required experience, the applicant shall provide direct individual, group, or family therapy and counseling to cases including those involving unmarried dyads, married couples, separating and divorcing couples, and family groups that include children. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(e)~~(d)~~ Passed a theory and practice examination designated by board rule.

(f)~~(e)~~ Demonstrated, in a manner designated by board rule, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

For the purposes of dual licensure, the department shall license as a marriage and family therapist any person who meets the requirements of s. 491.0057. Fees for dual licensure may not exceed those stated in this subsection.

(4) MENTAL HEALTH COUNSELING.—Upon verification of documentation and payment of a fee not to exceed $200, as set by board rule, the department shall issue a license as a mental health counselor to an applicant whom the board certifies has met all of the following criteria:

(a) Submitted an application and paid the appropriate fee.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)~~(b)~~1. Attained a minimum of an earned master's degree from a mental health counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs which consists of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction, including a course in human sexuality and a course in substance abuse. If the master's degree is earned from a program related to the practice of mental health counseling which is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs, then the coursework and practicum, internship, or fieldwork must consist of at least 60 semester hours or 80 quarter hours and meet all of the following requirements:

a. Thirty-three semester hours or 44 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; substance abuse; and legal, ethical, and professional standards issues in the practice of mental health counseling. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.

b. A minimum of 3 semester hours or 4 quarter hours of graduate-level coursework addressing diagnostic processes, including differential diagnosis and the use of the current diagnostic tools, such as the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. The graduate program must have emphasized the common core curricular experience.

c. The equivalent, as determined by the board, of at least 700 hours of university-sponsored supervised clinical practicum, internship, or field experience that includes at least 280 hours of direct client services, as required in the accrediting standards of the Council for Accreditation of Counseling and Related Educational Programs for mental health counseling programs. This experience may not be used to satisfy the post-master's clinical experience requirement.

2. Provided additional documentation if a course title that appears on the applicant's transcript does not clearly identify the content of the coursework. The documentation must include, but is not limited to, a syllabus or catalog description published for the course.

Education and training in mental health counseling must have been received in an institution of higher education that, at the time the applicant graduated, was fully accredited by an institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization or was a member in good standing with Universities Canada, or an institution of higher education located outside the United States and Canada which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by an institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as mental health counselors. The applicant has the burden of establishing that the requirements of this provision have been met, and the board shall require documentation, such as an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. Beginning July 1, 2025, an applicant must have a master's degree from a program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs, the Masters in Psychology and Counseling Accreditation Council, or an equivalent accrediting body which consists of at least 60 semester hours or 80 quarter hours to apply for licensure under this paragraph.

(d)~~(c)~~ Completed at least 2 years of clinical experience in mental health counseling, which must be at the post-master's level under the supervision of a licensed mental health counselor or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major related to the practice of mental health counseling which did not include all the coursework required under sub-subparagraphs *(c)1.a and b.* ~~(b)1.a. and b.~~, credit for the post-master's level clinical experience may not commence until the applicant has completed a minimum of seven of the courses required under sub-subparagraphs *(c)1.a and b.* ~~(b)1.a. and b.~~, as determined by the board, one of which must be a course in psychopathology or abnormal psychology. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(e)~~(d)~~ Passed a theory and practice examination designated by board rule.

(f)~~(e)~~ Demonstrated, in a manner designated by board rule, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

Section 40. Subsection (1) of section 491.006, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

491.006 Licensure or certification by endorsement.—

(1) The department shall license or grant a certificate to a person in a profession regulated by this chapter who, upon applying to the department*, submitting to background screening in accordance with s. 456.0135,* and remitting the appropriate fee, demonstrates to the board that he or she meets the requirements for licensure by endorsement under s. 456.0145.

Section 41. Paragraphs (d), (f), and (i) of subsection (1) of section 468.505, Florida Statutes, are amended to read:

468.505 Exemptions; exceptions.—

(1) Nothing in this part may be construed as prohibiting or restricting the practice, services, or activities of:

(d) A person pursuing a course of study leading to a degree in dietetics and nutrition from a program or school accredited pursuant to *s. 468.509(3)* ~~s. 468.509(2)~~, if the activities and services constitute a part of a supervised course of study and if the person is designated by a title that clearly indicates the person's status as a student or trainee.

(f) Any dietitian or nutritionist from another state practicing dietetics or nutrition incidental to a course of study when taking or giving a postgraduate course or other course of study in this state, provided such dietitian or nutritionist is licensed in another jurisdiction or is a registered dietitian or holds an appointment on the faculty of a school accredited pursuant to *s. 468.509(3)* ~~s. 468.509(2)~~.

(i) An educator who is in the employ of a nonprofit organization approved by the council; a federal, state, county, or municipal agency, or other political subdivision; an elementary or secondary school; or an accredited institution of higher education the definition of which, as provided in *s. 468.509(3)* ~~s. 468.509(2)~~, applies to other sections of this part, insofar as the activities and services of the educator are part of such employment.

Section 42. Section 486.025, Florida Statutes, is amended to read:

486.025 Powers and duties of the Board of Physical Therapy Practice.—The board may administer oaths, summon witnesses, take testimony in all matters relating to its duties under this chapter, establish or modify minimum standards of practice of physical therapy as defined in s. 486.021, including, but not limited to, standards of practice for the performance of dry needling by physical therapists, and adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter. The board may also review the standing and reputability of any school or college offering courses in physical therapy and whether the courses of such school or college in physical therapy meet the standards established by the appropriate accrediting agency referred to in *s. 486.031(4)(a)* ~~s. 486.031(3)(a)~~. In determining the standing and reputability of any such school and whether the school and courses meet such standards, the board may investigate and personally inspect the school and courses.

Section 43. Paragraph (b) of subsection (1) of section 486.0715, Florida Statutes, is amended to read:

486.0715 Physical therapist; issuance of temporary permit.—

(1) The board shall issue a temporary physical therapist permit to an applicant who meets the following requirements:

(b) Is a graduate of an approved United States physical therapy educational program and meets all the eligibility requirements for licensure under *chapter* ~~ch.~~ 456, *s. 486.031(1)-(4)(a)* ~~s. 486.031(1)-(3)(a)~~, and related rules, except passage of a national examination approved by the board is not required.

Section 44. Paragraph (b) of subsection (1) of section 486.1065, Florida Statutes, is amended to read:

486.1065 Physical therapist assistant; issuance of temporary permit.—

(1) The board shall issue a temporary physical therapist assistant permit to an applicant who meets the following requirements:

(b) Is a graduate of an approved United States physical therapy assistant educational program and meets all the eligibility requirements for licensure under *chapter* ~~ch.~~ 456, *s. 486.102(1)-(4)(a)* ~~s. 486.102(1)-(3)(a)~~, and related rules, except passage of a national examination approved by the board is not required.

Section 45. Subsections (15), (16), and (17) of section 491.003, Florida Statutes, are amended to read:

491.003 Definitions.—As used in this chapter:

(15) "Registered clinical social worker intern" means a person registered under this chapter who is completing the postgraduate clinical social work experience requirement specified in *s. 491.005(1)(d)* ~~s. 491.005(1)(e)~~.

(16) "Registered marriage and family therapist intern" means a person registered under this chapter who is completing the post-master's clinical experience requirement specified in *s. 491.005(3)(d)* ~~s. 491.005(3)(e)~~.

(17) "Registered mental health counselor intern" means a person registered under this chapter who is completing the post-master's clinical experience requirement specified in *s. 491.005(4)(d)* ~~s. 491.005(4)(e)~~.

Section 46. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2024, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to background screenings and certifications; amending s. 420.621, F.S.; defining the term "person with lived experience"; creating s. 420.6241, F.S.; providing legislative intent; providing qualifications for a person seeking certification as a person with lived experience; requiring continuum of care lead agencies to submit certain information to the Department of Children and Families for purposes of background screening; providing duties of the department; prescribing screening requirements; specifying disqualifying offenses for a person applying for certification; authorizing a person who does not meet background screening requirements to apply to the department for an exemption from disqualification; requiring the department to accept or reject such application within a specified time; amending s. 435.04, F.S.; specifying additional disqualifying offenses under the background screening requirements for certain persons; amending s. 435.07, F.S.; revising requirements for exemptions from disqualification from employment; amending s. 943.0438, F.S.; revising the effective date of a requirement that independent sanctioning authorities conduct level 2 background screenings of current and prospective athletic coaches; amending s. 456.0135, F.S.; expanding certain background screening requirements to apply to additional health care practitioners; providing applicability; requiring specified health care practitioners licensed before a specified date to comply with certain background screening requirements upon their next licensure renewal that takes place on or after a specified date; prohibiting the Department of Health from renewing specified health care practitioner licenses under certain circumstances beginning on a specified date; amending ss. 457.105, 463.006, 465.007, 465.0075, 466.006, 466.0067, 466.007, 467.011, 468.1185, 468.1215, 468.1695, 468.209, 468.213, 468.355, 468.358, 468.509, 468.513, 468.803, 478.45, 483.815, 483.901, 483.914, 484.007, 484.045, 486.031, 486.102, 490.005, 490.0051, 490.006, 491.0045, 491.0046, 491.005, and 491.006, F.S.; revising licensure, registration, or certification requirements, as applicable, for acupuncturists; optometrists; pharmacists; pharmacist licenses by endorsement; dentists; health access dental licenses; dental hygienists; midwives; speech-language pathologists and audiologists; speech-language pathology assistants and audiology assistants; nursing home administrators; occupational therapists and occupational therapy assistants; occupational therapist and occupational therapy assistant licenses by endorsement; respiratory therapists; respiratory therapist licenses by endorsement; dietitian/nutritionists; dietitian/nutritionist licenses by endorsement; practitioners of orthotics, prosthetics, or pedorthics; electrologists; clinical laboratory personnel; medical physicists; genetic counselors; opticians; hearing aid specialists; physical therapists; physical therapist assistants; psychologists and school psychologists; provisional licenses for psychologists; psychologist and school psychologist licenses by endorsement; intern registrations for clinical social work, marriage and family therapy, and mental health counseling; provisional licenses for clinical social workers, marriage and family therapists, and mental health counselors; clinical social workers, marriage and family therapists, and mental health counselors; and clinical social worker, marriage and family therapist, and mental health counselor licenses by endorsement, respectively, to include background screening requirements; making conforming and technical changes; amending ss. 468.505, 486.025, 486.0715, 486.1065, and 491.003, F.S.; conforming cross-references; providing effective dates.

Senator Grall moved the following amendments to **Amendment 1 (639998)** which were adopted:

Amendment 1A (358594) (with title amendment)—Delete lines 1004-1073 and insert:

Section 32. Subsection (1) of section 486.031, Florida Statutes, as amended by SB 1600 and SB 7016, 2024 Regular Session, is amended to read:

486.031 Physical therapist; licensing requirements; exemption.—

(1) To be eligible for licensing as a physical therapist, an applicant must *meet all of the following criteria*:

(a) Be at least 18 years old.~~;~~

(b) Be of good moral character.~~; and~~

(c)1. Have graduated from a school of physical therapy which has been approved for the educational preparation of physical therapists by the appropriate accrediting agency recognized by the Council for Higher Education Accreditation, or its successor or the United States Department of Education at the time of her or his graduation and have passed, to the satisfaction of the board, the American Registry Examination before 1971 or a national examination approved by the board to determine her or his fitness for practice as a physical therapist under this chapter;

2. Have received a diploma from a program in physical therapy in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapists in this country, as recognized by the appropriate agency as identified by the board, and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist under this chapter; or

3. Be entitled to licensure by endorsement or without examination as provided in s. 486.081.

(d) Have submitted to background screening in accordance with s. 456.0135.

