



# Journal of the Senate

Number 12—Regular Session

Wednesday, April 18, 2007

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## CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—39:

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peadar
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

## PRAYER

The following prayer was offered by Pastor John G. Willis, Jr., Trinity United Methodist Church, Tallahassee:

O Lord God of us all, as we gather on this beautiful spring day, an enormous cloud of sadness and sorrow has descended upon our nation and permeates our thoughts. We try to move on to other things, but our minds drift back to the terror and shock that shattered the stillness of last Monday morning. Our hearts ache for the people of Blacksburg and all those in mourning at this moment in time. We remember them each in our hearts.

We have so many unanswered questions, as we try to make sense of this catastrophe. But this tragedy reminds us each how fragile life is; how we must make each day count. So that when our time here on earth comes to an end, we can say, "I lived my life to the fullest, I did my best, and through serving others, in my own special way, that this is a better world because I was here."

With this in mind, we begin this session today. Amen.

## PLEDGE

Senate Pages Douglas Cannon of Boca Raton; Taylor Smith of Wewahitchka; Savannah Miller of Tallahassee; and Chelsey Severance of Tallahassee, daughter of Donald Severance, Senate Sergeant at Arms, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Stephen Stowers of Jacksonville, sponsored by Senator Wise, as doctor of the day. Dr. Stowers specializes in Cardiology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Wilson—

By Senators Wilson, Villalobos, Rich, Bullard and Margolis—

**SR 3040**—A resolution recognizing Miami-Dade County and celebrating Miami-Dade County Days at the Florida Capitol, April 17 and 18, 2007.

WHEREAS, the Miami-Dade County Legislative Delegation takes great pride in recognizing initiatives that serve to enrich and enhance the standard, as well as the quality, of life for those who reside in Miami-Dade County, and

WHEREAS, Miami-Dade County is a center of world finance with more than 150 financial institutions and foreign agencies within its boundaries, and it has grown to become a beacon signifying success for numerous visitors and residents, and

WHEREAS, the film and television industry has made Miami-Dade County one of the largest production centers in the nation, and

WHEREAS, 18 years ago Miami-Dade County consisted of 27 municipalities, whereas today it has grown to 35 cities and has truly stood the tests of time to become a major metropolis, and

WHEREAS, the numbers of international and domestic visitors to Miami-Dade County have risen dramatically, which in turn has enabled the Miami International Airport to double its cargo tonnage, making Miami-Dade County a thriving enterprise, and

WHEREAS, Miami-Dade County is experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the more than 1,000 nonprofit organizations offering dance, theater, music, and visual arts, as well as festivals, special events, and a state-of-the-art performing arts center, and

WHEREAS, now in its 18th year, Miami-Dade County Days at the Florida Capitol provides an opportunity to recognize Miami-Dade County and to promote its economic and social agenda, while at the same time celebrating the taste of South Florida's diverse culture with the serving of Paella and the now famous Mambo Kings Celebration, and

WHEREAS, it is fitting and proper that official acknowledgement be given to all those who have helped to make this community blossom and flourish as we commemorate Miami-Dade County Days, NOW, THEREFORE,

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

That the Senate recognizes April 17 and 18, 2007, as the "Miami-Dade County Days" and salutes the elected officials, residents, and visitors

who have made Miami-Dade County and the State of Florida better places to live.

—was introduced out of order and read by title. On motion by Senator Wilson, **SR 3040** was read the second time in full and adopted.

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On motion by Senator Wilson—

By Senator Wilson—

**SR 3024**—A resolution recognizing the excellence and the accomplishments of the New World School of the Arts.

WHEREAS, the New World School of the Arts was created in 1986 by the Florida Legislature as a “Florida Center of Excellence” in the visual and performing arts and functions as an educational partner of Miami-Dade County Public Schools, Miami Dade College, and the University of Florida, and

WHEREAS, the New World School of the Arts provides a comprehensive program of artistic training and academic development in preparation for careers in dance, music, theater, musical theater, and the visual arts, and offers the high school diploma, the Associate of Arts Degree, and the Bachelor of Music and Bachelor of Fine Arts degrees, and

WHEREAS, the New World School of the Arts counts among its alumni winners of the Tony Award, the Latin Grammy Award, the Presidential Scholars in the Arts competition, the National Foundation for Advancement in the Arts competition, the National Scholastic Arts Awards Portfolio, the National Gold Key Award, the Carbonell Award, and numerous other artistic and academic honors, and

WHEREAS, graduates of the New World School of the Arts perform on Broadway and in prestigious dance companies and orchestras, and exhibit their works internationally in museums and galleries, and

WHEREAS, the achievements of this outstanding conservatory have placed the New World School of the Arts in the highest echelons of arts institutions and made the school a shining star for all of South Florida, the entire state, and the nation, NOW, THEREFORE,

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

That the Senate commends the faculty and students of the New World School of the Arts for their numerous and remarkable achievements and congratulates the Miami-Dade County Public Schools, Miami Dade College, and the University of Florida on their vigorous sponsorship of 20 years of artistic excellence and educational opportunity.

—was introduced out of order and read by title. On motion by Senator Wilson, **SR 3024** was read the second by title and adopted.

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On motion by Senator Bullard—

By Senator Bullard—

**SR 2946**—A resolution recognizing April 18, 2007, as “Miami MetroZoo Day” in Tallahassee.

WHEREAS, each year nearly 500,000 people visit Miami MetroZoo and about 80,000 school children benefit from the educational programs of Miami MetroZoo, and

WHEREAS, the Zoological Society of Florida has supported Miami MetroZoo and its predecessor, the Crandon Park Zoo, since 1956, helping with relocation and redesign after the zoo was flooded by Hurricane Betsy in 1965, and

WHEREAS, Miami MetroZoo and the Zoological Society of Florida have been working together since 1998 in a formal partnership in meeting educational, conservational, and recreational goals, and

WHEREAS, Miami MetroZoo was rated one of America’s top ten zoos by Travel and Leisure Magazine, and

WHEREAS, Miami MetroZoo houses more than 1,200 wild animals in a cageless setting that closely approximates the animals’ natural habi-

tats and gives the visitor the feeling of embarking on an international safari, and

WHEREAS, more than 200 volunteers contribute 30,000 hours of service to Miami MetroZoo every year, including acting as exhibit interpreters and providing guided tours at the zoo and conducting educational programs in the community, which services are worth \$315,000 annually, and

WHEREAS, the Miami MetroZoo participates in species-survival plans for 47 species which, by providing for long-term breeding and conservation, help avoid the extinction of endangered species such as the Bengal Tiger, the Indian Rhinoceros, the Andean Condor, the Asian Small-Clawed Otter, and other endangered species, and

WHEREAS, Miami MetroZoo’s breeding programs have received widespread recognition and a variety of prestigious awards, ranging from several First Captive Breeding Certificates to the Edward H. Bean Award, the zoological profession’s highest honor, NOW, THEREFORE,

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

That the Senate recognizes April 18, 2007, as “Miami MetroZoo Day” in Tallahassee in recognition of the outstanding work of Miami MetroZoo, in partnership with the Zoological Society of Florida, as the Legislature concurrently celebrates “Dade Days” at the State Capital.

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

—was introduced out of order and read by title. On motion by Senator Bullard, **SR 2946** was read the second by title and adopted.

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At the request of Senator Wilson—

By Senators Wilson, Hill, Lawson, Joyner, Siplin, Aronberg, Dawson, Deutch, Rich, Diaz de la Portilla, Villalobos, Bullard, Garcia and Margolis—

**SR 2986**—A resolution recognizing the week of April 15-21, 2007, as “Minority Cancer Awareness Week” in the State of Florida.

WHEREAS, there has been recent progress in the fight against cancer, yet many Floridians still suffer unequal rates of cancer incidence and mortality, and medically underserved populations have inadequate access to quality cancer prevention, screening, treatment, and rehabilitation services, and

WHEREAS, certain populations of Floridians, such as African Americans, Hispanics, Latinos, and the medically uninsured, experience higher rates of cancer incidence and death, and

WHEREAS, even when poverty levels are accounted for, African Americans, American Indians, Asian Americans, and Pacific Islanders have lower 5-year-cancer-survival rates than whites who are not of Hispanic descent, and

WHEREAS, among all racial and ethnic groups, African Americans experience the highest death rate from all cancers and the highest death rate from lung, colorectal, prostate, and cervical cancers, and

WHEREAS, Hispanics and Latinos are the fastest-growing segment of the nation’s population, and Hispanics are now the largest minority population in Florida, and

WHEREAS, almost 35 percent of the Hispanic and Latino population have no health care coverage and almost 31 percent have no access to regular medical care, making Hispanics and Latinos the most medically underserved population among all racial and ethnic groups, and

WHEREAS, approximately 2.8 million or 19.2 percent of adult Floridians have no health insurance coverage and frequently lack access to quality health care, including potentially lifesaving services to screen for, detect, and treat cancer, and

WHEREAS, minority cancer awareness initiatives, such as those promoted by the American Cancer Society and Florida’s recognition of the

nationally observed Minority Cancer Awareness Week, will encourage efforts to reduce ethnic, racial, and socioeconomic cancer disparities, NOW, THEREFORE,

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

That the Florida Senate recognizes April 15-21, 2007, the third week of the month, as "Minority Cancer Awareness Week" in the State of Florida, and urges all Floridians to work with cancer-education providers, such as the American Cancer Society, to increase awareness of the disparities that minority populations face in the fight against cancer.

—**SR 2986** was introduced, read and adopted by publication.

At the request of Senator Wise—

By Senator Wise—

**SR 3038**—A resolution recognizing the role of associations in Florida's economy and designating April 17, 2007, as "Associations Advance Florida Day."

WHEREAS, associations originated with the guilds of medieval times and have developed into some of the largest and most powerful forces in the United States today, and

WHEREAS, associations are filled with people who find strength in numbers and share common interests of industries, professions, charities, hobbies, and philanthropic action, and

WHEREAS, associations are founded upon the principles of democracy, volunteerism, and the common interests which are at the heart of the American experience, and

WHEREAS, associations share the goals of helping their members and advancing society, and

WHEREAS, associations represent an enormous collective presence because their work is woven throughout the fabric of society, and the public has come to depend on the social and economic benefits that associations afford, and

WHEREAS, the estimate of the direct economic value of associations to the State of Florida is more than \$1.7 billion annually, including payroll, rent and mortgage expenses, transportation, printing, office supplies, postage, lodging and facility accommodations, and educational programs, and

WHEREAS, the association community in Florida provides nearly 60,000 professional positions and accommodates more than three million meeting attendees, adding to nearly three-quarters of hotel meeting revenue in the State of Florida, and

WHEREAS, associations pay nearly \$52 million in taxes each year, and association staff and members donate more than 10 million hours of service to their associations and communities each year, NOW, THEREFORE,

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

That, in recognition of the role of associations in Florida's economy, the Florida Senate proudly designates April 17, 2007, as "Associations Advance Florida Day."

—**SR 3038** was introduced, read and adopted by publication.

## SPECIAL GUESTS

Senator Webster introduced Mattie, the bald eagle, brought into the chamber by her handlers, Robin Morland and Mike Surovik. Mattie resides at Sea World.

## MOTIONS

On motion by Senator King, by two-thirds vote **CS for CS for SB 560** was placed on the Special Order Calendar for Thursday, April 19.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1004, with amendment, and requests the concurrence of the Senate.

*William S. Pittman III*, Chief Clerk

**CS for SB 1004**—A bill to be entitled An act relating to criminal justice; providing a short title; amending s. 16.56, F.S.; expanding the jurisdiction of the Office of Statewide Prosecution to investigate and prosecute additional offenses related to computer pornography and child exploitation; providing that, for the purpose of the office's jurisdiction, any crime facilitated by or connected to the use of the Internet in one judicial circuit is deemed a crime occurring simultaneously in every judicial circuit within the state; creating s. 775.0847, F.S.; providing definitions; requiring that penalties imposed for violating certain statutes be reclassified to the next higher degree if certain specified conditions are satisfied; amending s. 775.21, F.S.; providing definitions; requiring sexual predators to include certain information during the registration process; requiring sexual predators to report changes in certain information; requiring sexual predators to include certain information during the reregistration process; requiring the Department of Law Enforcement to create a method for secure on-line registration of certain information; providing penalties for failing to provide certain information; amending s. 827.071, F.S.; clarifying that certain provisions do not prohibit a state attorney or the Office of Statewide Prosecution from prosecuting a person for violating other laws of the state; amending s. 847.0135, F.S.; prohibiting certain uses of computer services to seduce or lure a child, or a child's parent, guardian, or custodian, to participate in an illegal act; prohibiting a person from traveling to meet a child in order to engage in illegal sexual activity proscribed by law; amending s. 905.34, F.S.; expanding the subject matter jurisdiction of the statewide grand jury to include certain additional offenses related to computer pornography and child exploitation; providing that, for the purpose of the grand jury's jurisdiction, a crime facilitated by or connected to the use of the Internet in one judicial circuit is deemed a crime occurring simultaneously in every judicial circuit within the state; amending s. 910.15, F.S.; describing the options for choosing the proper venue when a crime is facilitated by communication through use of the mail, telephone, newspaper, radio, television, Internet, or another means of electronic data communication; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; ranking the offense created in s. 847.0135, F.S.; amending s. 943.0435, F.S.; providing definitions; requiring sexual offenders to include certain information during the registration process; requiring sexual offenders to report changes in certain information; requiring sexual offenders to include certain information during the reregistration process; requiring the Department of Law Enforcement to create a method for secure on-line registration of certain information; providing penalties for failing to provide certain information; providing legislative intent with respect to the maintenance and distribution of electronic mail addresses and instant message names; creating s. 943.0437, F.S.; defining the term "commercial social networking website"; authorizing the Department of Law Enforcement to provide electronic mail addresses and instant message names of certain offenders to commercial social networking websites; amending s. 944.606, F.S.; providing definitions; requiring the Department of Corrections to provide certain information regarding sexual offenders who are being released after serving a period of incarceration to certain entities; amending s. 944.607, F.S.; providing definitions; requiring sexual offenders under the supervision of the Department of Corrections to include certain information during the registration process; requiring sexual offenders to include certain information during the reregistration process; providing an appropriation and authorizing additional positions; providing an effective date.

### House Amendment 1 (046297)(with title amendment)—

Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Cybercrimes Against Children Act of 2007."*

Section 2. Subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate “budget entity” as that term is defined in chapter 216. The office may:

- (a) Investigate and prosecute the offenses of:
  - 1. Bribery, burglary, criminal usury, extortion, gambling, kidnaping, larceny, murder, prostitution, perjury, robbery, carjacking, and home-invasion robbery;
  - 2. Any crime involving narcotic or other dangerous drugs;
  - 3. Any violation of the provisions of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(1)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;
  - 4. Any violation of the provisions of the Florida Anti-Fencing Act;
  - 5. Any violation of the provisions of the Florida Antitrust Act of 1980, as amended;
  - 6. Any crime involving, or resulting in, fraud or deceit upon any person;
  - 7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;
  - 8. Any violation of the provisions of chapter 815;
  - 9. Any criminal violation of part I of chapter 499;
  - 10. Any violation of the provisions of the Florida Motor Fuel Tax Relief Act of 2004;
  - 11. Any criminal violation of s. 409.920 or s. 409.9201; or
  - 12. Any crime involving voter registration, voting, or candidate or issue petition activities;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits.

(b) Investigate and prosecute any crime facilitated by or connected to the use of the Internet. Any such crime is a crime occurring in every judicial circuit within the state.

(c)(b) Upon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes.

(d)(e) Request and receive from any department, division, board, bureau, commission, or other agency of the state, or of any political subdivision thereof, cooperation and assistance in the performance of its duties.

Section 3. Section 775.0847, Florida Statutes, is created to read:

775.0847 Possession or promotion of certain images of child pornography; reclassification.—

(1) For purposes of this section:

(a) “Child” means any person, whose identity is known or unknown, less than 18 years of age.

(b) “Child pornography” means any image depicting a minor engaged in sexual conduct.

(c) “Sodomasochistic abuse” means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained, for the purpose of deriving sexual satisfaction, or satisfaction brought about as a result of sadistic violence, from inflicting harm on another or receiving such harm oneself.

(d) “Sexual battery” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

(e) “Sexual bestiality” means any sexual act, actual or simulated, between a person and an animal involving the sex organ of the one and the mouth, anus, or vagina of the other.

(f) “Sexual conduct” means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sodomasochistic abuse; actual lewd exhibition of the genitals; actual physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. A mother’s breastfeeding of her baby does not under any circumstance constitute “sexual conduct.”

(2) A violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138 shall be reclassified to the next higher degree as provided in subsection (3) if:

(a) The offender possesses 10 or more images of any form of child pornography regardless of content; and

(b) The content of at least one image contains one or more of the following:

- 1. A child who is younger than the age of 5.
- 2. Sodomasochistic abuse involving a child.
- 3. Sexual battery involving a child.
- 4. Sexual bestiality involving a child.
- 5. Any movie involving a child, regardless of length and regardless of whether the movie contains sound.

(3)(a) In the case of a felony of the third degree, the offense is reclassified to a felony of the second degree.

(b) In the case of a felony of the second degree, the offense is reclassified to a felony of the first degree.

For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, a felony offense that is reclassified under this section is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 4. Subsection (6) is added to section 827.071, Florida Statutes, to read:

827.071 Sexual performance by a child; penalties.—

(6) Prosecution of any person for an offense under this section shall not prohibit prosecution of that person in this state for a violation of any law of this state, including a law providing for greater penalties than prescribed in this section or any other crime punishing the sexual performance or the sexual exploitation of children.

Section 5. Section 847.0135, Florida Statutes, is amended to read:

847.0135 Computer pornography; traveling to meet minor; penalties.—

(1) SHORT TITLE.—This section shall be known and may be cited as the “Computer Pornography and Child Exploitation Prevention Act of 1986.”

(2) COMPUTER PORNOGRAPHY.—A person who:

- (a) Knowingly compiles, enters into, or transmits by use of computer;

- (b) Makes, prints, publishes, or reproduces by other computerized means;
- (c) Knowingly causes or allows to be entered into or transmitted by use of computer; or
- (d) Buys, sells, receives, exchanges, or disseminates,

any notice, statement, or advertisement of any minor's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with any minor, or the visual depiction of such conduct, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The fact that an undercover operative or law enforcement officer was involved in the detection and investigation of an offense under this section shall not constitute a defense to a prosecution under this section.

**(3) CERTAIN USES OF COMPUTER SERVICES OR DEVICES PROHIBITED.**—Any person who knowingly uses ~~utilizes~~ a computer on-line service, Internet service, ~~or~~ local bulletin board service, or any other device capable of electronic data storage or transmission to:

- (a) Seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child or another person believed by the person to be a child, to commit any illegal act described in chapter 794, ~~relating to sexual battery; chapter 800, relating to lewdness and indecent exposure; or chapter 827, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child; or~~
- (b) *Solicit, lure, or entice, or attempt to solicit, lure, or entice a parent, legal guardian, or custodian of a child or a person believed to be a parent, legal guardian, or custodian of a child to consent to the participation of such child in any act described in chapter 794, chapter 800, or chapter 827, or to otherwise engage in any sexual conduct,*

~~relating to child abuse,~~ commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. *Any person who, in violating this subsection, misrepresents his or her age, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Each separate use of a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission wherein an offense described in this section is committed may be charged as a separate offense.*

**(4) TRAVELING TO MEET A MINOR.**—*Any person who travels any distance either within this state, to this state, or from this state by any means, who attempts to do so, or who causes another to do so or to attempt to do so for the purpose of engaging in any illegal act described in chapter 794, chapter 800, or chapter 827, or to otherwise engage in other unlawful sexual conduct with a child or with another person believed by the person to be a child after using a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to:*

- (a) *Seduce, solicit, lure, or entice or attempt to seduce, solicit, lure, or entice a child or another person believed by the person to be a child, to engage in any illegal act described in chapter 794, chapter 800, or chapter 827, or to otherwise engage in other unlawful sexual conduct with a child; or*
- (b) *Solicit, lure, or entice or attempt to solicit, lure, or entice a parent, legal guardian, or custodian of a child or a person believed to be a parent, legal guardian, or custodian of a child to consent to the participation of such child in any act described in chapter 794, chapter 800, or chapter 827, or to otherwise engage in any sexual conduct,*

*commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

**(5)(4) OWNERS OR OPERATORS OF COMPUTER SERVICES LIABLE.**—It is unlawful for any owner or operator of a computer on-line service, Internet service, or local bulletin board service knowingly to permit a subscriber to use ~~utilize~~ the service to commit a violation of this section. Any person who violates this section commits a misdemeanor of the first degree, punishable by a fine not exceeding \$2,000.