Section 33. Subsection (1) of section 486.102, Florida Statutes, as amended by SB 1600 and SB 7016, 2024 Regular Session, is amended to read:

486.102 Physical therapist assistant; licensing requirements; exemption.—

(1) To be eligible for licensing by the board as a physical therapist assistant, an applicant must *meet all of the following criteria*:

(a) Be at least 18 years old.~~;~~

(b) Be of good moral character.~~; and~~

(c)1. Have graduated from a school providing a course of at least 2 years for physical therapist assistants, which has been approved for the educational preparation of physical therapist assistants by the appropriate accrediting agency recognized by the Council for Higher Education Accreditation or its successor or the United States Department of Education~~,~~ at the time of her or his graduation and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist assistant under this chapter;

2. Have graduated from a school providing a course for physical therapist assistants in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapist assistants in this country, as recognized by the appropriate agency as identified by the board, and passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist assistant under this chapter;

3. Be entitled to licensure by endorsement as provided in s. 486.107; or

4. Have been enrolled between July 1, 2014, and July 1, 2016, in a physical therapist assistant school in this state which was accredited at the time of enrollment; and

a. Have graduated ~~or be eligible to graduate from such school no later than July 1, 2018~~; and

b. Have passed to the satisfaction of the board an examination to determine his or her fitness for practice as a physical therapist assistant as provided in s. 486.104.

(d) Have submitted to background screening in accordance with s. 456.0135.

Delete lines 1547-1587.

And the title is amended as follows:

Delete line 1685 and insert: amending ss. 468.505 and

Amendment 1B (209544) (with title amendment)—Between lines 1602 and 1603 insert:

Section 46. *Effective July 1, 2024, for the 2024-2025 fiscal year, the sum of $250,000 in nonrecurring funds from the Medical Quality Assurance Trust Fund is appropriated to the Department of Health to implement the provisions of this act.*

And the title is amended as follows:

Between lines 1686 and 1687 insert: an appropriation; providing

Amendment 1 (639998), as amended, was adopted.

On motion by Senator Rouson, by two-thirds vote, **CS for CS for HB 975**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for 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. 112.1816, F.S.; revising the benefits a firefighter is entitled to upon a diagnosis of cancer; amending s. 121.0515, F.S.; revising requirements for 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 for a specified purpose; 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 after a specified date by the Florida Self-Insurers Guaranty Association, Incorporated; providing duties of the department and the association relating to such 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 circumstances under which information made confidential and exempt 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 held 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 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.; revising qualifications 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 after a specified date 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 after a specified date 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 after a specified date 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 applicability of 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.; revising the conditions under which service agreement companies' licenses are not suspended or revoked under certain circumstances; amending s. 634.3077, F.S.; revising 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; providing requirements for such associations; providing a penalty; 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 the terms "referring bail bond agent" and "transfer bond"; 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. 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; providing that, under certain circumstances, certain property is presumed unclaimed 2 years after the date of the apparent owner's death; providing an exception; providing construction; amending s. 717.106, F.S.; conforming a cross-reference; creating s. 717.1065, F.S.; providing circumstances under which virtual currency held or owed 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 and income or increment thereon 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; providing construction; amending s. 717.1125, F.S.; providing construction; amending s. 717.117, F.S.; deleting the paper option for reports by holders of unclaimed funds and property; revising the reporting requirements for 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 or deliveries of unclaimed property to the department release holders from certain liabilities; authorizing a certain defense in certain suits or actions; providing construction; requiring the department to defend the holder against certain claims and indemnify the holder against certain liability; specifying when a payment or delivery of unclaimed property is made in good faith; authorizing the department to refund and redeliver certain money and property under certain circumstances and within a specified timeframe; amending s. 717.1242, F.S.; revising legislative intent; 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 authority with respect to the disposition of unclaimed funds and property for specified purposes; prohibiting certain materials from being disclosed or made public under certain circumstances; providing an exception; 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; deleting a requirement for Unclaimed Property Purchase Agreements; providing applicability; 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 in which reasonable charges for expenses for family residential or custodial care are determined; amending s. 766.314, F.S.; revising the prohibition relating to the Florida Birth-Related Neurological Injury Compensation Plan accepting new claims; providing a directive to the Division of Law Revision; requiring the Florida Birth-Related Neurological Injury Compensation Association, in consultation with specified entities, to submit, by a specified date, a specified report to the Governor, the Chief Financial Officer, and the Legislature; specifying requirements for the report; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1098**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 989** was withdrawn from the Committee on Rules.

On motion by Senator DiCeglie—

CS for CS for CS for HB 989—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 17.69, F.S.; creating the Federal Tax Liaison position within the Department of Financial Services; providing the duties and authority of the liaison; amending s. 20.121, F.S.; renaming a division in the department; removing provisions relating to duties of such division and to bureaus and offices in such division; removing a division; amending s. 112.1816, F.S.; providing that, upon a diagnosis of cancer, firefighters are entitled to certain benefits under specified circumstances; amending s. 121.0515, F.S.; revising requirements for the Special Risk Class membership; amending s. 280.051, F.S.; providing additional grounds for qualified public depositories to be suspended and disqualified; amending s. 280.054, F.S.; providing additional acts deemed knowing and willful violations by qualified public depositories which are subject to certain penalties; amending s. 284.44, F.S.; removing 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; providing rulemaking authority; 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 such contracts and purchases; providing exemptions; 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 vacancy appointments; providing that board members are subject to the code of ethics; providing requirements for board members' conduct; prohibiting certain acts by the board; providing penalties; providing requirements for board meetings, books, and records; requiring notices of board meetings; providing requirements for such notices; amending s. 497.153, F.S.; authorizing services by electronic mail of administrative complaints against certain licensees under certain circumstances; amending s. 497.155, F.S.; authorizing services of citations by electronic mail under certain circumstances; amending s. 497.172, F.S.; revising circumstances under which the department may disclose certain information that is confidential and exempt from public records requirements; amending s. 497.386, F.S.; authorizing the department to enter and secure certain establishments, facilities, and morgues and remove certain remains under specified circumstances; requiring the department to make certain determinations; prohibiting certain licensees and facilities from being held liable under certain circumstances; providing penalties; creating s. 497.469, F.S.; authorizing preneed licensees to withdraw certain amounts of money under certain circumstances; providing documents that show that a preneed contract has been fulfilled; providing recordkeeping requirements; 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 all-lines adjuster licenses; amending s. 626.601, F.S.; revising construction; amending s. 626.7351, F.S.; providing a qualification for customer representative's licenses; 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 businesses and accept specified businesses; prohibiting such agents from being appointed by or transacting certain insurance on behalf of specified insurers; 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 associated with 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 associated with such contracts and purchases; providing nonapplicability; 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 association and boards associated with 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, employees, and agents are exempt from sales representative licenses and appointments under certain circumstances; amending s. 648.25, F.S.; providing definitions; amending s. 648.26, F.S.; revising the types of investigatory records of the department which are confidential and exempt from public records requirements; revising the circumstances under which investigatory records 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 agent license applications; creating s. 655.49, F.S.; authorizing the Office of Financial Regulation to receive complaints from a customer or member who reasonably believes that a financial institution has acted in bad faith in terminating, suspending, or taking similar action restricting access to such customer's or member's account; providing a time limit for a customer or member to file a complaint; providing nonapplicability; providing duties of the office upon receipt of a customer's or member's complaint; providing duties of a financial institution upon receipt of notification that a complaint has been filed; providing violations and penalties; providing that certain actions or certain failure of financial institutions to cooperate in specified investigations constitute violations of the Florida Deceptive and Unfair Trade Practices Act; providing that violations are enforced only by the enforcing authority; providing attorney fees and costs; requiring the office to provide certain reports and information to specified entities under certain circumstances; providing that the financial institutions' customers and members have a cause of action under certain circumstances; authorizing such customers and members to recover damages, together with costs and attorney fees; providing a time limit for initiating causes of action; requiring the office to make available information necessary for filing complaints on its website; amending s. 717.101, F.S.; providing and revising definitions; amending s. 717.102, F.S.; providing a rebuttal to a presumption of unclaimed property; providing requirements for such rebuttal; providing circumstances under which a property is presumed unclaimed; providing construction; 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 are not presumed unclaimed; prohibiting virtual currency holders from deducting certain charges from amounts of specified 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; providing construction; amending s. 717.1125, F.S.; providing construction; amending s. 717.117, F.S.; removing 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 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 the state assumes custody and responsibility for the safekeeping of unclaimed property upon good faith payments or deliveries of property to the department; providing that the department relieves holders of certain liability under specified circumstances; providing construction; requiring the department to defend holders against certain claims and indemnify holders against certain liability under specified circumstances; revising circumstances under which payments or deliveries of unclaimed property are considered to be made in good faith; authorizing the department to refund and redeliver certain money and property under certain circumstances; amending s. 727.1242, F.S.; revising legislative intent; 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 prohibition of department enforcement relating to duties of holders of unclaimed funds and property; revising 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 a provision to changes made by the act; amending s. 717.135, F.S.; revising the information that certain agreements relating to unclaimed property must disclose; removing a requirement for Unclaimed Property Purchase Agreement; providing nonapplicability; amending s. 717.1400, F.S.; removing a circumstance under which certain persons must register with the department; amending s. 766.302, F.S.; revising a definition; amending s. 766.314, F.S.; revising circumstances under which the Florida Birth-Related Neurological Injury Compensation Plan may not accept new claims; amending ss. 197.582 and 717.1382, F.S.; conforming a cross-reference; providing a directive to the Division of Law Revision; providing re-

porting requirements for the Florida Birth-Related Neurological Injury Compensation Association; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1098** and read the second time by title.

Senator DiCeglie moved the following amendments which were adopted:

Amendment 1 (383170) (with title amendment)—Delete lines 401-443.

And the title is amended as follows:

Delete lines 14-19 and insert: membership; amending s.

Amendment 2 (919464) (with title amendment)—Delete lines 1570-1672 and insert:

Section 39. Effective July 1, 2024, section 655.0323, Florida Statutes, is amended to read:

655.0323 Unsafe and unsound practices.—

(1) Financial institutions must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer or member and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a financial institution that claims a religious purpose from making such determinations based on the current or prospective customer's or member's religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a financial institution to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services*, including, but not limited to, the suspension of a customer's or member's account or the restriction of a customer's or member's ability to withdraw the available balance of such customer's or member's depository account for a period in excess of that allowable by law or in excess of that provided in the financial institution's policies, procedures, or processes,* or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.

2. The person's religious beliefs, religious exercise, or religious affiliations.

3. The person's lawful ownership of a firearm.

4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.

5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.

6. The person's support of the state or Federal Government in combating illegal immigration, drug trafficking, or human trafficking.

7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.

8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:

a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;

b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;

c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or

d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

(3) Beginning July 1, 2023, and by July 1 of each year thereafter, financial institutions *as defined in s. 655.005* ~~subject to the financial institutions codes~~ must attest, under penalty of perjury, on a form prescribed by the commission whether the entity is acting in compliance with subsections (1) and (2).

(4) If a person who is a customer or member of a financial institution suspects that such financial institution has acted in violation of subsection (2), the aggrieved customer or member may submit a complaint to the office on a form prescribed by the commission within 30 days after such action. A complaint is barred if not timely submitted. The complaint must, at a minimum, contain the name and address of the customer or member; the name of the financial institution; and the facts upon which the customer or member bases his or her allegation.

(a) Within 90 calendar days after receiving a complaint submitted pursuant to this subsection, the office must determine whether the allegations made in the complaint constitute a violation of subsection (2) and, if so, must begin an investigation of the alleged violation. A complaint submitted pursuant to this subsection which is a result of a financial institution taking action due to suspicious activity, as defined in s. 655.50(3), without any basis for finding a violation under this section, must be handled in accordance with s. 655.50.

(b) After the investigation is completed or ceases to be active, the office shall:

1. Within 30 calendar days after the completion or cessation of the investigation, create a report detailing the findings of the investigation. Such report, however, may not contain or must redact any information that remains confidential and exempt from s. 119.07(1). If the office determines that no violation of subsection (2) has occurred, the report must only:

a. Identify the complaint for which the report is made; and

b. State that a determination has been made that no violation of subsection (2) has occurred.

2. Except as otherwise provided or prohibited by law, within 45 calendar days after the completion or cessation of the investigation, send such report to the customer or member who submitted the complaint pursuant to this subsection, via certified mail, return receipt requested, delivery restricted to the addressee; and to the subject financial institution.

(c) If the office determines that a violation of subsection (2) has occurred, the office must provide notice of such violation to the Department of Financial Services and the enforcing authority, as defined in s. 501.203(2), and provide a copy of the report created pursuant to this subsection. A violation does not include an action related to the presumption that the account in question is presumed to be unclaimed property pursuant to chapter 717.