**(6)(6) STATE CRIMINAL JURISDICTION.**—A person is subject to prosecution in this state pursuant to chapter 910 for any conduct proscribed by this section which the person engages in, while either within

or outside this state, if by such conduct the person commits a violation of this section involving a child residing in this state, *a child's guardian, or another person believed by the person to be a child or a child's guardian* residing in this state.

**(7) EFFECT OF PROSECUTION.**—*Prosecution of any person for an offense under this section shall not prohibit prosecution of that person in this state or another jurisdiction for a violation of any law of this state, including a law providing for greater penalties than prescribed in this section or any other crime punishing the sexual performance or the sexual exploitation of children.*

Section 6. Subsection (8) of section 905.34, Florida Statutes, is amended to read:

905.34 Powers and duties; law applicable.—The jurisdiction of a statewide grand jury impaneled under this chapter shall extend throughout the state. The subject matter jurisdiction of the statewide grand jury shall be limited to the offenses of:

- (8) Any violation of s. 847.0135, s. 847.0137, or s. 847.0138 relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135, s. 847.0137, or s. 847.0138 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

or any attempt, solicitation, or conspiracy to commit any violation of the crimes specifically enumerated above, when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. The statewide grand jury may return indictments and presentments irrespective of the county or judicial circuit where the offense is committed or triable. If an indictment is returned, it shall be certified and transferred for trial to the county where the offense was committed. The powers and duties of, and law applicable to, county grand juries shall apply to a statewide grand jury except when such powers, duties, and law are inconsistent with the provisions of ss. 905.31-905.40.

Section 7. Subsection (1) of section 910.15, Florida Statutes, is amended to read:

**910.15 Crimes facilitated by ~~Theft and fraudulent practices concern-~~ing communication systems.**—

(1) A person charged with committing a crime facilitated by communication through use of the mail, telephone, or newspaper or by radio, television, Internet, or another means of electronic data communication may be tried in the county in which the dissemination originated, in which the dissemination was made, or in which any act necessary to consummate the offense occurred. :

- (a) ~~A fraudulent practice in a manner in which it may reasonably be assumed that a communication made to facilitate the fraudulent practice, or a false or misleading representation, could or would be disseminated across jurisdictional lines; or~~

- (b) ~~A theft involving the use of the mail, telephone, newspaper, radio, television, or other means of communication,~~

~~may be tried in the county in which the dissemination originated, in which the dissemination was made, or in which any act necessary to consummate the offense occurred.~~

Section 8. Paragraph (g) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

**(3) OFFENSE SEVERITY RANKING CHART**

Florida Statute	Felony Degree	Description
		(g) LEVEL 7
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.

Florida Statute	Felony Degree	Description	Florida Statute	Felony Degree	Description
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
409.920(2)	3rd	Medicaid provider fraud.	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
456.065(2)	3rd	Practicing a health care profession without a license.	784.048(7)	3rd	Aggravated stalking; violation of court order.
456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
458.327(1)	3rd	Practicing medicine without a license.	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
459.013(1)	3rd	Practicing osteopathic medicine without a license.	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
460.411(1)	3rd	Practicing chiropractic medicine without a license.	784.081(1)	1st	Aggravated battery on specified official or employee.
461.012(1)	3rd	Practicing podiatric medicine without a license.	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
462.17	3rd	Practicing naturopathy without a license.	784.083(1)	1st	Aggravated battery on code inspector.
463.015(1)	3rd	Practicing optometry without a license.	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
464.016(1)	3rd	Practicing nursing without a license.	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
465.015(2)	3rd	Practicing pharmacy without a license.	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
467.201	3rd	Practicing midwifery without a license.	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
468.366	3rd	Delivering respiratory care services without a license.	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.	796.03	2nd	Procuring any person under 16 years for prostitution.
483.901(9)	3rd	Practicing medical physics without a license.	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
484.053	3rd	Dispensing hearing aids without a license.	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
560.125(5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.	812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).	812.131(2)(a)	2nd	Robbery by sudden snatching.
782.071	2nd	Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
			817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
			817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
			817.2341(2)(b) &		

Florida Statute	Felony Degree	Description
(3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135(4)	2nd	<i>Traveling to meet a minor to commit an unlawful sex act.</i>
872.06	2nd	Abuse of a dead human body.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.

Florida Statute	Felony Degree	Description
943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.

Section 9. Paragraphs (j) and (k) are added to subsection (2) of section 775.21, Florida Statutes, and paragraphs (a), (e), and (g) of subsection (6), subsection (8), and paragraph (a) of subsection (10) of that section are amended, to read:

775.21 The Florida Sexual Predators Act.—

(2) DEFINITIONS.—As used in this section, the term:

(j) *“Electronic mail address”* has the same meaning as provided in s. 668.602.

(k) *“Instant message name”* means an identifier that allows a person to communicate in real time with another person using the Internet.

(6) REGISTRATION.—

(a) A sexual predator must register with the department by providing the following information to the department:

1. Name, social security number, age, race, sex, date of birth, height, weight, hair and eye color, photograph, address of legal residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box, *any electronic mail address and any instant message name required to be provided pursuant to subparagraph (g)4.*, date and place of any employment, date and place of each conviction, fingerprints, and a brief description of the crime or crimes committed by the offender. A post office box shall not be provided in lieu of a physical residential address.

a. If the sexual predator’s place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide to the department written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a sexual predator’s place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide to the department written notice of the hull identification number; the manufacturer’s serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

b. If the sexual predator is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual predator shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual predator’s enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff’s office, or the Department of Corrections if the sexual predator is in the custody or control of or under the supervision of the Department of Corrections, within 48 hours after any change in status. The sheriff or the Department of Corrections shall promptly notify each institution of the sexual predator’s presence and any change in the sexual predator’s enrollment or employment status.

2. Any other information determined necessary by the department, including criminal and corrections records; nonprivileged personnel and treatment records; and evidentiary genetic markers when available.

(e) If the sexual predator is not in the custody or control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility, and establishes or maintains a residence in the state, the sexual predator shall register in person at the sheriff's office in the county in which the predator establishes or maintains a residence, within 48 hours after establishing permanent or temporary residence in this state. Any change in the sexual predator's permanent or temporary residence, ~~or name, or any electronic mail address~~ and any instant message name required to be provided pursuant to subparagraph (g)4., after the sexual predator registers in person at the sheriff's office, shall be accomplished in the manner provided in paragraphs (g), (i), and (j). When a sexual predator registers with the sheriff's office, the sheriff shall take a photograph and a set of fingerprints of the predator and forward the photographs and fingerprints to the department, along with the information that the predator is required to provide pursuant to this section.

(g)1. Each time a sexual predator's driver's license or identification card is subject to renewal, and, without regard to the status of the predator's driver's license or identification card, within 48 hours after any change of the predator's residence or change in the predator's name by reason of marriage or other legal process, the predator shall report in person to a driver's license office and shall be subject to the requirements specified in paragraph (f). The Department of Highway Safety and Motor Vehicles shall forward to the department and to the Department of Corrections all photographs and information provided by sexual predators. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles is authorized to release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual predators as provided in this section.

2. A sexual predator who vacates a permanent residence and fails to establish or maintain another permanent or temporary residence shall, within 48 hours after vacating the permanent residence, report in person to the sheriff's office of the county in which he or she is located. The sexual predator shall specify the date upon which he or she intends to or did vacate such residence. The sexual predator must provide or update all of the registration information required under paragraph (a). The sexual predator must provide an address for the residence or other location that he or she is or will be occupying during the time in which he or she fails to establish or maintain a permanent or temporary residence.

3. A sexual predator who remains at a permanent residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the predator indicated he or she would or did vacate such residence, report in person to the sheriff's office to which he or she reported pursuant to subparagraph 2. for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under subparagraph 2. but fails to make a report as required under this subparagraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. A sexual predator must register any electronic mail address or instant message name with the department prior to using such electronic mail address or instant message name on or after October 1, 2007. The department shall establish an online system through which sexual predators may securely access and update all electronic mail address and instant message name information.

(8) VERIFICATION.—The department and the Department of Corrections shall implement a system for verifying the addresses of sexual predators. The system must be consistent with the provisions of the federal Jacob Wetterling Act, as amended, and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. The Department of Corrections shall verify the addresses of sexual predators who are not incarcerated but who reside in the community under the supervision of the Department of Corrections. County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual predators who are not under the care, custody, control, or supervision of the Department of Corrections.

(a) A sexual predator must report in person each year during the month of the sexual predator's birthday and during the sixth month

following the sexual predator's birth month to the sheriff's office in the county in which he or she resides or is otherwise located to reregister. The sheriff's office may determine the appropriate times and days for reporting by the sexual predator, which shall be consistent with the reporting requirements of this paragraph. Reregistration shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; any electronic mail address and any instant message name required to be provided pursuant to subparagraph (6)(g)4.; date and place of any employment; vehicle make, model, color, and license tag number; fingerprints; and photograph. A post office box shall not be provided in lieu of a physical residential address.

2. If the sexual predator is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual predator shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual predator's enrollment or employment status.

3. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

(b) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual predator to the department in a manner prescribed by the department. ~~This procedure shall be implemented by December 1, 2005.~~

(10) PENALTIES.—

(a) Except as otherwise specifically provided, a sexual predator who fails to register; who fails, after registration, to maintain, acquire, or renew a driver's license or identification card; who fails to provide required location information, electronic mail address information, instant message name information, or change-of-name information; who fails to make a required report in connection with vacating a permanent residence; who fails to reregister as required; who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence; or who otherwise fails, by act or omission, to comply with the requirements of this section, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 10. Paragraphs (f) and (g) are added to subsection (1) and paragraph (d) is added to subsection (4) of section 943.0435, Florida Statutes, and subsections (2) and (14) of that section are amended, to read:

943.0435 Sexual offenders required to register with the department; penalty.—

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

(f) "Electronic mail address" has the same meaning as provided in s. 668.602.

(g) "Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.