(5)~~(4)~~ Engaging in a practice described in subsection (2) or failing to timely provide the attestation under subsection (3) is a failure to comply with this chapter, constitutes a violation of the financial institutions codes, and is subject to the applicable sanctions and penalties provided for in the financial institutions codes.

(6)~~(5)~~ Notwithstanding ss. 501.211 and 501.212, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject

the violator to the sanctions and penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

(7)~~(6)~~ The office and the commission may not exercise authority pursuant to s. 655.061 in relation to this section.

(8) The commission may adopt rules to administer this section.

And the title is amended as follows:

Delete lines 149-177 and insert: applications; amending s. 655.0323, F.S.; providing that certain actions are included as an unsafe and unsound practice for financial institutions; making a technical change; authorizing certain aggrieved customers or members to make a complaint to the Office of Financial Regulation on a specified form within a specified timeframe; providing that complaints are barred if not timely submitted; requiring the office to make certain determinations and begin an investigation within a specified timeframe after receiving a complaint; requiring that certain claims be handled in accordance with certain provisions; requiring the office to take certain actions after an investigation is completed or ceases to be active; authorizing the Financial Services Commission to adopt rules to administer this section; amending s. 717.101, F.S.; providing and

Amendment 3 (699538) (with title amendment)—Between lines 2936 and 2937 insert:

Section 66. *For the 2024-2025 fiscal year, the sum of $250,000 in general revenue funds is appropriated to the Department of Financial Services to contract with an appropriate vendor to prepare a report pursuant to the requirements of this section, providing findings and recommendations related to depositing public funds with credit unions in this state. The Chief Financial Officer shall provide the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 15, 2025.*

(1) At a minimum, the vendor preparing the report shall review all of the following:

(a) The policies, procedures, and practices of other states related to qualified public depositories and the treatment of credit unions.

(b) Best practices for public deposits and public depositories, including compliance responsibilities, collateral requirements, and other features of public deposits laws and regulations.

(c) Federal laws and regulations related to the governance of allowing credit unions to serve as public depositories.

(d) Input from industry stakeholders and experts, including state and national associations, credit unions, federal administrations including the National Credit Union Administration, and research institutions.

(2) The vendor shall study the effects of authorizing state funds to be deposited with credit unions. Consideration must be given to evaluating the return on investment to the state, direct and indirect benefits to the state, and statewide impacts on jobs, businesses, and state agencies.

(3) The vendor shall evaluate current state deposits and make recommendations on the feasibility of depositing state funds with credit unions in this state, the scope of appropriate state funds for such deposits, and any statutory provisions necessary to carry out the recommendations.

(4) The vendor shall study the effects of authorizing local government funds to be deposited with credit unions. Consideration must be given to evaluating the direct and indirect benefits to the local area, estimated immediate and long-term impacts on current depositories, and impacts on other businesses, jobs, and the local economy.

And the title is amended as follows:

Delete line 276 and insert: Association; providing an appropriation; requiring the Chief Financial Officer to submit a report to the Governor and the Legislature by a specified date; providing requirements for the vendor in preparing the report; providing effective dates.

On motion by Senator DiCeglie, by two-thirds vote, **CS for CS for CS for HB 989**, as amended, 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	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Stewart
Brodeur	Hutson	Thompson
Broxson	Ingoglia	Torres
Burgess	Jones	Trumbull
Burton	Martin	Wright
Calatayud	Mayfield	Yarborough

Nays—1

Rodriguez

Vote after roll call:

Nay to Yea—Rodriguez

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

BILLS ON THIRD READING

HB 7067—A bill to be entitled An act relating to pretrial detention hearings; amending s. 907.041, F.S.; authorizing a court to base an order of pretrial detention solely on hearsay; making technical changes; providing an effective date.

—as amended March 5, was read the third time by title.

On motion by Senator Bradley, **HB 7067**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—5

Berman	Osgood	Thompson
Jones	Powell	

Vote after roll call:

Yea—Madam President

Consideration of **CS for HB 347** was deferred.

HB 1451—A bill to be entitled An act relating to identification documents; amending ss. 125.0156 and 166.246, F.S.; prohibiting counties and municipalities, respectively, from accepting certain iden-

tification cards or documents that are knowingly issued to individuals who are not lawfully present in the United States as a form of identification; providing an exception; providing an effective date.

—was read the third time by title.

On motion by Senator Ingoglia, **HB 1451** was passed and certified to the House. The vote on passage was:

Yeas—28

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

Nays—9

Berman	Jones	Powell
Book	Pizzo	Stewart
Davis	Polsky	Torres

MOTIONS

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7014, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 7014—A bill to be entitled An act relating to ethics; amending s. 112.3122, F.S.; increasing the maximum fine for violations of specified lobbying provisions; amending s. 112.3144, F.S.; authorizing attorneys who file full and public disclosures of their financial interests to indicate that a client meets disclosure criteria without providing further information relating to such client; authorizing such attorneys to designate such clients as "Legal Client" on such disclosures; amending s. 112.3145, F.S.; deleting obsolete language; authorizing attorneys who file statements of financial interests to indicate that a client meets disclosure criteria without providing further information relating to such client; authorizing such attorneys to designate such clients as "Legal Client" on such statements; amending s. 112.321, F.S.; prohibiting a member of the Commission on Ethics from serving more than two full terms, instead of two full terms in succession; making technical changes; deleting obsolete language; amending s. 112.317, F.S.; providing that a complainant is liable for costs plus reasonable attorney fees for filing a complaint with malicious intent against a candidate for public office; amending s. 112.324, F.S.; requiring that allegations in written complaints submitted to the commission be based upon personal knowledge or information other than hearsay; specifying that a certain number of members of the commission are not required to make a specified determination related to written referrals submitted to the commission by specified parties; requiring the commission to submit a copy of a certain referral to an alleged violator within a specified timeframe; requiring the commission to undertake a preliminary investigation within a specified timeframe after receipt of technically and legally sufficient complaints or referrals and make a certain determination; authorizing a complainant to submit an amended complaint within a specified timeframe; providing that the probable cause determination concludes the preliminary investigation; requiring the commission to complete a preliminary investigation, including a probable cause determination, within a specified timeframe; requiring the commission to complete an investigatory report within a specified timeframe; authorizing the commission to extend, for a specified period, the allowable timeframe to adequately complete a preliminary investigation if a specified number of members of the commission determine such extension is necessary; requiring the commission to document the reasons for extending such investigation and transmit a copy of such documentation to the alleged violator and complainant within a specified timeframe; requiring the commission to transmit a copy of the completed report to an alleged violator and to the counsel representing the commission within a specified timeframe; requiring such counsel to make a written recommendation for disposition of a complaint or referral within a specified timeframe after receiving the investigatory report; requiring the commission to transmit such recommendation to the alleged violator within a specified timeframe; providing that the alleged violator has a specified timeframe to respond in writing to the counsel's recommendation; requiring the commission, upon receipt of the counsel's recommendation, to schedule a probable cause hearing for the next executive session of the commission for which notice requirements can be met; providing that, under specified conditions, the commission may dismiss complaints or referrals before completion of a preliminary investigation; providing a timeframe within which the commission must transmit a copy of the order finding probable cause to the complainant and the alleged violator after a finding of probable cause; specifying that an alleged violator is entitled to request a formal hearing before the Division of Administrative Hearings or may select an informal hearing with the commission; providing that persons are deemed to waive their rights to a formal or an informal hearing if the request is not received within a specified timeframe; providing the timeframe within which the commission must conduct an informal hearing; requiring the commission to schedule a case that has been relinquished from the Division of Administrative Hearings for additional action at the next commission meeting for which notice requirements can be met; requiring the commission to complete final action on such case within a specified timeframe; requiring a specified percentage of commission members present at a meeting to vote to reject or deviate from a recommendation made by the counsel representing the commission; providing that specified timeframes are tolled until the completion of a related criminal investigation or prosecution, excluding appeals, whichever occurs later; providing that a harmless error standard applies to the commission regarding specified timeframes; amending s. 112.326, F.S.; providing requirements for noncriminal complaint procedures if a political subdivision or an agency adopts more stringent standards of conduct and disclosure requirements; providing that existing and future ordinances and rules that are in conflict with specified provisions are void; providing an effective date.

House Amendment 1 (126105) (with title amendment)—Remove lines 264-431 and insert:

Section 6. Effective October 1, 2024, subsections (1) and (3) of section 112.324, Florida Statutes, are amended to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(1) The commission shall investigate an alleged violation of this part or other alleged breach of the public trust within the jurisdiction of the commission as provided in s. 8(f), Art. II of the State Constitution:

(a) Upon a written complaint executed on a form prescribed by the commission *which is based upon personal knowledge or information other than hearsay* and signed under oath or affirmation by any person; or

(b) Upon receipt of a written referral of a possible violation of this part or other possible breach of the public trust from the Governor, the Department of Law Enforcement, a state attorney, or a United States Attorney ~~which at least six members of the commission determine is sufficient to indicate a violation of this part or any other breach of the public trust~~.

Within 5 days after receipt of a complaint *or referral* by the commission ~~or a determination by at least six members of the commission that the referral received is deemed sufficient~~, a copy *must* ~~shall~~ be transmitted to the alleged violator.

(3)*(a)* A preliminary investigation *must* ~~shall~~ be undertaken by the commission *within 30 days after its receipt* of each *technically and* legally sufficient complaint or referral over which the commission has jurisdiction to determine whether there is probable cause to believe that a violation has occurred. *A complainant may submit an amended complaint up to 60 days after the commission receives the initial complaint. The probable cause determination is the conclusion of the preliminary investigation. The commission shall complete the preliminary investigation, including the probable cause determination, no later than 1 year after the beginning of the preliminary investigation.*

(b) An investigatory report must be completed no later than 150 days after the beginning of the preliminary investigation. If, at any one meeting of the commission held during a given preliminary investigation, at least six members of the commission determine that additional time is necessary to adequately complete such investigation, the commission may extend the timeframe to complete the preliminary investigation by no more than 60 days. During such meeting, the commission shall document its reasons for extending the investigation and transmit a copy of such documentation to the alleged violator and complainant no later than 5 days after the extension is ordered. The investigatory report must be transmitted to the alleged violator and to the counsel representing the commission no later than 5 days after completion of the report. The counsel representing the commission shall make a written recommendation to the commission for the disposition of the complaint or referral no later than 15 days after he or she receives the completed investigatory report. The commission shall transmit the counsel's written recommendation to the alleged violator no later than 5 days after its completion. The alleged violator has 14 days after the mailing date of the counsel's recommendation to respond in writing to the recommendation.

(c) Upon receipt of the counsel's recommendation, the commission shall schedule a probable cause hearing for the next executive session of the commission for which notice requirements can be met.

(d) If~~, upon completion of the preliminary investigation,~~ the commission finds no probable cause to believe that this part has been violated*,* or that *no* ~~any~~ other breach of the public trust has been committed, the commission *must* ~~shall~~ dismiss the complaint or referral with the issuance of a public report to the complainant and the alleged violator, stating with particularity its reasons for dismissal. At that time, the complaint or referral and all materials relating to the complaint or referral ~~shall~~ become a matter of public record.

(e) If the commission finds ~~from the preliminary investigation~~ probable cause to believe that this part has been violated or that any other breach of the public trust has been committed, it *must transmit a copy of the order finding probable cause to* ~~shall so notify~~ the complainant and the alleged violator in writing *no later than 5 days after the date of the probable cause determination*. Such notification and all documents made or received in the disposition of the complaint or referral ~~shall then~~ become public records. Upon request submitted to the commission in writing, any person who the commission finds probable cause to believe has violated any provision of this part or has committed any other breach of the public trust *is* ~~shall be~~ entitled to a public hearing *and may elect to have a formal administrative hearing conducted by an administrative law judge in the Division of Administrative Hearings. If the person does not elect to have a formal administrative hearing by an administrative law judge, the person is entitled to an informal hearing conducted before the commission*. Such person *is* ~~shall be~~ deemed to have waived the right to a *formal or an informal* public hearing if the request is not received within 14 days following the mailing *date* of the probable cause notification required by this *paragraph* ~~subsection~~. However, the commission may*,* on its own motion, require a public hearing.

(f) If the commission conducts an informal hearing, it must be held no later than 75 days after the date of the probable cause determination.

(g) If the commission refers a case to the Division of Administrative Hearings for a formal hearing and subsequently requests that the case be relinquished back to the commission, or if the administrative law judge assigned to the case relinquishes jurisdiction back to the commission before a recommended order is entered, the commission must schedule the case for additional action at the next commission meeting for which notice requirements can be met. At the next subsequent commission meeting, the commission must complete final action on such case.

(h) The commission~~, may conduct such further investigation as it deems necessary, and~~ may enter into such stipulations and settlements as it finds to be just and in the best interest of the state. *At least two-thirds of the members of the commission present at a meeting must vote to reject or deviate from a stipulation or settlement that is recommended by the counsel representing the commission.* The commission is without jurisdiction to, and no respondent may voluntarily or involuntarily, enter into a stipulation or settlement which imposes any penalty, including, but not limited to, a sanction or admonition or any other penalty contained in s. 112.317. Penalties *may* ~~shall~~ be imposed only by the appropriate disciplinary authority as designated in this section.

(i) If a criminal complaint related to an investigation pursuant to this section is filed, the timeframes in this subsection are tolled until completion of the criminal investigation or prosecution, excluding any appeals from such prosecution, whichever occurs later.

(j) The failure of the commission to comply with the time limits provided in this subsection constitutes harmless error in any related disciplinary action unless a court finds that the fairness of the proceedings or the correctness of an action may have been impaired by a material error in procedure or a failure to follow prescribed procedure.

(k) The timeframes prescribed by this subsection apply to complaints or referrals submitted to the commission on or after October 1, 2024.

Section 7. Effective October 1, 2024, section 112.326, Florida Statutes, is amended to read:

112.326 Additional requirements by political subdivisions and agencies not prohibited*; certain procedures preempted*.—

(1) Except as provided in subsection (2), ~~Nothing in~~ this *part does not* ~~act shall~~ prohibit the governing body of any political subdivision, by ordinance, or agency, by rule, from imposing upon its own officers and employees additional or more stringent standards of conduct and disclosure requirements than those specified in this part, provided that those standards of conduct and disclosure requirements do not otherwise conflict with the provisions of this part.

(2) If a political subdivision or an agency adopts by ordinance or rule additional or more stringent standards of conduct and disclosure requirements pursuant to subsection (1), any noncriminal complaint procedure must:

(a) Require a complaint to be written and signed under oath or affirmation by the person making the complaint.

(b) Require a complaint to be based upon personal knowledge or information other than hearsay.

(c) Prohibit the initiation of a complaint or investigation by the governing body of the political subdivision, agency, or any entity created to enforce the standards.

(d) Include a provision establishing a process for the recovery of costs and attorney fees for public officers, public employees, or candidates for public office against a person found by the governing body of the political subdivision, agency, or entity created to enforce the standards to have filed the complaint with a malicious intent to injure the reputation of such officer, employee, or candidate by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation.

(3) Any existing or future ordinance or rule adopted by a political subdivision or an agency which is in conflict with subsection (2) is void.

Section 8. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Remove lines 92-105 and insert: stipulation or settlement recommended by the counsel representing the commission; providing that specified timeframes are tolled until the completion of a related criminal investigation or prosecution, excluding appeals, whichever occurs later; providing that a harmless error standard applies to the commission regarding specified timeframes; providing applicability; amending

s. 112.326, F.S.; providing requirements for noncriminal complaint procedures if a political subdivision or an agency adopts more stringent standards of conduct and disclosure requirements; providing that existing and future ordinances and rules that are in conflict with specified provisions are void; providing effective dates.

Senator Burgess moved the following amendment which was adopted:

Senate Amendment 1 (844484) (with title amendment) to House Amendment 1 (126105)—Delete lines 5-139 and insert:

Section 6. Subsection (1) of section 112.324, Florida Statutes, is amended to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(1) The commission shall investigate an alleged violation of this part or other alleged breach of the public trust within the jurisdiction of the commission as provided in s. 8(f), Art. II of the State Constitution:

(a) Upon a written complaint executed on a form prescribed by the commission *which is based upon personal knowledge or information other than hearsay* and signed under oath or affirmation by any person; or

(b) Upon receipt of a written referral of a possible violation of this part or other possible breach of the public trust from the Governor, the Department of Law Enforcement, a state attorney, or a United States Attorney which at least six members of the commission determine is sufficient to indicate a violation of this part or any other breach of the public trust.

Within 5 days after receipt of a complaint by the commission ~~or~~ a determination by at least six members of the commission that the referral received is deemed sufficient, a copy shall be transmitted to the alleged violator.

Section 7. Effective October 1, 2024, subsections (1) and (3) of section 112.324, Florida Statutes, as amended by this act, are amended to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(1) The commission shall investigate an alleged violation of this part or other alleged breach of the public trust within the jurisdiction of the commission as provided in s. 8(f), Art. II of the State Constitution:

(a) Upon a written complaint executed on a form prescribed by the commission which is based upon personal knowledge or information other than hearsay and signed under oath or affirmation by any person; or

(b) Upon receipt of a written referral of a possible violation of this part or other possible breach of the public trust from the Governor, the Department of Law Enforcement, a state attorney, or a United States Attorney ~~which at least six members of the commission determine is sufficient to indicate a violation of this part or any other breach of the public trust~~.

Within 5 days after receipt of a complaint *or referral* by the commission ~~or a determination by at least six members of the commission that the referral received is deemed sufficient~~, a copy *must* ~~shall~~ be transmitted to the alleged violator.

(3)*(a)* A preliminary investigation *must* ~~shall~~ be undertaken by the commission *within 30 days after its receipt* of each *technically and* legally sufficient complaint or referral over which the commission has jurisdiction to determine whether there is probable cause to believe that a violation has occurred. *A complainant may submit an amended complaint up to 60 days after the commission receives the initial complaint. The probable cause determination is the conclusion of the preliminary investigation. The commission shall complete the preliminary investigation, including the probable cause determination, no later than 1 year after the beginning of the preliminary investigation.*

(b) An investigatory report must be completed no later than 150 days after the beginning of the preliminary investigation. If, at any one meeting of the commission held during a given preliminary investigation, the commission determines that additional time is necessary to adequately complete such investigation, the commission may extend the timeframe to complete the preliminary investigation by no more than 60 days. During such meeting, the commission shall document its reasons for extending the investigation and transmit a copy of such documentation to the alleged violator and complainant no later than 5 days after the extension is ordered. The investigatory report must be transmitted to the alleged violator and to the counsel representing the commission no later than 5 days after completion of the report. As used in this section, the term "counsel" means an assistant attorney general, or in the event of a conflict of interest, an attorney not otherwise employed by the commission. The counsel representing the commission shall make a written recommendation to the commission for the disposition of the complaint or referral no later than 15 days after he or she receives the completed investigatory report. The commission shall transmit the counsel's written recommendation to the alleged violator no later than 5 days after its completion. The alleged violator has 14 days after the mailing date of the counsel's recommendation to respond in writing to the recommendation.

(c) Upon receipt of the counsel's recommendation, the commission shall schedule a probable cause hearing for the next executive session of the commission for which notice requirements can be met.

(d) If~~, upon completion of the preliminary investigation,~~ the commission finds no probable cause to believe that this part has been violated, or that *no* ~~any~~ other breach of the public trust has been committed, the commission *must* ~~shall~~ dismiss the complaint or referral with the issuance of a public report to the complainant and the alleged violator, stating with particularity its reasons for dismissal. At that time, the complaint or referral and all materials relating to the complaint or referral ~~shall~~ become a matter of public record.

(e) If the commission finds ~~from the preliminary investigation~~ probable cause to believe that this part has been violated or that any other breach of the public trust has been committed, it *must transmit a copy of the order finding probable cause to* ~~shall so notify~~ the complainant and the alleged violator in writing *no later than 5 days after the date of the probable cause determination*. Such notification and all documents made or received in the disposition of the complaint or referral ~~shall then~~ become public records. Upon request submitted to the commission in writing, any person who the commission finds probable cause to believe has violated any provision of this part or has committed any other breach of the public trust *is* ~~shall be~~ entitled to a public hearing *and may elect to have a formal administrative hearing conducted by an administrative law judge in the Division of Administrative Hearings. If the person does not elect to have a formal administrative hearing by an administrative law judge, the person is entitled to an informal hearing conducted before the commission*. Such person *is* ~~shall be~~ deemed to have waived the right to a *formal or an informal* public hearing if the request is not received within 14 days following the mailing *date* of the probable cause notification required by this *paragraph* ~~subsection~~. However, the commission may, on its own motion, require a public hearing.

(f) If the commission conducts an informal hearing, it must be held no later than 75 days after the date of the probable cause determination.

(g) If the commission refers a case to the Division of Administrative Hearings for a formal hearing and subsequently requests that the case be relinquished back to the commission, or if the administrative law judge assigned to the case relinquishes jurisdiction back to the commission before a recommended order is entered, the commission must schedule the case for additional action at the next commission meeting for which notice requirements can be met. At the next subsequent commission meeting, the commission must complete final action on such case.

(h) The commission~~, may conduct such further investigation as it deems necessary, and~~ may enter into such stipulations and settlements as it finds to be just and in the best interest of the state. *At least two-thirds of the members of the commission present at a meeting must vote to reject or deviate from a stipulation or settlement that is recommended by the counsel representing the commission.* The commission is without jurisdiction to, and no respondent may voluntarily or involuntarily, enter into a stipulation or settlement which imposes any penalty, including, but not limited to, a sanction or admonition or any other pen-

alty contained in s. 112.317. Penalties *may* ~~shall~~ be imposed only by the appropriate disciplinary authority as designated in this section.

(i) If a criminal complaint related to an investigation pursuant to this section is filed, the timeframes in this subsection are tolled until completion of the criminal investigation or prosecution, excluding any appeals from such prosecution, whichever occurs later.

(j) The failure of the commission to comply with the time limits provided in this subsection constitutes harmless error in any related disciplinary action unless a court finds that the fairness of the proceedings or the correctness of an action may have been impaired by a material error in procedure or a failure to follow prescribed procedure.

(k) The timeframes prescribed by this subsection apply to complaints or referrals submitted to the commission on or after October 1, 2024.

Section 8. Section 112.326,

And the title is amended as follows:

Delete line 181 and insert: Delete lines 49-105 and insert: preliminary investigation if the commission determines such extension is necessary; requiring the commission to document the reasons for extending such investigation and transmit a copy of such documentation to the alleged violator and complainant within a specified timeframe; requiring the commission to transmit a copy of the completed report to an alleged violator and to the counsel representing the commission within a specified timeframe; defining the term "counsel"; requiring such counsel to make a written recommendation for disposition of a complaint or referral within a specified timeframe after receiving the investigatory report; requiring the commission to transmit such recommendation to the alleged violator within a specified timeframe; providing that the alleged violator has a specified timeframe to respond in writing to the counsel's recommendation; requiring the commission, upon receipt of the counsel's recommendation, to schedule a probable cause hearing for the next executive session of the commission for which notice requirements can be met; providing that, under specified conditions, the commission may dismiss complaints or referrals before completion of a preliminary investigation; providing a timeframe within which the commission must transmit a copy of the order finding probable cause to the complainant and the alleged violator after a finding of probable cause; specifying that an alleged violator is entitled to request a formal hearing before the Division of Administrative Hearings or may select an informal hearing with the commission; providing that persons are deemed to waive their rights to a formal or an informal hearing if the request is not received within a specified timeframe; providing the timeframe within which the commission must conduct an informal hearing; requiring the commission to schedule a case that has been relinquished from the Division of Administrative Hearings for additional action at the next commission meeting for which notice requirements can be met; requiring the commission to complete final action on such case within a specified timeframe; requiring a specified percentage of commission members present at a meeting to vote to reject or deviate from a

House Amendment 1 (126105), as amended, was adopted.

On motion by Senator Burgess, the Senate concurred in **House Amendment 1 (126105)**, as amended by **Senate Amendment 1 (844484)**, and requested the House to concur in the Senate amendment to the House amendment.

CS for SB 7014 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—26

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

Nays—4

Berman	Pizzo	Polsky
Powell		

Vote after roll call:

Yea—Baxley, Garcia, Simon, Trumbull

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 7030, with 1 amendment, by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

SB 7030—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the personal identifying and location information of certain current or former personnel of the Agency for Health Care Administration and their spouses and children; providing for future legislative review and repeal of the exemption; providing for retroactive application; abrogating the scheduled repeal of exemptions for certain personal identifying and location information of specified agency personnel, and the spouses and children thereof; providing a statement of public necessity; providing an effective date.