(2) A sexual offender shall:

(a) Report in person at the sheriff's office in the county in which the offender establishes or maintains a permanent or temporary residence, within 48 hours after establishing permanent or temporary residence in this state or within 48 hours after being released from the custody, control, or supervision of the Department of Corrections or from the custody of a private correctional facility. Any change in the sexual offender's permanent or temporary residence, ~~or name, any electronic mail~~

address and any instant message name required to be provided pursuant to paragraph (4)(d), after the sexual offender reports in person at the sheriff's office, shall be accomplished in the manner provided in subsections (4), (7), and (8).

(b) Provide his or her name, date of birth, social security number, race, sex, height, weight, hair and eye color, tattoos or other identifying marks, occupation and place of employment, address of permanent or legal residence or address of any current temporary residence, within the state and out of state, including a rural route address and a post office box, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), date and place of each conviction, and a brief description of the crime or crimes committed by the offender. A post office box shall not be provided in lieu of a physical residential address.

1. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide to the department written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff's office, within 48 hours after any change in status. The sheriff shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment or employment status.

When a sexual offender reports at the sheriff's office, the sheriff shall take a photograph and a set of fingerprints of the offender and forward the photographs and fingerprints to the department, along with the information provided by the sexual offender. The sheriff shall promptly provide to the department the information received from the sexual offender.

(4)

(d) A sexual offender must register any electronic mail address or instant message name with the department prior to using such electronic mail address or instant message name on or after October 1, 2007. The department shall establish an online system through which sexual offenders may securely access and update all electronic mail address and instant message name information.

(14)(a) A sexual offender must report in person each year during the month of the sexual offender's birthday and during the sixth month following the sexual offender's birth month to the sheriff's office in the county in which he or she resides or is otherwise located to reregister. The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which shall be consistent with the reporting requirements of this paragraph. Reregistration shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d); date and place of any employment; vehicle make, model, color, and license tag number; fingerprints; and photograph. A post office box shall not be provided in lieu of a physical residential address.

2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status.

3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.

4. Any sexual offender who fails to report in person as required at the sheriff's office, or who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence or who fails to report electronic mail addresses or instant message names, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual offender to the department in a manner prescribed by the department. ~~This procedure shall be implemented by December 1, 2005.~~

Section 11. Paragraphs (c) and (d) are added to subsection (1) of section 944.606, Florida Statutes, and paragraph (a) of subsection (3) of that section is amended, to read:

944.606 Sexual offenders; notification upon release.—

(1) As used in this section:

(c) "Electronic mail address" has the same meaning as provided in s. 668.602.

(d) "Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.

(3)(a) The department must provide information regarding any sexual offender who is being released after serving a period of incarceration for any offense, as follows:

1. The department must provide: the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; date and county of sentence and each crime for which the offender was sentenced; a copy of the offender's fingerprints and a digitized photograph taken within 60 days before release; the date of release of the sexual offender; any electronic mail address and any instant message name required to be provided pursuant to s. 943.0435(4)(d); and the offender's intended residence address, if known. The department shall notify the Department of Law Enforcement if the sexual offender escapes, absconds, or dies. If the sexual offender is in the custody of a private correctional facility, the facility shall take the digitized photograph of the sexual offender within 60 days before the sexual offender's release and provide this photograph to the Department of Corrections and also place it in the sexual offender's file. If the sexual offender is in the custody of a local jail, the custodian of the local jail shall notify the Department of Law Enforcement of the sexual offender's release and provide to the Department of Law Enforcement the information specified in this paragraph and any information specified in subparagraph 2. that the Department of Law Enforcement requests.

2. The department may provide any other information deemed necessary, including criminal and corrections records, nonprivileged personnel and treatment records, when available.

Section 12. Paragraphs (e) and (f) are added to subsection (1) of section 944.607, Florida Statutes, and paragraph (a) of subsection (4) and subsection (13) of that section are amended, to read:

944.607 Notification to Department of Law Enforcement of information on sexual offenders.—

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

(e) "Electronic mail address" has the same meaning as provided in s. 668.602.

(f) “Instant message name” means an identifier that allows a person to communicate in real time with another person using the Internet.

(4) A sexual offender, as described in this section, who is under the supervision of the Department of Corrections but is not incarcerated must register with the Department of Corrections and provide information as required by this subsection.

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; any electronic mail address and any instant message name required to be provided pursuant to s. 943.0435(4)(d); and permanent or legal residence and address of temporary residence within the state or out of state while the sexual offender is under supervision in this state, including any rural route address or post office box. The Department of Corrections shall verify the address of each sexual offender in the manner described in ss. 775.21 and 943.0435.

(13)(a) A sexual offender must report in person each year during the month of the sexual offender’s birthday and during the sixth month following the sexual offender’s birth month to the sheriff’s office in the county in which he or she resides or is otherwise located to reregister. The sheriff’s office may determine the appropriate times and days for reporting by the sexual offender, which shall be consistent with the reporting requirements of this paragraph. Reregistration shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; any electronic mail address and any instant message name required to be provided pursuant to s. 943.0435(4)(d), date and place of any employment; vehicle make, model, color, and license tag number; fingerprints; and photograph. A post office box shall not be provided in lieu of a physical residential address.

2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender’s enrollment or employment status.

3. If the sexual offender’s place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender’s place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer’s serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

4. Any sexual offender who fails to report in person as required at the sheriff’s office, or who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence or who fails to report electronic mail addresses or instant message names, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, and s. 775.084.

(b) The sheriff’s office shall, within 2 working days, electronically submit and update all information provided by the sexual offender to the Florida Department of Law Enforcement in a manner prescribed by that the Florida department of Law Enforcement. ~~This procedure shall be implemented by December 1, 2005.~~

Section 13. *In the express interest of the protection of citizens, particularly children, who use the Internet, it is the intent of the Legislature that the collection and distribution of the electronic mail address and instant message name information of sexual predators and sexual offenders be maintained and distributed in a manner to maximize public safety benefits while minimizing and avoiding to the greatest extent possible any use of this information for any illegal purposes including harassment and networking among individuals for illegal purposes. Additionally, care should be taken in the distribution of this information to avoid circumstances which allow ready access to such information by minors.*

Section 14. Section 943.0437, Florida Statutes, is created to read:

943.0437 Commercial social networking websites.—

(1) For the purpose of this section, the term “commercial social networking website” means a commercially operated Internet website that allows users to create web pages or profiles that provide information about themselves and are available publicly or to other users and that offers a mechanism for communication with other users, such as a forum, chat room, electronic mail, or instant messenger.

(2) The department may provide information relating to electronic mail addresses and instant message names maintained as part of the sexual offender registry to commercial social networking websites or third parties designated by commercial social networking websites. The commercial social networking website may use this information for the purpose of comparing registered users and screening potential users of the commercial social networking website against the list of electronic mail addresses and instant message names provided by the department.

(3) This section shall not be construed to impose any civil liability on a commercial social networking website for:

(a) Any action voluntarily taken in good faith to remove or disable any profile of a registered user associated with an electronic mail address or instant message name contained in the sexual offender registry.

(b) Any action taken to restrict access by such registered user to the commercial social networking website.

Section 15. This act shall take effect October 1, 2007.

And the title is amended as follows:

Remove the entire title and insert:

A bill to be entitled An act relating to criminal justice; providing a short title; amending s. 16.56, F.S.; providing for jurisdiction of the Office of the Statewide Prosecutor over certain obscenity offenses; providing for jurisdiction over offenses facilitated by or connected to the use of the Internet; creating s. 775.0847, F.S.; providing definitions; providing for reclassification of certain offenses involving child pornography; amending s. 827.071, F.S.; providing for the effect of certain prosecutions; amending s. 847.0135, F.S.; making editorial changes; revising prohibitions on use of certain computer services to facilitate certain sexual conduct to include electronic storage devices, additional persons, and additional conduct; providing for charging each conversation in which specified conduct occurs as a separate offense; prohibiting traveling to meet minors for certain purposes; providing criminal penalties; revising a provision relating to state criminal jurisdiction; providing for effect of certain prosecutions; amending s. 905.34, F.S.; providing additional subject matter jurisdiction for the statewide grand jury; amending s. 910.15, F.S.; revising provisions relating to offenses facilitated by communication systems; amending s. 921.0022, F.S.; conforming the Criminal Punishment Code offense severity ranking chart; amending s. 775.21, F.S.; providing definitions; requiring sexual predators to include certain information during the registration process; requiring sexual predators to report changes in certain information; requiring sexual predators to include certain information during the reregistration process; providing penalties for failing to provide certain information; amending s. 943.0435, F.S.; providing definitions; requiring sexual offenders to include certain information during the registration process; requiring sexual offenders to report changes in certain information; requiring sexual offenders to include certain information during the reregistration process; amending s. 944.606, F.S.; providing definitions; requiring the Department of Corrections to provide certain information regarding sexual offenders who are being released after serving a period of incarceration to certain entities; amending s. 944.607, F.S.; providing definitions; requiring sexual offenders under the supervision of the Department of Corrections to include certain information during the registration process; requiring sexual offenders to include certain information during the reregistration process; providing legislative intent; creating s. 943.0437, F.S.; providing definitions; providing penalties for sexual offenders who fail to report certain information; permitting the Department of Law Enforcement to provide electronic mail address and instant message information in the sexual offender registry to commercial social networking websites and certain others; providing that certain statutory provisions do not impose civil liability on commercial social networking websites for specified actions; providing an effective date.