House Amendment 1 (175313) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (4) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(4) AGENCY PERSONNEL INFORMATION.—

(d)1. For purposes of this paragraph, the term:

a. "Home addresses" means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.

b. "Judicial assistant" means a court employee assigned to the following class codes: 8140, 8150, 8310, and 8320.

c. "Telephone numbers" includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2.a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn law enforcement personnel or of active or former civilian personnel employed by a law enforcement agency, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

b. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and

children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges, and of current judicial assistants; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges and of current judicial assistants; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges and of current judicial assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

h. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.820; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

k. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

p. The home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants who are retained by an agency or current or former employees of an impaired practitioner consultant whose duties result in a determination of a person's skill and safety to practice a licensed profession; the names, home addresses, telephone numbers, dates of birth, and places of em-

ployment of the spouses and children of such consultants or their employees; and the names and locations of schools and day care facilities attended by the children of such consultants or employees are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

q. The home addresses, telephone numbers, dates of birth, and photographs of current or former emergency medical technicians or paramedics certified under chapter 401; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such emergency medical technicians or paramedics; and the names and locations of schools and day care facilities attended by the children of such emergency medical technicians or paramedics are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

r. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation, or other activities that could lead to criminal prosecution or administrative discipline; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

s. The home addresses, telephone numbers, dates of birth, and photographs of current or former directors, managers, supervisors, nurses, and clinical employees of an addiction treatment facility; the home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this sub-subparagraph, the term "addiction treatment facility" means a county government, or agency thereof, that is licensed pursuant to s. 397.401 and provides substance abuse prevention, intervention, or clinical treatment, including any licensed service component described in s. 397.311(26).

t. The home addresses, telephone numbers, dates of birth, and photographs of current or former directors, managers, supervisors, and clinical employees of a child advocacy center that meets the standards of s. 39.3035(2) and fulfills the screening requirement of s. 39.3035(3), and the members of a Child Protection Team as described in s. 39.303 whose duties include supporting the investigation of child abuse or sexual abuse, child abandonment, child neglect, and child exploitation or to provide services as part of a multidisciplinary case review team; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel and members; and the names and locations of schools and day care facilities attended by the children of such personnel and members are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

u. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former staff and domestic violence advocates, as defined in s. 90.5036(1)(b), of domestic violence centers certified by the Department of Children and Families under chapter 39; the names, home addresses, telephone numbers, places of employment, dates of birth, and photographs of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

v. The home addresses, telephone numbers, dates of birth, and photographs of current or former inspectors or investigators of the Department of Agriculture and Consumer Services; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former inspectors or investigators; and the names and locations of schools and day care facilities attended by the children of current or former inspectors or investigators are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

3. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. must maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written and notarized request for maintenance of the exemption to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt status.

4.a. A county property appraiser, as defined in s. 192.001(3), or a county tax collector, as defined in s. 192.001(4), who receives a written and notarized request for maintenance of the exemption pursuant to subparagraph 3. must comply by removing the name of the individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exempt status from all publicly available records maintained by the property appraiser or tax collector. For written requests received on or before July 1, 2021, a county property appraiser or county tax collector must comply with this sub-subparagraph by October 1, 2021. A county property appraiser or county tax collector may not remove the street address, legal description, or other information identifying real property within the agency's records so long as a name or personal information otherwise exempt from inspection and copying pursuant to this section is not associated with the property or otherwise displayed in the public records of the agency.

b. Any information restricted from public display, inspection, or copying under sub-subparagraph a. must be provided to the individual whose information was removed.

5. An officer, an employee, a justice, a judge, or other person specified in subparagraph 2. may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information.

6. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

7. Information made exempt under this paragraph may be disclosed pursuant to s. 28.2221 to a title insurer authorized pursuant to s. 624.401 and its affiliates as defined in s. 624.10; a title insurance agent or title insurance agency as defined in s. 626.841(1) or (2), respectively; or an attorney duly admitted to practice law in this state and in good standing with The Florida Bar.

8. The exempt status of a home address contained in the Official Records is maintained only during the period when a protected party resides at the dwelling location. Upon conveyance of real property after October 1, 2021, and when such real property no longer constitutes a protected party's home address as defined in sub-subparagraph 1.a., the protected party must submit a written request to release the removed information to the county recorder. The written request to release the removed information must be notarized, must confirm that a protected party's request for release is pursuant to a conveyance of his or her dwelling location, and must specify the Official Records book and page, instrument number, or clerk's file number for each document containing the information to be released.

9. Upon the death of a protected party as verified by a certified copy of a death certificate or court order, any party can request the county recorder to release a protected decedent's removed information unless there is a related request on file with the county recorder for continued removal of the decedent's information or unless such removal is otherwise prohibited by statute or by court order. The written request to release the removed information upon the death of a protected party must attach the certified copy of a death certificate or court order and must be notarized, must confirm the request for release is due to the death of a protected party, and must specify the Official Records book and page number, instrument number, or clerk's file number for each document containing the information to be released. A fee may not be charged for the release of any document pursuant to such request.

~~10. Except as otherwise expressly provided in this paragraph, this paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2024.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for certain personal identifying and location information of specified agency personnel and the spouses and children thereof; removing the scheduled repeal of the exemption; providing an effective date.

On motion by Senator Avila, the Senate refused to concur in the **House Amendment 1 (175313)** to **SB 7030** and the House was requested to recede. The action of the Senate was certified to the House.

RECONSIDERATION OF BILL

On motion by Senator DiCeglie, the Senate reconsidered the vote by which—

CS for CS for CS for HB 1301—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; revising the list of areas of program responsibility within the Department of Transportation; removing provisions requiring the secretary of the department to appoint an inspector general; amending s. 311.101, F.S.; providing an appropriation from the State Transportation Trust Fund for the Intermodal Logistics Center Infrastructure Support Program; requiring the department to include certain projects in the tentative work program; amending s. 334.046, F.S.; revising provisions relating to the department's mission, goals, and objectives; creating s. 334.61, F.S.; requiring a governmental entity that proposes a certain project to conduct a traffic study; requiring notice to affected property owners, impacted municipalities, and counties in which the project is located within a specified timeframe; providing notice requirements; requiring such governmental entity to hold a public meeting before completion of the design phase of such project; providing requirements for such public meeting; requiring such governmental entity to review and take into consideration comments and alternatives presented in such public meeting in the final project design; amending s. 338.231, F.S.; revising the time period for which a prepaid toll account must remain inactive in order to be presumed unclaimed; amending s. 339.08, F.S.; prohibiting the department from expending certain state funds to support certain projects or programs; amending s. 339.0803, F.S.; prioritizing availability of certain revenues deposited into the State Transportation Trust Fund for payments under service contracts with the Florida Department of Transportation Financing Corporation to fund arterial highway projects; authorizing two or more of such projects to be treated as a single project for certain purposes; amending s. 339.0809, F.S.; specifying priority of availability of funds appropriated for payments under a service contract with the corporation; authorizing the department to enter into service contracts to finance certain projects; providing requirements for annual service contract payments; amending s. 339.2818, F.S.; authorizing certain local governments, subject to appropriation, to compete for additional funding for certain county roads; amending s. 341.051, F.S.; providing voting and meeting notice requirements for specified public transit projects; providing meeting notice requirements for discussion of specified actions by a public transit provider; requiring certain unallocated funds for the New Starts Transit Program to be reallocated for the purpose of the Strategic Intermodal System; limiting the displays a public transit provider, as a condition of receiving state funds, may display on certain vehicles; providing the department and any state agency priority to contract for certain marketing or advertising activities; providing definitions; providing applicability; requiring the department to incorporate guidelines in the public transportation grant agreement entered into with each public transit provider; prohibiting certain media on passenger windows of public transit provider vehicles from being darker than certain window tinting requirements; amending s. 341.071, F.S.; providing definitions; requiring each public transit provider to annually certify that its budgeted and general administration costs do not exceed the annual state average of administrative costs by more than a certain percentage, to annually present a specified budget report, and to annually post a specified disclosure on its website; specifying the method by which the department is required to determine a certain annual state average; requiring a specified increase in general administration costs to be reviewed and approved by certain entities; amending s. 341.822, F.S.; revising powers of the Florida Rail Enterprise; providing an effective date.

—as amended, passed this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator DiCeglie, the Senate reconsidered the vote by which **Amendment 1 (207018)** was adopted.

On motion by Senator DiCeglie, the Senate reconsidered the vote by which **Amendment 1B (676162)** was adopted.

Amendment 1B (676162) was withdrawn.

Senator Gruters moved the following amendment to **Amendment 1 (207018)** which was adopted by two-thirds vote:

Amendment 1C (147592) (with title amendment)—Between lines 437 and 438 insert:

Section 16. Section 316.1575, Florida Statutes, is amended to read:

316.1575 Obedience to traffic control devices at railroad-highway grade crossings.—

(1) *A* ~~Any~~ person *cycling,* walking or driving a vehicle and approaching a railroad-highway grade crossing under any of the circumstances stated in this section *must* ~~shall~~ stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and *may* ~~shall~~ not proceed until *the railroad tracks are clear and* he or she can do so safely. *This subsection applies* ~~The foregoing requirements apply~~ when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train *or railroad track equipment*;

(b) A crossing gate is lowered or a law enforcement officer or a human flagger gives or continues to give a signal of the approach or passage of a railroad train *or railroad track equipment*;

(c) An approaching railroad train *or railroad track equipment* emits an audible signal or the railroad train *or railroad track equipment*, by reason of its speed or nearness to the crossing, is an immediate hazard; or

(d) An approaching railroad train *or railroad track equipment* is plainly visible and is in hazardous proximity to the railroad-highway grade crossing, regardless of the type of traffic control devices installed at the crossing.

(2) *A* ~~No~~ person *may not* ~~shall~~ drive *a* ~~any~~ vehicle through, around, or under any crossing gate or barrier at a railroad-highway grade crossing while the gate or barrier is closed or is being opened or closed.

(3) A *person who violates* ~~violation of~~ this section *commits* ~~is~~ a noncriminal traffic infraction, punishable pursuant to chapter 318 as*:*

(a) ~~either~~ A pedestrian violation*;* or~~,~~

(b) If the infraction resulted from the operation of a vehicle, as a moving violation.

1. For a first violation, the person must pay a fine of $500 or perform 25 hours of community service and shall have 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7.

2. For a second or subsequent violation, the person must pay a fine of $1,000 and shall have an additional 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7.

Section 17. Section 316.1576, Florida Statutes, is amended to read:

316.1576 Insufficient clearance at a railroad-highway grade crossing.—

(1) A person may not drive *a* ~~any~~ vehicle through a railroad-highway grade crossing that does not have sufficient space to drive completely through the crossing without stopping *or without obstructing the passage of other vehicles, pedestrians, railroad trains, or other railroad equipment, notwithstanding any traffic control signal indication to proceed*.

(2) A person may not drive *a* ~~any~~ vehicle through a railroad-highway grade crossing that does not have sufficient undercarriage clearance to drive completely through the crossing without stopping *or without obstructing the passage of a railroad train or other railroad equipment*.

(3) A *person who violates* ~~violation of~~ this section *commits* ~~is~~ a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

(a) For a first violation, the person must pay a fine of $500 or perform 25 hours of community service and shall have 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7.

(b) For a second or subsequent violation, the person must pay a fine of $1,000, shall have an additional 6 points assessed against his or her driver license as set forth in s. 322.27(3)(d)7., and, notwithstanding s. 322.27(3)(a), (b), and (c), shall have his or her driving privilege suspended for not more than 6 months.

Section 18. Present subsections (10) through (23) of section 318.18, Florida Statutes, are redesignated as subsections (11) through (24), respectively, a new subsection (10) is added to that section, and subsection (9) of that section is amended, to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(9) *Five* ~~One~~ hundred dollars for a *first violation and $1,000 for a second or subsequent* violation of s. 316.1575.

(10) Five hundred dollars for a first violation and $1,000 for a second or subsequent violation of s. 316.1576. In addition to this penalty, for a second or subsequent violation, the department shall suspend the driver license of the person for not more than 6 months.