Senator Argenziano moved the following amendment which was adopted:

**Senate Amendment 1 (272618) to House Amendment 1**—On page 3, delete line 57 and insert:

(b) *Investigate and prosecute any crime enumerated in subsection (1)(a)1.-12. facilitated by or*

On motion by Senator Argenziano, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

**CS for SB 1004** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

Vote after roll call:

Yea—Villalobos

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The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7059 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III, Chief Clerk*

**HB 7059**—A bill to be entitled An act relating to the Water Protection and Sustainability Program Trust Fund; amending s. 201.15, F.S.; revising the distribution of excise taxes on documents credited to the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection; amending s. 403.890, F.S.; revising the distribution of funds within the Water Protection and Sustainability Program Trust Fund by the department; reenacting ss. 403.891(1) and 403.8911(1) F.S., relating to the creation and purpose of the Water Protection and Sustainability Program Trust Fund and annual appropriations therefrom, to incorporate the amendments made to s. 201.15, F.S., in references thereto; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

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The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to CS for HB 7061 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III, Chief Clerk*

**CS for HB 7061**—A bill to be entitled An act relating to the distribution of sales and use tax revenues; amending s. 212.20, F.S.; revising the distribution of the proceeds from the tax on sales, use, and other transactions; amending ss. 11.45, 202.18, 218.245, 218.65, and 288.1169, F.S.; conforming cross-references; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

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The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7063 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III, Chief Clerk*

**HB 7063**—A bill to be entitled An act relating to excise taxes on fuel and other pollutants; amending s. 206.9935, F.S.; providing for transferring certain amounts from the Inland Protection Trust Fund to the Florida Coastal Protection Trust Fund for certain purposes; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

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The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7065 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III, Chief Clerk*

**HB 7065**—A bill to be entitled An act relating to Medicaid; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to implement federal waivers to administer an integrated, fixed-payment delivery program for Medicaid recipients 60 years of age or older or dually eligible for Medicare and Medicaid; providing for voluntary enrollment in the program in specified locations, in accordance with certain requirements; requiring selection of managed care entities to operate the program; providing that such managed care entities shall be considered prepaid health plans; providing for entities to choose to serve certain enrollees; providing for the establishment of informal and formal provider grievance systems; requiring payment of certain nursing home claims within a time certain; providing a timeframe for evaluation of the program by the Office of Program Policy Analysis and Government Accountability; extending the deadline for submission of the evaluation report; authorizing the agency to seek Medicaid state plan amendments; requiring the agency to submit a report to the Legislature; amending s. 408.040, F.S.; conforming terminology to changes made by the act; amending s. 409.915, F.S.; requiring counties to participate in Medicaid payments for certain nursing home or intermediate facilities care for both health maintenance members and fee-for-service beneficiaries; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7069 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III*, Chief Clerk

**HB 7069**—A bill to be entitled An act relating to the Pari-mutuel Wagering Trust Fund; amending s. 550.135, F.S.; providing for use of certain funds received from regulation of slot machine facilities; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7071 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III*, Chief Clerk

**HB 7071**—A bill to be entitled An act relating to mobile homes; amending s. 320.822, F.S.; removing the definition of “seal” or “label”; repealing s. 320.824, F.S.; relating to the authority of the Department of Highway Safety and Motor Vehicles to adopt by rule changes in, or modifications to, mobile home standards and to enter any place where mobile homes are manufactured, sold, or offered for sale for certain purposes; amending s. 320.8245, F.S.; conforming a cross-reference; removing authority of the department to promulgate rules and regulations regarding alterations or modifications of mobile homes or recreational vehicles; revising qualifications for the designation of persons qualified to alter or modify a mobile home or recreational vehicle; amending s. 320.8249, F.S.; conforming a cross-reference; repealing s. 320.8255, F.S.; relating to mobile home inspections by the department; amending s. 320.827, F.S.; removing a provision authorizing the department to issue labels; requiring mobile homes manufactured in this state to bear a label and certification that the mobile home meets or exceeds the code of the United States Department of Housing and Urban Development; amending s. 320.834, F.S.; revising legislative purpose and intent; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7073 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III*, Chief Clerk

**HB 7073**—A bill to be entitled An act relating to distribution of proceeds from the excise tax on documents; amending s. 201.15, F.S.; deleting a provision for distributing certain amounts to the Grants and Donations Trust Fund in the Department of Community Affairs for certain purposes; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 7075 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III*, Chief Clerk

**HB 7075**—A bill to be entitled An act relating to transportation funding; amending s. 201.15, F.S.; revising amount of funds from certain taxes distributed to the State Transportation Trust Fund; directing the Department of Transportation to ensure that certain projects are not impacted; amending s. 215.615, F.S.; revising the Department of Transportation’s requirement to share certain costs of fixed-guideway system projects; revising criteria for an interlocal agreement to establish bond financing for fixed-guideway system projects; revising provisions for sources of funds for the payment of bonds; amending s. 337.11, F.S.; providing that certain construction projects be advertised for bids in local newspapers; amending s. 337.14, F.S.; authorizing the department to waive specified prequalification requirements for certain transportation projects under certain conditions; amending s. 337.18, F.S.; revising surety bond requirements for construction or maintenance contracts; providing for incremental annual surety bonds for multiyear maintenance contracts under certain conditions; revising the threshold for transportation projects eligible for a waiver of surety bond requirements; authorizing the department to provide for phased surety bond coverage or an alternate means of security for a portion of the contract amount in lieu of the surety bond; amending s. 338.2275, F.S.; raising the limit on outstanding bonds to fund turnpike projects; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to CS for HB 7079 and requests the Senate to recede. In the event that the Senate refuses to recede, the House of Representatives requests that a committee of conference be appointed to resolve the differences between the houses.

*William S. Pittman III*, Chief Clerk

**CS for HB 7079**—A bill to be entitled An act relating to biomedical research; amending s. 20.435, F.S.; deleting a reference to conform to changes made by this act; revising the time by which certain balances of appropriations from the Biomedical Research Trust Fund may be carried forward; amending s. 215.5601, F.S.; revising a provision relating to the Lawton Chiles Endowment Fund to conform to changes made by this act; amending s. 215.5602, F.S.; providing legislative findings and intent; revising provisions relating to the James and Esther King Biomedical Research Program; revising provisions relating to program funds and funding; revising long-term goals of the program; revising membership provisions relating to the Biomedical Research Advisory Council; providing that the council serves as the exclusive source of certain biomedical research grant and fellowship awards; requiring the council to create committees; providing requirements for the committees; revising duties of the council; requiring the council to submit a list of priorities for funding to the Legislature; providing for criteria for ranking priorities; providing for the award of grants or fellowships by the council upon a specific appropriation; providing restrictions on the recommendation or award of grants or fellowships by other programs and entities; deleting references to conform to changes made by this act; reducing the limits on administrative expenses; revising requirements relating to the council’s annual progress report; revising provisions relating to appropriations; amending s. 381.79, F.S.; providing for the expiration of a provision relating to the distribution of funds from the Brain and Spinal Cord Injury Program Trust Fund; amending s.

381.853, F.S.; providing a requirement for the Florida Center for Brain Tumor Research relating to the use of state funds for biomedical research; amending ss. 381.912 and 381.98, F.S.; revising and removing references to conform to changes made by this act; amending s. 381.922, F.S.; revising cross-references to conform to changes made by this act; revising the future repeal of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; creating s. 381.923, F.S.; creating the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Council within the Department of Health; providing for duties and functions of the council; providing for membership; providing a requirement for the council to issue an annual report; providing the mission and duties of the Bankhead-Coley Cancer Council; amending s. 430.501, F.S.; providing a requirement for the Alzheimer’s Disease Advisory Committee relating to the use of state funds for biomedical research grants or fellowships; amending s. 1004.445, F.S.; providing for the future repeal of provisions and the appropriation relating to certain grants awarded for Alzheimer’s disease research; providing a requirement for the Johnnie B. Byrd, Sr., Alzheimer’s Center and Research Institute relating to the use of state funds for biomedical research grants or fellowships; repealing s. 381.855, F.S., relating to the Florida Center for Universal Research to Eradicate Disease; repealing s. 381.92, F.S., relating to the Florida Cancer Council; repealing s. 381.921, F.S., relating to the Florida Cancer Council’s mission and duties; providing for severability; providing an effective date.

On motion by Senator Carlton, the Senate refused to recede from the Senate amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

**BILLS ON THIRD READING**

**SB 2**—A bill to be entitled An act relating to the offense of leaving a child unattended or unsupervised in a motor vehicle; amending s. 316.6135, F.S.; providing that such offense constitutes a second-degree misdemeanor rather than a noncriminal traffic infraction; providing that such offense is a third-degree felony if the child suffers great bodily harm, disability, or disfigurement; providing penalties; providing an effective date.

—was read the third time by title.

Senator Baker moved the following amendment which failed to receive the required two-thirds vote:

**Amendment 1 (521048)(with title amendment)**—On page 1, line 27 through page 2, line 16, delete those lines and insert:

(2) Any person who violates the provisions of subsection (1) *commits a misdemeanor* rather than a noncriminal traffic infraction, punishable by a fine of:

- (a) Not more than \$200 ~~\$100~~; or
- (b) Not less than \$100 ~~\$50~~ and not more than \$500 if the motor of the vehicle was running or the health of the child was in danger at the time of the violation.
- (3) Any law enforcement officer who observes a child left unattended or unsupervised in a motor vehicle in violation of subsection (1) may use whatever means are reasonably necessary to protect the minor child and to remove the child from the vehicle.
- (4) If the child is removed from the immediate area, notification should be placed on the vehicle.
- (5) The child shall be remanded to the custody of

And the title is amended as follows:

On page 1, lines 5-11, delete those lines and insert: for an increase in the penalty fines for such offense; providing an effective date.

**MOTION**

On motion by Senator Aronberg, the rules were waived to allow the following amendment to be considered:

Senator Aronberg moved the following amendment which was adopted by two-thirds vote:

**Amendment 2 (321654)(with title amendment)**—On page 1, line 20 through page 2, line 3, delete those lines and insert:

(1) A ~~No~~ parent, legal guardian, or other person responsible for a child younger than 6 years of age *may not shall* leave such child unattended or unsupervised in a motor vehicle:

- (a) For a period in excess of 15 minutes; ~~however, no such person shall leave a child unattended~~
- (b) For any period of time if the motor of the vehicle is running or the health of the child is in danger.

(2) Any person who violates the provisions of subsection (1)(a) *commits a misdemeanor of the second degree punishable as provided in s. 775.082 or s. 775.083. is guilty of a noncriminal traffic infraction, punishable by a fine of:*

- (a) ~~Not more than \$100; or~~
- (3) *Any person who violates the provisions of subsection (1)(b) is guilty of a noncriminal traffic infraction, punishable by a fine*

(b) ~~not less than \$50 and not more than \$500 if the motor of the vehicle was running or the health of the child was in danger at the time of the violation.~~

And the title is amended as follows:

On page 1, lines 6 and 7, delete those lines and insert: misdemeanor under certain conditions; providing that such offense is a

On motion by Senator Dawson, **SB 2** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Peaden
Argenziano	Garcia	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Fasano	Oelrich	

Nays—2

Baker Crist

Vote after roll call:

Yea—Alexander

By direction of the President, the rules were waived and the Senate proceeded to—

**SPECIAL ORDER CALENDAR**

On motion by Senator Gaetz, by two-thirds vote **HB 99** was withdrawn from the Committees on Community Affairs; and Transportation.

On motion by Senator Gaetz, by unanimous consent—

**HB 99**—A bill to be entitled An act relating to charitable public solicitations; providing a short title; amending s. 316.2045, F.S.; exempting certain nonprofit organizations from permit requirements related to obstructing streets or roads for solicitation purposes; establishing conditions certain nonprofit organizations must meet in order to solicit charitable donations on certain streets, roads, and rights-of-way; authorizing local governments to halt solicitation activities if such conditions are not met; providing an effective date.

—a companion measure, was taken up out of order and by two-thirds vote substituted for **CS for SB 1946** and by two-thirds vote read the second time by title. On motion by Senator Gaetz, by two-thirds vote **HB 99** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

On motion by Senator Margolis, by unanimous consent—

**CS for SCR 2874**—A concurrent resolution confirming the appointment of David William Martin to the position of Auditor General.

WHEREAS, Section 2, Article III of the State Constitution provides that the Legislature shall appoint an auditor to serve at its pleasure, and

WHEREAS, by enactment of chapter 69-82, Laws of Florida, the Legislature exercised that appointment by designating the Auditor General chosen pursuant to section 11.42, Florida Statutes, as the constitutional auditor required under Section 2, Article III of the State Constitution, and

WHEREAS, on March 26, 2007, the Joint Legislative Auditing Committee appointed David William Martin to the position of Auditor General effective October 1, 2007, and

WHEREAS, section 11.42, Florida Statutes, provides that the appointment of the Auditor General must be confirmed by the Senate and the House of Representatives, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That the appointment of David William Martin to the position of Auditor General effective October 1, 2007, by the Joint Legislative Auditing Committee under section 11.42, Florida Statutes, is confirmed.

—was taken up out of order and read the second time in full. On motion by Senator Margolis, **CS for SCR 2874** was adopted and certified to the House. The vote on adoption was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Argenziano	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Gaetz	Oelrich
Baker	Garcia	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dawson	Justice	Storms

Villalobos Wilson Wise  
Webster  
Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

**BILLS ON THIRD READING**

On motion by Senator Atwater, by unanimous consent—

**CS for SB 116**—A bill to be entitled An act relating to the unauthorized use of a name or likeness; amending s. 540.08, F.S.; prohibiting the use of the name or image of a member of the armed forces for certain purposes without obtaining consent in the manner prescribed by applicable state law; defining the term “member of the armed forces”; providing penalties for such unauthorized use; providing an effective date.

—as amended April 13 was taken up out of order and read the third time by title.

Senators Atwater, Argenziano and Lawson offered the following amendment which was moved by Senator Atwater and adopted by two-thirds vote:

**Amendment 1 (840908)(with title amendment)**—On page 1, line 13, insert:

Section 1. *This act may be cited as the “Robert A. Wise Military Protection Act.”*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 3, after the first semicolon (;) insert: providing a short title;

On motion by Senator Atwater, **CS for SB 116** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

**CO-INTRODUCERS**

All Senators not previously shown as co-introducers, were recorded as co-introducers of **CS for SB 116**.

**CS for SB 412**—A bill to be entitled An act relating to educational opportunities for dependent children of servicemembers or civilian personnel classified as prisoners of war or missing in action; amending s. 295.015, F.S.; expanding the provision of educational opportunity at state expense for children of servicemembers, or civilian personnel captured while serving with the consent or authorization of the United States Government, who are classified as prisoners of war or missing in action; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for SB 412** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

**SENATOR BAKER PRESIDING**

**HB 699**—A bill to be entitled An act relating to preference in public employment for veterans; repealing s. 295.101, F.S., relating to the expiration of preference in public employment and retention in public employment given to specified veterans and spouses thereof after an application of such preference; amending s. 110.2135, F.S.; correcting a cross-reference, to conform; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **HB 699** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

**CS for CS for SB 156**—A bill to be entitled An act relating to periods of wartime service for veterans; amending s. 1.01, F.S.; redefining the term “veteran” for purposes of construing the Florida Statutes to include a person who served in the active military, naval, or air service in Operation Enduring Freedom or Operation Iraqi Freedom; providing an effective date.

—was read the third time by title.

On motion by Senator Geller, **CS for CS for SB 156** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Atwater	Carlton
Alexander	Baker	Constantine
Argenziano	Bennett	Crist
Aronberg	Bullard	Dawson

Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	
Jones	Rich	

Nays—None

**CS for SB 184**—A bill to be entitled An act relating to domestic battery by strangulation; amending s. 784.041, F.S.; providing that it is a third-degree felony to knowingly and intentionally impede the normal breathing or circulation of the blood of another person in specified ways; providing an exception; providing definitions; providing criminal penalties; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming a reference to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for SB 184** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

**CS for SB 154**—A bill to be entitled An act relating to the parent-child privilege; creating s. 90.5045, F.S.; creating a parent-child privilege to prevent disclosure of communications that were intended to be made in confidence; defining the term “parent”; prescribing proceedings in which the privilege does not exist; providing for waiver of the privilege; requiring that a guardian ad litem be appointed to represent a minor child prior to the court’s approving the child’s waiver of the privilege; providing an effective date.

—was read the third time by title.

On motion by Senator Geller, **CS for SB 154** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Justice
Alexander	Deutch	King
Argenziano	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin

Storms Webster Wise  
 Villalobos Wilson  
 Nays—1  
 Oelrich  
 Vote after roll call:  
 Yea—Garcia

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Consideration of **HB 547** was deferred.

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**CS for SB 174**—A bill to be entitled An act relating to the practice of law; amending s. 454.18, F.S.; prohibiting deputy clerks of the court or deputy sheriffs who are employed full time from practicing law; providing an effective date.

—as amended April 13 was read the third time by title.

On motion by Senator Geller, **CS for SB 174** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

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**SB 886**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to a public-records exemption for building plans and other drawings of a building owned or operated by an agency; making editorial changes; saving the exemption from repeal under the Open Government Review Act; deleting the provision that provides for the repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **SB 886** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

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**CS for SB 816**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to requests for public records by law enforcement agencies; clarifying that the exemption applies during the period that the information identifying a public-records request constitutes active criminal intelligence information; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Argenziano, **CS for SB 816** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

### SPECIAL ORDER CALENDAR

By Senator Lawson—

**CS for CS for SB 1972**—A bill to be entitled An act relating to the leasing of private property by state agencies; amending s. 255.248, F.S.; defining terms; amending s. 255.249, F.S.; requiring the Department of Management Services to develop a strategic leasing plan; removing the expiration of provisions requiring that the department annually submit a master leasing report to the Governor and the Legislature concerning leases that are due to expire and amendments and supplements to and waivers of the terms and conditions of lease agreements; requiring state agencies to provide information concerning space needs to the Department of Management Services; requiring that the Department of Management Services adopt rules for soliciting and accepting competitive solicitations for certain leased space, for exempting the lease of care and living space or emergency space from competitive-solicitation requirements, for securing at least three quotes for a lease that is not required to be competitively solicited and for providing information regarding space needs to the Department of Management Services; removing the expiration of provisions requiring that specified clauses, which may not be amended, supplemented, or waived, be included in the terms and conditions of a lease; authorizing the Department of Management Services to contract for services in carrying out the strategic leasing plan; amending s. 255.25, F.S.; requiring state agencies to consult with the Department of Management Services concerning use of space; removing the expiration of provisions requiring that the department approve the terms of a lease by a state agency; requiring an analysis if the department approves an amendment or supplement to or waiver of a term or condition of a lease agreement; prohibiting a state agency from entering into certain leases of space in a privately owned building except upon advertisement for and receipt of competitive solicitations; providing exceptions; providing requirements for the use of invitations to bid, requests for proposals, and invitations to negotiate; providing criteria for awarding contracts; providing criteria for protesting an agency decision or intended decision pertaining to a competitive solicitation for leased space; providing criteria for the Department of Management Services to use when determining the state's best interest and when approving leases of 5,000 square feet or more; authorizing state agencies to use the services of a tenant broker under specified circumstances; authorizing the Department of Management Services to procure a state term contract for real estate consulting and brokerage services; removing the expiration of provisions providing legislative intent with respect to the use of state-owned buildings; requiring that the department create a

plan for fully using such buildings before leasing private buildings; requiring an annual report to the Legislature and the Governor; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1972** was placed on the calendar of Bills on Third Reading.

By Senator Lawson—

**CS for SB 1976**—A bill to be entitled An act relating to the competitive solicitation of contracts; amending s. 287.057, F.S.; requiring that additional types of contracts by state agencies be procured by competitive solicitation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1976** was placed on the calendar of Bills on Third Reading.

By Senator Dockery—

**CS for CS for SB 2052**—A bill to be entitled An act relating to environmental protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to the Florida Wildflower Foundation, Inc.; specifying uses of the proceeds; requiring that such proceeds be distributed to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law; amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; encouraging additional counties to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for litter reduction and a litter survey; deleting the provisions relating to the Wildflower Advisory Council; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending s. 403.704, F.S.; deleting obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; prohibiting the regulation of industrial byproducts under certain circumstances; conforming a cross-reference; clarifying provisions governing dredged material; amending s. 403.705, F.S., relating to the state solid waste management program; conforming a cross-reference; amending s. 403.7061, F.S.; authorizing the Department of Environmental Protection to initiate rulemaking regarding waste-to-energy facilities; deleting a requirement to initiate such rulemaking; amending s. 403.707, F.S.; authorizing the Department of Environmental Preservation to exempt certain facilities from the requirement for a permit; authorizing the department to include certain licenses in a permit; deleting certain obsolete provisions; removing a requirement concerning groundwater monitoring of certain facilities; extending the time period for a public hearing when a local government seeks to exempt certain material from the definition of construction and demolition debris; specifying conditions, following the transfer of ownership or control of a solid waste facility, which must be met before the transferee may operate the facility; specifying criteria concerning an application to the Department of Environmental Protection to transfer an operating permit for a solid waste facility; specifying responsibilities for complying with permit requirements, including financial-assurance requirements, when ownership or control of a solid waste facility is transferred; authorizing rulemaking by the department; creating s. 403.7071, F.S.; providing for the management and disposal of certain storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees for litter prevention and control; providing for expiration and enforcement of a lien on real property concerning compliance with waste-tire requirements; amending s. 403.7095, F.S., relating to the solid waste management grant program; specifying what constitutes an innovative grant; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that

appear elsewhere in law; clarifying requirements concerning financial assurance for closure of a landfill; amending s. 403.716, F.S.; deleting provisions relating to the training and employment of certain facility operators; amending s. 403.717, F.S.; clarifying provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; authorizing issuance of such a permit to a hazardous waste management facility; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; providing for operation or closure of certain existing facilities that must, due to a rule change, be permitted as hazardous waste facilities; amending s. 403.7226, F.S.; deleting a requirement to submit an annual state assessment concerning needs for hazardous waste management; amending s. 403.724, F.S.; clarifying certain financial-assurance provisions; amending s. 403.7255, F.S.; revising requirements regarding signs to notify the public about hazardous waste contamination of certain sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending s. 403.7265, F.S.; deleting provisions requiring a statewide local hazardous waste management plan; requiring a local government to provide matching funds for grants concerning conditionally exempt or household hazardous waste under certain conditions; repealing s. 403.7075, F.S., relating to the submission of a plan or application for certain permits for a solid waste management facility; repealing s. 403.756, F.S., relating to an annual used-oil report; repealing s. 403.7895, F.S., relating to permitting and a certification of need for a commercial hazardous waste incinerator; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, and 403.7893, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2052** was placed on the calendar of Bills on Third Reading.