Section 19. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke driver license or identification card.—

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other good and sufficient evidence that the licensee has been convicted of violation of motor vehicle laws or ordinances, or applicable provisions of s. 403.413(6)(b), amounting to 12 or more points as determined by the point system. The suspension shall be for a period of not more than 1 year.

(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.

2. Leaving the scene of a crash resulting in property damage of more than $50—6 points.

3. Unlawful speed, or unlawful use of a wireless communications device, resulting in a crash—6 points.

4. Passing a stopped school bus:

a. Not causing or resulting in serious bodily injury to or death of another—4 points.

b. Causing or resulting in serious bodily injury to or death of another—6 points.

c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates.

5. Unlawful speed:

a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.

b. In excess of 15 miles per hour of lawful or posted speed—4 points.

c. Points may not be imposed for a violation of unlawful speed as provided in s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896. In addition, a violation of s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896 may not be used for purposes of setting motor vehicle insurance rates.

6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points. However, points may not be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.

7. Unlawfully driving a vehicle through a railroad-highway grade crossing—6 points.

8. ~~7.~~ All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, points may not be imposed for a violation of s. 316.0741 or s. 316.2065(11); and points may be imposed for a violation of s. 316.1001 only when imposed by the court after a hearing pursuant to s. 318.14(5).

9. ~~8.~~ Any moving violation covered in this paragraph, excluding unlawful speed and unlawful use of a wireless communications device, resulting in a crash—4 points.

10. ~~9.~~ Any conviction under s. 403.413(6)(b)—3 points.

11. ~~10.~~ Any conviction under s. 316.0775(2)—4 points.

12. ~~11.~~ A moving violation covered in this paragraph which is committed in conjunction with the unlawful use of a wireless communications device within a school safety zone—2 points, in addition to the points assigned for the moving violation.

Section 20. Subsection (6) of section 28.37, Florida Statutes, is amended to read:

28.37 Fines, fees, service charges, and costs remitted to the state.—

(6) Ten percent of all court-related fines collected by the clerk, except for penalties or fines distributed to counties or municipalities under s. 316.0083(1)(b)3. or *s. 318.18(16)(a)* ~~s. 318.18(15)(a)~~, must be deposited into the fine and forfeiture fund to be used exclusively for clerk court-related functions, as provided in s. 28.35(3)(a).

Section 21. Paragraph (c) of subsection (1) of section 142.01, Florida Statutes, is amended to read:

142.01 Fine and forfeiture fund; disposition of revenue; clerk of the circuit court.—

(1) There shall be established by the clerk of the circuit court in each county of this state a separate fund to be known as the fine and forfeiture fund for use by the clerk of the circuit court in performing court-related functions. The fund shall consist of the following:

(c) Court costs pursuant to ss. 28.2402(1)(b), 34.045(1)(b), 318.14(10)(b), *318.18(12)(a)* ~~318.18(11)(a)~~, 327.73(9)(a) and (11)(a), and 938.05(3).

Section 22. Subsection (4) of section 316.1951, Florida Statutes, is amended to read:

316.1951 Parking for certain purposes prohibited; sale of motor vehicles; prohibited acts.—

(4) A local government may adopt an ordinance to allow the towing of a motor vehicle parked in violation of this section. A law enforcement officer, compliance officer, code enforcement officer from any local government agency, or supervisor of the department may issue a citation and cause to be immediately removed at the owner's expense any motor vehicle found in violation of subsection (1), except as provided in subsections (2) and (3), or in violation of subsection (5), subsection (6), subsection (7), or subsection (8), and the owner shall be assessed a penalty as provided in *s. 318.18(22)* ~~s. 318.18(21)~~ by the government agency or authority that orders immediate removal of the motor vehicle. A motor vehicle removed under this section shall not be released from an impound or towing and storage facility before a release form prescribed by the department has been completed verifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to s. 713.78 before payment of the fine or before the release form has been completed.

Section 23. Subsection (4) of section 316.306, Florida Statutes, is amended to read:

316.306 School and work zones; prohibition on the use of a wireless communications device in a handheld manner.—

(4)(a) Any person who violates this section commits a noncriminal traffic infraction, punishable as a moving violation, as provided in chapter 318, and shall have 3 points assessed against his or her driver license as set forth in *s. 322.27(3)(d)8.* ~~s. 322.27(3)(d)7.~~ For a first offense under this section, in lieu of the penalty specified in s. 318.18 and the assessment of points, a person who violates this section may elect to participate in a wireless communications device driving safety program approved by the Department of Highway Safety and Motor Vehicles. Upon completion of such program, the penalty specified in s. 318.18 and associated costs may be waived by the clerk of the court and the assessment of points must be waived.

(b) The clerk of the court may dismiss a case and assess court costs in accordance with *s. 318.18(12)(a)* ~~s. 318.18(11)(a)~~ for a nonmoving traffic infraction for a person who is cited for a first time violation of this section if the person shows the clerk proof of purchase of equipment that enables his or her personal wireless communications device to be used in a hands-free manner.

Section 24. Subsection (7) of section 316.622, Florida Statutes, is amended to read:

316.622 Farm labor vehicles.—

(7) A violation of this section is a noncriminal traffic infraction, punishable as provided in *s. 318.18(17)* ~~s. 318.18(16)~~.

Section 25. Section 318.121, Florida Statutes, is amended to read:

318.121 Preemption of additional fees, fines, surcharges, and costs.—Notwithstanding any general or special law, or municipal or county ordinance, additional fees, fines, surcharges, or costs other than the court costs and surcharges assessed under *s. 318.18(12), (14), (19), (20), and (23)* ~~s. 318.18(11), (13), (18), (19), and (22)~~ may not be added to the civil traffic penalties assessed under this chapter.

Section 26. Subsections (13), (16) through (19), and (21) of section 318.21, Florida Statutes, are amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(13) Of the proceeds from the fine under *s. 318.18(16)* ~~s. 318.18(15)~~, $65 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund of the Department of Health and the remaining $60 shall be distributed pursuant to subsections (1) and (2).

(16) The proceeds from the fines described in *s. 318.18(17)* ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency that issues the citation for a violation of s. 316.622. The funds must be used for continued education and enforcement of s. 316.622 and other related safety measures contained in chapter 316.

(17) Notwithstanding subsections (1) and (2), the proceeds from the *administrative fee* ~~surcharge~~ imposed under *s. 318.18(18)* ~~s. 318.18(17)~~ shall be distributed as provided in that subsection. This subsection expires July 1, 2026.

(18) Notwithstanding subsections (1) and (2), the proceeds from the administrative fee imposed under *s. 318.18(19)* ~~s. 318.18(18)~~ shall be distributed as provided in that subsection.

(19) Notwithstanding subsections (1) and (2), the proceeds from the *fees* ~~Article V assessment~~ imposed under *s. 318.18(20)* ~~s. 318.18(19)~~ shall be distributed as provided in that subsection.

(21) Notwithstanding subsections (1) and (2), the proceeds from the additional penalties imposed pursuant to s. 318.18(5)(c) and *(21)* ~~(20)~~ shall be distributed as provided in that section.

Section 27. Subsection (1) of section 395.4036, Florida Statutes, is amended to read:

395.4036 Trauma payments.—

(1) Recognizing the Legislature's stated intent to provide financial support to the current verified trauma centers and to provide incentives for the establishment of additional trauma centers as part of a system of state-sponsored trauma centers, the department shall utilize funds collected under s. 318.18 and deposited into the Emergency Medical Services Trust Fund of the department to ensure the availability and accessibility of trauma services throughout the state as provided in this subsection.

(a) Funds collected under *s. 318.18(16)* ~~s. 318.18(15)~~ shall be distributed as follows:

1. Twenty percent of the total funds collected during the state fiscal year shall be distributed to verified trauma centers that have a local funding contribution as of December 31. Distribution of funds under this subparagraph shall be based on trauma caseload volume for the most recent calendar year available.

2. Forty percent of the total funds collected shall be distributed to verified trauma centers based on trauma caseload volume for the most recent calendar year available. The determination of caseload volume for distribution of funds under this subparagraph shall be based on the hospital discharge data for patients who meet the criteria for classification as a trauma patient reported by each trauma center pursuant to s. 408.061.

3. Forty percent of the total funds collected shall be distributed to verified trauma centers based on severity of trauma patients for the most recent calendar year available. The determination of severity for distribution of funds under this subparagraph shall be based on the department's International Classification Injury Severity Scores or another statistically valid and scientifically accepted method of stratifying a trauma patient's severity of injury, risk of mortality, and resource consumption as adopted by the department by rule, weighted based on the costs associated with and incurred by the trauma center in treating trauma patients. The weighting of scores shall be established by the department by rule.

(b) Funds collected under s. 318.18(5)(c) and *(21)* ~~(20)~~ shall be distributed as follows:

1. Thirty percent of the total funds collected shall be distributed to Level II trauma centers operated by a public hospital governed by an elected board of directors as of December 31, 2008.

2. Thirty-five percent of the total funds collected shall be distributed to verified trauma centers based on trauma caseload volume for the most recent calendar year available. The determination of caseload volume for distribution of funds under this subparagraph shall be based on the hospital discharge data for patients who meet the criteria for classification as a trauma patient reported by each trauma center pursuant to s. 408.061.

3. Thirty-five percent of the total funds collected shall be distributed to verified trauma centers based on severity of trauma patients for the most recent calendar year available. The determination of severity for distribution of funds under this subparagraph shall be based on the department's International Classification Injury Severity Scores or another statistically valid and scientifically accepted method of stratifying a trauma patient's severity of injury, risk of mortality, and resource consumption as adopted by the department by rule, weighted based on the costs associated with and incurred by the trauma center in treating trauma patients. The weighting of scores shall be established by the department by rule.

And the title is amended as follows:

Delete line 562 and insert: "streetlight provider"; amending s. 316.1575, F.S.; revising provisions requiring a person approaching a railroad-highway grade crossing to stop within a certain distance from the nearest rail; revising penalties; amending s. 316.1576, F.S.; revising circumstances under which a person is prohibited from driving a vehicle through a railroad-highway grade crossing; revising penalties; amending s. 318.18, F.S.; revising the penalties for certain offenses; amending s. 322.27, F.S.; revising the point system for convictions for violations of motor vehicle laws and ordinances; amending ss. 28.37, 142.01, 316.1951, 316.306, 316.622, 318.121, 318.21, and 395.4036, F.S.; conforming cross-references; conforming provisions to changes made by the act; providing an effective date.

Amendment 1 (207018), as amended, was adopted by two-thirds vote.

On motion by Senator DiCeglie, **CS for CS for CS for HB 1301**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Baxley, Garcia, Trumbull

SPECIAL ORDER CALENDAR, continued

CS for CS for CS for SB 684—A bill to be entitled An act relating to residential building permits; amending s. 553.73, F.S.; requiring the Florida Building Commission to modify a specific provision of the Florida Building Code to state that sealed drawings by a design professional are not required for replacement and installation of certain construction; requiring replacement windows, doors, and garage doors to be installed in accordance with the manufacturer's instructions for appropriate wind zones and to meet certain design pressures of the Florida Building Code; requiring the manufacturer's instructions to be submitted with the permit application for such replacements; amending s. 553.79, F.S.; removing provisions relating to acquiring building permits for certain residential dwellings; amending s. 553.791, F.S.; defining the term "private provider firm"; requiring a fee owner or the fee owner's contractor to annually provide the local building official with specified information and a specified acknowledgment; requiring the local building official to issue a permit or provide written notice to the applicant with certain information if the private provider is a licensed engineer or architect who affixes his or her professional seal to the affidavit; providing that the permit application is deemed approved, and must be issued on the next business day, if the local building official does not meet the prescribed deadline; prohibiting a local building code enforcement agency from auditing the performance of building code inspection services by private providers until the agency has created a manual for standard operating audit procedures for the agency's internal inspection and review staff; providing requirements for the manual; requiring that the manual be made publicly available; requiring the agency to make publicly available its audits for the two prior fiscal quarters; revising the number of times a private provider may be audited within a specified timeframe; requiring the agency to notify, in writing, the private provider or private provider firm of any additional audits; conforming provisions to changes made by the act; making technical changes; amending s. 553.792, F.S.; revising the timeframes for approving, approving with conditions, or denying certain building permits; prohibiting the local government from requiring a waiver of such timeframes as a condition precedent to reviewing an applicant's building permit application; requiring the local government to follow the prescribed timeframes unless those set by local ordinance are more stringent; requiring a local government to provide written notice to an applicant under certain circumstances; requiring a local government to reduce permit fees by a certain percentage if certain deadlines are not met; providing exceptions; specifying requirements for the written notice to the permit applicant; specifying a timeframe for the applicant to correct the application; specifying a timeframe for the local government and local enforcement agency to approve or deny certain building permits following revision; requiring a reduction in the building permit fee if the approval deadline is not met; providing an exception; amending s. 553.80, F.S.; authorizing local governments to use certain fees for certain technology upgrades; making technical changes; amending s. 440.103, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 684**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 267** was withdrawn from the Committee on Rules.