By Senator Lawson—

**CS for SB 1488**—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.047, F.S.; consolidating the operation of the Institute of Food and Agricultural Sciences Supplemental Retirement Program under the Florida Retirement System; providing for assumption of program liabilities and obligations; abolishing the Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund; barring program participants from membership in the Florida Retirement System; amending s. 121.40, F.S., relating to the establishment and administration of the Institute of Food and Agricultural Sciences Supplemental Retirement Program; conforming provisions to changes made by the act; redefining the term “trust fund” for purposes of administering the program; providing a rate of monthly contributions; removing provisions relating to investments of the program trust fund; providing a legislative finding that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1488** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lawson, by two-thirds vote **HB 7085** was withdrawn from the Committees on Governmental Operations; and General Government Appropriations.

On motion by Senator Lawson, the rules were waived and by two-thirds vote—

**HB 7085**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2007, and July 1, 2008; providing an effective date.

—a companion measure, was substituted for **CS for SB 1490** and by two-thirds vote read the second time by title.

Senators Lawson and Carlton offered the following amendment which was moved by Senator Lawson and adopted:

**Amendment 1 (573284)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 121.71, Florida Statutes, is amended to read:

121.71 Uniform rates; process; calculations; levy.—

(1) In conducting the system actuarial study required under s. 121.031, the actuary shall follow all requirements specified thereunder to determine, by Florida Retirement System employee membership class, the dollar contribution amounts necessary for the forthcoming fiscal year for the defined benefit program. In addition, the actuary shall determine, by Florida Retirement System membership class, based on an estimate for the forthcoming fiscal year of the gross compensation of employees participating in the optional retirement program, the dollar contribution amounts necessary to make the allocations required under ss. 121.72 and 121.73. For each employee membership class and subclass, the actuarial study shall establish a uniform rate necessary to fund the benefit obligations under both Florida Retirement System retirement plans, by dividing the sum of total dollars required by the estimated gross compensation of members in both plans.

(2) Based on the uniform rates set forth in subsection (3), employers shall make monthly contributions to the Division of Retirement, which shall initially deposit the funds into the Florida Retirement System Contributions Clearing Trust Fund. A change in a contribution rate is effective the first day of the month for which a full month's employer contribution may be made on or after the beginning date of the change.

(3) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2007 <del>2006</del>	Percentage of Gross Compensation, Effective July 1, 2008 <del>2007</del>
Regular Class	8.69%	9.59% <del>9.55%</del>
Special Risk Class	19.76%	22.01% <del>21.96%</del>
Special Risk	11.39%	11.90% <del>12.65%</del>
Administrative Support Class		
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	13.32%	14.99% <del>14.80%</del>
Elected Officers' Class— Justices, Judges	18.40%	20.46% <del>20.44%</del>
Elected Officers' Class— County Elected Officers	15.37%	17.15% <del>17.08%</del>
Senior Management Class	11.96%	13.35% <del>13.29%</del>
DROP	9.80%	11.40% <del>10.89%</del>

(4) The state actuary shall recognize and use an appropriate level of available excess assets of the Florida Retirement System Trust Fund to offset the difference between the normal costs of the Florida Retirement System and the statutorily prescribed contribution rates.

Section 2. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by Section 14, Article X of the State Constitution, and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 3. This act shall take effect July 1, 2007.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2007, and July 1, 2008; providing a declaration of important state interest; providing an effective date.

Pursuant to Rule 4.19, **HB 7085** as amended was placed on the calendar of Bills on Third Reading.

By Senator Bennett—

**SB 1452**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 36, ch. 2001-140, Laws of Florida, relating to the authority of a local government to conduct audits for the purpose of ensuring compliance with respect to the public service tax; repealing s. 166.236, F.S., relating to a public-records exemption for information received by a taxing authority in connection with such an audit; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1452** was placed on the calendar of Bills on Third Reading.

By Senator Rich—

**CS for SB 656**—A bill to be entitled An act relating to local business taxes; amending s. 205.0535, F.S.; authorizing certain municipalities to reclassify businesses and occupations and establish new business tax rates before a specified date; providing that ch. 205, F.S., does not prohibit a municipality or county from decreasing or repealing a local business tax; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 656** was placed on the calendar of Bills on Third Reading.

By Senator Rich—

**CS for SB 1178**—A bill to be entitled An act relating to local business taxes; amending s. 205.053, F.S.; revising the date for beginning the annual sale of local business tax receipts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1178** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

**CS for CS for SB 668**—A bill to be entitled An act relating to surplus state lands; amending s. 253.034, F.S.; providing for reconveyance of certain state lands to certain fair associations under specified circumstances; authorizing agencies last holding a lease of such lands to remove improvements, fixtures, goods, wares, and merchandise from such lands within a time certain after reconveyance; providing for expiration; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 668** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

**CS for SB 1776**—A bill to be entitled An act relating to the Southwest Florida Water Management District; amending s. 373.073, F.S.; increasing the number of governing board members of the district; revising the residency requirements for vacancies on the governing board of the district; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1776** was placed on the calendar of Bills on Third Reading.

**SM 1680**—A memorial to the Congress of the United States, urging Congress to authorize improvements to bring the Herbert Hoover Dike into compliance with current levee protection safety standards and to authorize funding to expedite the improvements.

WHEREAS, Lake Okeechobee was impacted by four hurricanes during the 2004 and 2005 hurricane seasons, and

WHEREAS, subsequently, at the request of local community leaders, the South Florida Water Management District Governing Board implemented an independent report on the Herbert Hoover Dike surrounding Lake Okeechobee, and

WHEREAS, the report found that the dike does not meet current levee protection safety standards, which constitutes a failure of the structure, and

WHEREAS, the failure of the structure poses a clear and imminent threat of catastrophic proportion to the communities surrounding Lake Okeechobee, and

WHEREAS, the dike was not built to current levee engineering standards and is therefore not authorized by Congress to be brought into compliance to such standards, NOW, THEREFORE,

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

That the Congress of the United States is requested to authorize improvements to bring the Herbert Hoover Dike into compliance with current levee protection safety standards and to authorize funding to expedite the improvements.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full.

Senator Aronberg moved the following amendment which was adopted:

**Amendment 1 (235066)**—On page 1, line 30, after “standards” insert: by 2014

On motion by Senator Aronberg, **SM 1680** as amended was adopted, ordered engrossed and then certified to the House. The vote on adoption was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Argenziano	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

**CO-INTRODUCERS**

All Senators not previously shown as co-introducers, were recorded as co-introducers of **SM 1680**.

**SM 2770**—A memorial to the Congress of the United States, urging Congress to fully authorize the conditionally approved projects in section 601 of the Water Resources Development Act of 2000 and the Indian River Lagoon and Picayune Strand projects in the Comprehensive Everglades Restoration Plan and to provide funding for the federal share of the full and equal partnership.

WHEREAS, the Everglades is one of the most unique and fragile ecosystems in the world, and

WHEREAS, the Legislature and the Congress of the United States have long recognized that the Everglades is imperiled and must be restored, and

WHEREAS, the Comprehensive Everglades Restoration Plan was approved by Congress as a framework for restoration of the Everglades in the Water Resources Development Act of 2000, and

WHEREAS, the Comprehensive Everglades Restoration Plan will restore more than 2.4 million acres of the south Florida ecosystem while meeting the other water-related needs of the region, and

WHEREAS, the Legislature and the governing board of the South Florida Water Management District have appropriated more than \$2 billion to implement the Comprehensive Everglades Restoration Plan since the passage of the Water Resources Development Act of 2000, and

WHEREAS, the Legislature and the governing board of the South Florida Water Management District have provided more than 90 percent of the funding to implement the plan, and the South Florida Water Management District has begun construction on the initial conditionally authorized projects, and

WHEREAS, the Water Resources Development Act of 2000 approved the restoration plan as a full and equal partnership between the state government and the Federal Government, and

WHEREAS, the Indian River Lagoon and Picayune Strand projects and 10 conditionally authorized projects require authorization from Congress, NOW, THEREFORE,

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

That the Congress of the United States is requested to fully authorize the conditionally approved projects in section 601 of the Water Resources Development Act of 2000 and the Indian River Lagoon and Picayune Strand projects in the Comprehensive Everglades Restoration Plan and to provide funding for the federal share of the full and equal partnership.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Aronberg, **SM 2770** was adopted and certified to the House. The vote on adoption was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Argenziano	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Gaetz	Oelrich
Baker	Garcia	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dawson	Justice	Storms

Villalobos

Wilson

Wise

Webster

Nays—None

**CO-INTRODUCERS**

All Senators not previously shown as co-introducers, were recorded as co-introducers of **SM 2770**.

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By Senator Siplin—

**CS for SB 464**—A bill to be entitled An act relating to Three Kings Day; creating s. 683.33, F.S.; designating January 6 as “Three Kings Day” and authorizing local governments to issue proclamations commemorating the occasion; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 464** was placed on the calendar of Bills on Third Reading.