On motion by Senator DiCeglie—

CS for CS for CS for HB 267—A bill to be entitled An act relating to building regulations; amending s. 553.73, F.S.; requiring the Florida Building Commission to modify provisions in the Florida Building Code relating to replacement windows, doors, or garage doors; providing requirements for such modifications; amending s. 553.79, F.S.; removing provisions relating to acquiring building permits for certain residential dwellings; amending s. 553.791, F.S.; defining the term "private provider firm"; revising the timeframes in which local building officials must issue permits or provide certain written notice if certain private providers affix their professional seal to an affidavit; providing requirements for such written notices; deeming a permit application approved under certain circumstances; prohibiting local building code enforcement agency's from auditing the performance of private providers until the local building code enforcement agency creates a manual for standard operating audit procedures; providing requirements for such manual; requiring the manual to be publicly available online or printed; requiring certain audit results to be readily accessible; revising how often a private provider may be audited; requiring certain written communication be provided to the private provider or private provider firm under certain circumstances; conforming cross-references; conforming provisions to changes made by the act; amending s. 553.792, F.S.; revising the timeframes for approving, approving with conditions, or denying certain building permits; prohibiting a local government from requiring a waiver of certain timeframes; requiring local governments to follow the prescribed timeframes unless a local ordinance is more stringent; requiring a local government to provide written notice to an applicant under certain circumstances; revising how many times a local government may request additional information from an applicant; specifying when a permit application is deemed complete and approved; requiring the opportunity for an in-person or virtual meeting before a second request for additional information may be made; requiring a local government to process an application within a specified timeframe

without additional information upon written request by the applicant; reducing permit fees by a certain percentage if certain timeframes are not met; providing exceptions; providing construction; conforming provisions to changes made by the act; amending s. 553.80, F.S.; authorizing local governments to use certain fees for certain technology upgrades; creating s. 553.9065, F.S.; providing that certain unvented attic and unvented enclosed rafter assemblies meet the requirements of the Florida Building Code, Energy Conservation; requiring the commission to review and consider certain provisions of law and technical amendments thereto and report its findings to the Legislature by a specified date; amending s. 440.103, F.S.; conforming a cross-reference; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 684** and read the second time by title.

Senator DiCeglie moved the following amendment which was adopted:

Amendment 1 (505102) (with title amendment)—Delete lines 64-496 and insert:

Section 1. Paragraph (c) of subsection (2) of section 468.609, Florida Statutes, is amended to read:

468.609 Administration of this part; standards for certification; additional categories of certification.—

(2) A person may take the examination for certification as a building code inspector or plans examiner pursuant to this part if the person:

(c) Meets eligibility requirements according to one of the following criteria:

1. Demonstrates 4 years' combined experience in the field of construction or a related field, building code inspection, or plans review corresponding to the certification category sought;

2. Demonstrates a combination of postsecondary education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

3. Demonstrates a combination of technical education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

4. Currently holds a standard certificate issued by the board or a firesafety inspector license issued under chapter 633, with a minimum of 3 years' verifiable full-time experience in firesafety inspection or firesafety plan review, and has satisfactorily completed a building code inspector or plans examiner training program that provides at least 100 hours but not more than 200 hours of cross-training in the certification category sought. The board shall establish by rule criteria for the development and implementation of the training programs. The board must accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

5. Demonstrates a combination of the completion of an approved training program in the field of building code inspection or plan review and a minimum of 2 years' experience in the field of building code inspection, plan review, fire code inspections and fire plans review of new buildings as a firesafety inspector certified under s. 633.216, or construction. The approved training portion of this requirement must include proof of satisfactory completion of a training program that provides at least 200 hours but not more than 300 hours of cross-training that is approved by the board in the chosen category of building code inspection or plan review in the certification category sought with at least 20 hours but not more than 30 hours of instruction in state laws, rules, and ethics relating to professional standards of practice, duties, and responsibilities of a certificateholder. The board shall coordinate with the Building Officials Association of Florida, Inc., to establish by rule the development and implementation of the training program. However, the board must accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

6. Currently holds a standard certificate issued by the board or a firesafety inspector license issued under chapter 633 and:

a. Has at least 4 years' verifiable full-time experience as an inspector or plans examiner in a standard certification category currently held or has a minimum of 4 years' verifiable full-time experience as a firesafety inspector licensed under chapter 633.

b. Has satisfactorily completed a building code inspector or plans examiner classroom training course or program that provides at least 200 but not more than 300 hours in the certification category sought, except for residential training programs, which must provide at least 500 but not more than 800 hours of training as prescribed by the board. The board shall establish by rule criteria for the development and implementation of classroom training courses and programs in each certification category; or

7.a. Has completed a 4-year internship certification program as a building code inspector or plans examiner*, including an internship program for residential inspectors,* while also employed full-time by a municipality, county, or other governmental jurisdiction, under the direct supervision of a certified building official. A person may also complete the internship certification program*, including an internship program for residential inspectors,* while employed full time by a private provider or a private provider's firm that performs the services of a building code inspector or plans examiner, while under the direct supervision of a certified building official. Proof of graduation with a related vocational degree or college degree or of verifiable work experience may be exchanged for the internship experience requirement year-for-year, but may reduce the requirement to no less than 1 year.

b. Has passed an examination administered by the International Code Council in the certification category sought. Such examination must be passed before beginning the internship certification program.

c. Has passed the principles and practice examination before completing the internship certification program.

d. Has passed a board-approved 40-hour code training course in the certification category sought before completing the internship certification program.

e. Has obtained a favorable recommendation from the supervising building official after completion of the internship certification program.

Section 2. Paragraph (g) is added to subsection (7) of section 553.73, Florida Statutes, to read:

553.73 Florida Building Code.—

(7)

(g) The commission shall modify the Florida Building Code to state that sealed drawings by a design professional are not required for the replacement of windows, doors, or garage doors in an existing one-family or two-family dwelling or townhouse if all of the following conditions are met:

1. The replacement windows, doors, or garage doors are installed in accordance with the manufacturer's instructions for the appropriate wind zone.

2. The replacement windows, doors, or garage doors meet the design pressure requirements in the most recent version of the Florida Building Code, Residential.

3. A copy of the manufacturer's instructions is submitted with the permit application in a printed or digital format.

4. The replacement windows, doors, or garage doors are the same size and are installed in the same opening as the existing windows, doors, or garage doors.

Section 3. Subsection (16) of section 553.79, Florida Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.—

~~(16) Except as provided in paragraph (c), a building permit for a single family residential dwelling must be issued within 30 business days after receiving the permit application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.~~

~~(a) If a local enforcement agency fails to issue a building permit for a single family residential dwelling within 30 business days after receiving the permit application, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline. Each 10 percent reduction shall be based on the original amount of the building permit fee.~~

~~(b) A local enforcement agency does not have to reduce the building permit fee if it provides written notice to the applicant, by e-mail or United States Postal Service, within 30 business days after receiving the permit application, that specifically states the reasons the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances. The written notice must also state that the applicant has 10 business days after receiving the written notice to submit revisions to correct the permit application and that failure to correct the application within 10 business days will result in a denial of the application.~~

~~(c) The applicant has 10 business days after receiving the written notice to address the reasons specified by the local enforcement agency and submit revisions to correct the permit application. If the applicant submits revisions within 10 business days after receiving the written notice, the local enforcement agency has 10 business days after receiving such revisions to approve or deny the building permit unless the applicant agrees to a longer period in writing. If the local enforcement agency fails to issue or deny the building permit within 10 business days after receiving the revisions, it must reduce the building permit fee by 20 percent for the first business day that it fails to meet the deadline unless the applicant agrees to a longer period in writing. For each additional business day, but not to exceed 5 business days, that the local enforcement agency fails to meet the deadline, the building permit fee must be reduced by an additional 10 percent. Each reduction shall be based on the original amount of the building permit fee.~~

~~(d) If any building permit fees are refunded under this subsection, the surcharges provided in s. 468.631 or s. 553.721 must be recalculated based on the amount of the building permit fees after the refund.~~

~~(e) A building permit for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant–Disaster Recovery program administered by the Department of Economic Opportunity must be issued within 15 working days after receipt of the application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.~~

Section 4. Present paragraphs (o) through (r) of subsection (1) and subsections (10) through (21) of section 553.791, Florida Statutes, are redesignated as paragraphs (p) through (s) and subsections (11) through (22), respectively, a new paragraph (o) is added to subsection (1) and a new subsection (10) is added to that section, and present paragraph (o) of subsection (1), paragraph (c) of subsection (4), paragraphs (b) and (d) of subsection (7), subsection (9), paragraph (b) of present subsection (13), paragraph (b) of present subsection (16), and present subsection (19) are amended, to read:

553.791 Alternative plans review and inspection.—

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

(o) "Private provider firm" means a business organization, including a corporation, partnership, business trust, or other legal entity, which offers services under this chapter to the public through licensees who are acting as agents, employees, officers, or partners of the firm. A person who is licensed as a building code administrator under part XII of chapter 468, an engineer under chapter 471, or an architect under chapter 481 may act as a private provider for an agent, employee, or officer of the private provider firm.

(p)~~(o)~~ "Request for certificate of occupancy or certificate of completion" means a properly completed and executed application for:

1. A certificate of occupancy or certificate of completion.

2. A certificate of compliance from the private provider required under subsection *(13)* ~~(12)~~.

3. Any applicable fees.

4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

(4) A fee owner or the fee owner's contractor using a private provider to provide building code inspection services shall notify the local building official in writing at the time of permit application, or by 2 p.m. local time, 2 business days before the first scheduled inspection by the local building official or building code enforcement agency that a private provider has been contracted to perform the required inspections of construction under this section, including single-trade inspections, on a form to be adopted by the commission. This notice shall include the following information:

(c) An acknowledgment from the fee owner *or the fee owner's contractor* in substantially the following form:

> I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 1 business day after any change or within 2 business days before the next scheduled inspection, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change.

(7)

(b) If the local building official provides a written notice of plan deficiencies to the permit applicant within the prescribed 20-day period, the 20-day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to subsection *(15)* ~~(14)~~ or to submit revisions to correct the deficiencies.

(d) If the local building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to subsection *(15)* ~~(14)~~ or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the local building official has an additional 5 business days from the date of resubmittal to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections.

(9) A private provider performing required inspections under this section shall provide notice to the local building official of the *approximate* date and ~~approximate~~ time of any such inspection ~~no later than~~

~~the prior business day by 2 p.m. local time or by any later time permitted by the local building official in that jurisdiction~~. The local building official may not prohibit the private provider from performing any inspection outside the local building official's normal operating hours, including after hours, weekends, or holidays. The local building official may visit the building site as often as necessary to verify that the private provider is performing all required inspections. A deficiency notice must be posted by the private provider, the duly authorized representative of the private provider, or the building department whenever a noncomplying item related to the building code or the permitted documents is found. Such notice may be physically posted at the job site or electronically posted. After corrections are made, the item must be reinspected by the private provider or representative before being concealed. Reinspection or reaudit fees shall not be charged by the local jurisdiction as a result of the local jurisdiction's audit inspection occurring before the performance of the private provider's inspection or for any other administrative matter not involving the detection of a violation of the building code or a permit requirement.

(10) If the private provider is a person licensed as an engineer under chapter 471 or an architect under chapter 481 and affixes his or her professional seal to the affidavit required under subsection (6), the local building official must issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections, within 10 business days after receipt of the permit application and affidavit. In such written notice, the local building official must provide with specificity the plan's deficiencies, the reasons the permit application failed, and the applicable codes being violated. If the local building official does not provide specific written notice to the permit applicant within the prescribed 10-day period, the permit application is deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(14)~~(13)~~

(b) If the local building official does not provide notice of the deficiencies within the applicable time periods under paragraph (a), the request for a certificate of occupancy or certificate of completion is automatically granted and deemed issued as of the next business day. The local building official must provide the applicant with the written certificate of occupancy or certificate of completion within 10 days after it is automatically granted and issued. To resolve any identified deficiencies, the applicant may elect to dispute the deficiencies pursuant to subsection *(15)* ~~(14)~~ or to submit a corrected request for a certificate of occupancy or certificate of completion.

(17)~~(16)~~

(b) A local enforcement agency, local building official, or local government may establish, for private providers*, private provider firms,* and duly authorized representatives working within that jurisdiction, a system of registration to verify compliance with the licensure requirements of paragraph (1)(n) and the insurance requirements of subsection *(18)* ~~(17)~~.

(20)~~(19)~~ *A* ~~Each~~ local building code enforcement agency may *not* audit the performance of building code inspection services by private providers operating within the local jurisdiction *until the agency has created standard operating private provider audit procedures for the agency's internal inspection and review staff, which includes, at a minimum, the private provider audit purpose and scope, private provider audit criteria, an explanation of private provider audit processes and objections, and detailed findings of areas of noncompliance. Such private provider audit procedures must be publicly available online and a printed version must be readily accessible in agency buildings. The private provider audit results of staff for the prior two quarters also must be publicly available. The agency's audit processes must adhere to the agency's posted standard operating audit procedures*. ~~However,~~ The same private provider *or private provider firm* may not be audited more than four times in a *year* ~~month~~ unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare*, which must be communicated in writing to the private provider or private provider firm*. Work on a building or structure may proceed after inspection and approval by a private provider. ~~if the provider has given notice of the inspection pursuant to subsection (9) and, subsequent to such inspection and approval,~~ The work *may* ~~shall~~ not be delayed for completion of an inspection audit by the local building code enforcement agency.

Section 5. Subsections (1) and (2) of section 553.792, Florida Statutes, are amended to read:

553.792 Building permit application to local government.—

(1)(a) *A local government must approve, approve with conditions, or deny a building permit application after receipt of a completed and sufficient application within the following timeframes, unless the applicant waives such timeframes in writing:*

1. Within 30 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits if the structure is less than 7,500 square feet: residential units, including a single-family residential unit or a single-family residential dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing.

2. Within 60 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits if the structure is 7,500 square feet or more: residential units, including a single-family residential unit or a single-family residential dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing.

3. Within 60 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits: signs or nonresidential buildings that are less than 25,000 square feet.

4. Within 60 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits: multifamily residential, not exceeding 50 units; site-plan approvals and subdivision plats not requiring public hearing or public notice; and lot grading and site alteration.

5. Within 12 business days after receiving a complete and sufficient application, for an applicant using a master building permit consistent with s. 553.794 to obtain a site-specific building permit.

6. Within 10 business days after receiving a complete and sufficient application, for an applicant for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant-Disaster Recovery program administered by the Department of Commerce, unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

However, the local government may not require the waiver of the timeframes in this section as a condition precedent to reviewing an applicant's building permit application.

(b) A local government must meet the timeframes set forth in this section for reviewing building permit applications unless the timeframes set by local ordinance are more stringent than those prescribed in this section.

(c) After ~~Within 10 days of~~ an applicant *submits* ~~submitting~~ an application to the local government, the local government *must provide written notice to the applicant within 5 business days after receipt of the application advising* ~~shall advise~~ the applicant what information, if any, is needed to deem *or determine that* the application *is* properly completed in compliance with the filing requirements published by the local government. If the local government does not provide *timely* written notice that the applicant has not submitted the properly completed application, the application *is* ~~shall be~~ automatically deemed *or determined to be* properly completed and accepted. ~~Within 45 days after receiving a completed application, a local government must notify an applicant if additional information is required for the local government to determine the sufficiency of the application, and shall specify the additional information that is required. The applicant must submit the additional information to the local government or request that the local government act without the additional information. While the applicant responds to the request for additional information, the 120-day period described in this subsection is tolled. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. The local govern-~~

~~ment must approve, approve with conditions, or deny the application within 120 days following receipt of a completed application.~~

(d) A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

~~(b)1. When reviewing an application for a building permit, a local government may not request additional information from the applicant more than three times, unless the applicant waives such limitation in writing.~~

~~2. If a local government requests additional information from an applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 15 days after receiving such information:~~

~~a. Determine if the application is properly completed;~~

~~b. Approve the application;~~

~~c. Approve the application with conditions;~~

~~d. Deny the application; or~~

~~e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.~~

~~3. If a local government makes a second request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information:~~

~~a. Determine if the application is properly completed;~~

~~b. Approve the application;~~

~~c. Approve the application with conditions;~~

~~d. Deny the application; or~~

~~e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.~~

~~4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:~~

~~a. Approve the application;~~

~~b. Approve the application with conditions; or~~

~~c. Deny the application.~~

~~5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.~~

(e)~~(c)~~ If a local government fails to meet a deadline *under this subsection* ~~provided in paragraphs (a) and (b)~~, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline*, unless the parties agree in writing to a reasonable extension of time, the delay is caused by the applicant, or the delay is attributable to a force majeure or other extraordinary circumstances*. Each 10-percent reduction shall be based on the original amount of the building permit fee, unless the parties agree to an extension of time.

(f) A local enforcement agency does not have to reduce the building permit fee if it provides written notice to the applicant by e-mail or United States Postal Service within the respective timeframes in paragraph (a) which specifically states the reasons the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances. The written notice must also state that the applicant has 10 business days after receiving the written notice to submit revisions to correct the permit application and that failure to correct the application within 10 business days will result in a denial of the application.

(g) If the applicant submits revisions within 10 business days after receiving the written notice, the local enforcement agency has 10 business days after receiving such revisions to approve or deny the building permit unless the applicant agrees to a longer period in writing. If the local enforcement agency fails to issue or deny the building permit within 10 business days after receiving the revisions, it must reduce the building permit fee by 20 percent for each business day that it fails to meet the deadline unless the applicant agrees to a longer period in writing.

~~(2)(a) The procedures set forth in subsection (1) apply to the following building permit applications: accessory structure; alarm permit; nonresidential buildings less than 25,000 square feet; electric; irrigation permit; landscaping; mechanical; plumbing; residential units other than a single family unit; multifamily residential not exceeding 50 units; roofing; signs; site plan approvals and subdivision plats not requiring public hearings or public notice; and lot grading and site alteration associated with the permit application set forth in this subsection. The procedures set forth in subsection (1) do not apply to permits for any wireless communications facilities or when a law, agency rule, or local ordinance specify different timeframes for review of local building permit applications.~~

~~(b) If a local government has different timeframes than the timeframes set forth in subsection (1) for reviewing building permit applications described in paragraph (a), the local government must meet the deadlines established by local ordinance. If a local government does not meet an established deadline to approve, approve with conditions, or deny an application, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline. Each 10-percent reduction shall be based on the original amount of the building permit fee, unless the parties agree to an extension of time. This paragraph does not apply to permits for any wireless communications facilities.~~

And the title is amended as follows:

Delete lines 3-49 and insert: 468.609, F.S.; revising the eligibility requirements a person must meet to take an examination for certification as a building code inspector or plans examiner; amending s. 553.73, F.S.; requiring the Florida Building Commission to modify provisions in the Florida Building Code relating to sealed drawings by a design professional for replacement windows, doors, or garage doors on certain dwellings or townhouses; providing requirements for such modifications; amending s. 553.79, F.S.; removing provisions relating to acquiring building permits for certain residential dwellings; amending s. 553.791, F.S.; defining the term "private provider firm"; amending provisions requiring private providers to provide specified notice to the local building official; revising the timeframes in which local building officials must issue permits or provide certain written notice if certain private providers affix their professional seal to an affidavit; providing requirements for such written notices; deeming a permit application approved under certain circumstances; prohibiting a local building code enforcement agency from auditing the performance of private providers until the local building code enforcement agency creates standard operating private provider audit procedures; providing requirements for such audit procedures; requiring the audit procedures to be publicly available online and printed; requiring printed audit procedures to be available in the agency's buildings; requiring that private provider audit results of staff for a specified timeframe be made publicly available; requiring the agency's audit processes to adhere to the agency's standard operating audit procedures; revising how often a private provider or private provider firm may be audited; requiring certain written communication be provided to the private provider or private provider firm under certain circumstances; conforming cross-references; conforming provisions to changes made by the act; amending s. 553.792, F.S.; revising the timeframes for approving, approving with conditions, or denying certain building permits; prohibiting a local government from requiring a waiver of certain timeframes; requiring local governments to meet the prescribed timeframes unless a local ordinance is more stringent; requiring a local government to provide written notice

to an applicant under certain circumstances; requiring a local government to reduce permit fees by a certain percentage if certain deadlines are not met; providing exceptions; specifying requirements for the written notice to the permit applicant; specifying a timeframe for the applicant to correct the application; specifying a timeframe for the local government and local enforcement agency to approve or deny certain building permits following revision; requiring a reduction in the building permit fee if the approval deadline is not met; providing an exception;

On motion by Senator DiCeglie, by two-thirds vote, **CS for CS for CS for HB 267**, as amended, 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	Grall	Powell
Book	Gruters	Rodriguez
Boyd	Harrell	Rouson
Bradley	Hooper	Simon
Brodeur	Hutson	Stewart
Broxson	Ingoglia	Thompson
Burgess	Martin	Torres
Burton	Mayfield	Wright
Calatayud	Osgood	Yarborough

Nays—None

Vote after roll call:

Yea—Baxley, Garcia, Trumbull

The Senate resumed consideration of—

CS for HB 1291—A bill to be entitled An act relating to educator preparation programs; amending ss. 1004.04, 1004.85, 1012.56, and 1012.562, F.S.; prohibiting the courses and curriculum of teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs from distorting certain events and including certain curriculum and instruction; requiring teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs to afford candidates certain opportunities; providing an effective date.

—which was previously considered this day.

On motion by Senator Ingoglia, by two-thirds vote, **CS for HB 1291** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—28

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

Nays—12

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

MOTIONS

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.

On motion by Senator Mayfield, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Thursday, March 7, 2024.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, March 6, 2024: SB 7070, CS for SB 396, CS for SB 408, SB 590, CS for SB 814, CS for CS for SB 888, CS for CS for CS for SB 966, CS for SB 1044, CS for CS for SB 1366, CS for SB 1154, CS for CS for CS for SB 1178, CS for CS for CS for SB 1226, CS for SB 1256, CS for SB 1360, CS for CS for HB 49, CS for HB 1317, CS for HJR 7017, CS for HB 7019, CS for CS for SB 1716, CS for SB 1784, SB 7048, CS for SB 7052, CS for SB 1372, CS for SB 1464, CS for CS for CS for SB 1470, CS for SB 1528, CS for SB 1640.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 46.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 62.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 66.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 186.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 224.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 276.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 548 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 564.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 644.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 674.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 676.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 692 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 702.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 718.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 736.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 804.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 812.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 818.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 958.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 984.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 988 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 994.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1036.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1084.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1090.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SJR 1114 by the required constitutional three-fifths vote of the membership.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 1116.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1264.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1420.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 1512.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1526.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1600.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1628.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1680.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 1720.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1746.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1758.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1764.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 7026 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7054.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7072.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has passed SB 7078 by the required constitutional two-thirds vote of the members voting.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (961382) and passed CS/CS/HB 3, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (581084) and passed CS/CS/HB 159, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (171140) and passed HB 849, as amended.

Jeff Takacs, Clerk

The Honorable Kathleen Passidomo, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (644660) and passed CS/CS/HB 1491, as amended.

Jeff Takacs, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 5 was corrected and approved.

CO-INTRODUCERS

Senators Berman—CS for CS for SB 24; Grall—CS for CS for CS for SB 1224

ADJOURNMENT

On motion by Senator Mayfield, the Senate adjourned at 7:20 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 7 or upon call of the President.