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By Senator Storms—

**SB 1950**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 383.51, F.S., relating to an exemption from public-records requirements provided with respect to the identity of a parent who leaves a newborn infant at a hospital, emergency medical services station, or fire station; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1950** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Oelrich, by two-thirds vote—

**CS for CS for SB 1270**—A bill to be entitled An act relating to education; amending s. 20.055, F.S.; revising a definition; amending s. 20.15, F.S.; deleting the Division of Colleges and Universities in the Department of Education; requiring the department to provide certain support services to the Board of Governors of the State University System; creating s. 20.155, F.S., relating to the Board of Governors; providing for certain rights and privileges, the head of the board, personnel, certain powers and duties, and an Office of Inspector General; amending s. 23.21, F.S., relating to definitions for purposes of paperwork reduction; updating terminology; amending s. 110.131, F.S., relating to other-personal-services temporary employment; updating terminology; amending s. 110.181, F.S., relating to the Florida State Employees’ Charitable Campaign; conforming a cross-reference; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting obsolete provisions; amending s. 112.19, F.S., relating to death benefits for certain officers; updating terminology; requiring the Board of Governors to adopt rules; amending s. 112.191, F.S., relating to death benefits for firefighters; updating terminology; requiring the Board of Governors to adopt rules; amending s. 112.313, F.S., relating to standards of conduct; revising definition of “employee” to include provosts; updating terminology; amending s. 112.3135, F.S., relating to restriction on employment of relatives; updating terminology; amending s. 112.3145, F.S., relating to disclosure of financial interests and clients represented before agencies; updating terminology; amending s. 120.52, F.S., relating to definitions for purposes of the Administrative Procedure Act; revising definition of “agency” to include the Board of Governors and state university boards of trustees under certain circumstances; revising definition of “educational unit”; amending s. 120.65, F.S.; including the Board of Governors in the list of entities that must reimburse the Division of Administrative Hearings for certain services and travel expenses; amending s. 121.021, F.S., relating to definitions for purposes of the Florida Retirement System; updating terminology; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; transferring authority from the State Board of Education

to the Board of Governors; updating terminology and provisions; amending s. 159.703, F.S., relating to creation of research and development authorities; updating terminology and an effective date; amending s. 159.704, F.S., relating to research and development authorities; updating terminology; amending s. 159.706, F.S.; including research and development authorities designated by the Board of Regents in a grandfather clause; amending s. 211.3103, F.S., relating to distribution of the tax levy on severance of phosphate rock; updating terminology; amending s. 215.16, F.S., relating to appropriations from the General Revenue Fund; deleting unnecessary language; amending s. 215.32, F.S., relating to segregation of trust funds; including trust funds under the management of the Board of Governors; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; updating terminology; deleting obsolete terminology; conforming cross-references; amending s. 215.82, F.S., relating to validation of bonds; conforming a cross-reference; amending s. 216.0152, F.S., relating to inventory of facilities; updating terminology; amending s. 216.251, F.S., relating to salary appropriations; deleting reference to the State Board of Education with respect to State University System positions; amending s. 220.15, F.S., relating to apportionment of adjusted federal income; updating terminology; amending s. 250.10, F.S.; providing duties of the Board of Governors in cooperation with the Adjutant General and the State Board of Education; amending s. 253.381, F.S., relating to the sale of unsurveyed marshlands; deleting reference to the State Board of Education; amending s. 255.02, F.S., relating to boards authorized to replace buildings destroyed by fire; deleting obsolete terminology; amending s. 255.043, F.S., relating to art in state buildings; deleting obsolete terminology; amending s. 255.102, F.S.; requiring the Board of Governors to collaborate in the adoption of rules for contractor compliance with minority business participation; amending s. 280.02, F.S.; revising definition of “public deposit” to include moneys of a state university; amending s. 286.001, F.S., relating to statutorily required reports; updating terminology; amending s. 287.064, F.S., relating to consolidated financing of deferred-payment purchases; conforming a cross-reference; amending s. 287.155, F.S., relating to purchase of motor vehicles; updating terminology; amending s. 288.15, F.S.; adding the Board of Governors to the list of entities authorized to cooperate with the Division of Bond Finance; amending s. 288.17, F.S., relating to revenue certificates; updating terminology; amending s. 288.705, F.S.; updating terminology; amending s. 288.7091, F.S.; requiring the Florida Black Business Investment Board to develop memoranda of understanding with the Board of Governors; amending s. 288.8175, F.S.; requiring a linkage institute to be governed by an agreement between the Board of Governors and the State Board of Education; amending s. 295.07, F.S., relating to preference in appointment and retention for veterans; including certain equivalent positions; amending s. 320.08058, F.S., relating to specialty license plates; updating terminology; amending s. 334.065, F.S.; updating terminology; amending s. 377.705, F.S.; updating terminology; amending s. 381.79, F.S., relating to the Brain and Spinal Cord Injury Program Trust Fund; updating terminology; amending s. 388.43, F.S.; updating terminology; amending s. 403.073, F.S., relating to pollution prevention; updating terminology; amending s. 403.074, F.S., relating to technical assistance by the Department of Environmental Protection; updating terminology; amending s. 409.908, F.S., relating to reimbursement of Medicaid providers; updating terminology; amending s. 413.051, F.S., relating to blind persons eligible to operate vending stands; updating terminology; amending s. 447.203, F.S.; designating the Board of Governors, or the board’s designee, as the public employer and legislative body with respect to public employees of state universities; revising definition of “legislative body” to conform; amending s. 455.2125, F.S., relating to adoption of changes to training requirements; updating terminology; amending s. 456.028, F.S., relating to adoption of changes to training requirements; updating terminology; amending s. 464.0196, F.S., relating to nurse educator appointments; prescribing appointing authorities for the Florida Center for Nursing board; amending s. 489.103, F.S., relating to exemptions for purposes of construction contracting; updating terminology; amending s. 489.503, F.S., relating to exemptions for purposes of electrical and alarm system contracting; updating terminology; amending s. 553.71, F.S., relating to definitions for purposes of the Florida Building Code; conforming terminology relating to education boards; amending ss. 627.06281 and 627.06292, F.S., relating to hurricane loss data; updating terminology; amending s. 633.01, F.S., relating to the State Fire Marshal; conforming cross-references; amending s. 650.03, F.S., relating to federal-state agreement; updating terminology; amending s. 943.1755, F.S., relating to the Florida Criminal Justice Executive Institute; updating terminology; amending s. 1000.01, F.S.; providing for certain transfers; amending s. 1000.03, F.S., relating to the

function, mission, and goals of the Florida K-20 education system; deleting duplicative provisions; limiting oversight authority over state university matters to the Board of Governors; amending s. 1000.05, F.S.; assigning responsibilities for implementation of equal opportunity policies to the Commissioner of Education and State Board of Education and to the Board of Governors; limiting the functions of the Office of Equal Educational Opportunity to those relating to school districts and community colleges; amending s. 1000.21, F.S.; defining "Board of Governors" as used in the education code; amending s. 1001.02, F.S.; revising powers and duties of the State Board of Education to include working in consultation with the Board of Governors on certain matters; providing for exceptions; prohibiting the State Board of Education from amending a specified budget request; prohibiting the State Board of Education from amending a list of specified fixed capital outlay requests; deleting certain responsibilities relating to state universities; revising reporting requirements relating to financial aid; conforming provisions; amending s. 1001.03, F.S.; providing exceptions regarding State Board of Education enforcement authority; requiring working in conjunction with the Board of Governors on certain matters; deleting State Board of Education review of state university academic programs; amending s. 1001.10, F.S.; providing duties of the Commissioner of Education relating to expenditures of the Board of Governors in the K-20 budget; revising reporting requirements; amending s. 1001.11, F.S.; requiring the Commissioner of Education to work with the Board of Governors for allocation of funds for qualified postsecondary projects; requiring annual reporting by the Commissioner of Education; conforming provisions; amending s. 1001.20, F.S.; transferring responsibilities regarding determination of need for investigations of state universities by the Office of Inspector General; amending s. 1001.28, F.S.; providing that Department of Education distance learning duties do not alter duties of the Board of Governors; amending s. 1001.64, F.S., relating to powers and duties of community college boards of trustees; conforming a cross-reference; amending s. 1001.70, F.S.; providing authority of the Board of Governors; authorizing travel and per diem; creating s. 1001.706, F.S., relating to powers and duties of the Board of Governors; providing for rulemaking; providing powers and duties relating to organization and operation of state universities, finance, accountability, personnel, property, compliance with laws and rules, and cooperation with other education boards; prohibiting assessment of a fee on universities; amending s. 1001.71, F.S.; providing that the university boards of trustees are part of the executive branch of state government; deleting certain board member requirements; amending s. 1001.72, F.S., relating to university boards of trustees acting as corporations; amending s. 1001.73, F.S., relating to university boards acting as trustees; transferring responsibilities of the State Board of Education to the Board of Governors; subjecting agreements to requirements for the issuance of bonds and debt; amending s. 1001.74, F.S.; revising powers and duties of university boards of trustees relating to general provisions for responsibility, organization and operation of state universities, finance, accountability, personnel, property, and compliance with laws and rules; amending s. 1002.35, F.S.; requiring the State Board of Education to work in conjunction with the Board of Governors regarding assignment of a university partner to the New World School of the Arts; updating terminology; amending s. 1002.41, F.S., relating to home education programs; conforming provisions; amending s. 1004.03, F.S.; transferring responsibilities for approval of new programs at state universities from the State Board of Education to the Board of Governors; amending s. 1004.04, F.S., relating to accountability and approval for teacher preparation programs; including the Board of Governors as a report recipient; amending s. 1004.07, F.S., relating to student withdrawal from courses due to military service; providing for rules by the State Board of Education and Board of Governors; amending s. 1004.21, F.S.; removing legislative intent regarding state universities; providing that state universities are part of the executive branch of state government and administered by a board of trustees; amending s. 1004.22, F.S., relating to divisions of sponsored research at state universities; providing for guidelines of the Board of Governors; transferring responsibilities from the State Board of Education to the Board of Governors; amending s. 1004.24, F.S.; transferring responsibilities relating to securing liability insurance from the State Board of Education to the Board of Governors or the board's designee; amending s. 1004.28, F.S.; transferring responsibilities relating to duties of direct-support organizations from the State Board of Education to the Board of Governors; defining "property"; providing for rules; subjecting certain agreements to requirements for issuance of bonds and debt; amending s. 1004.29, F.S.; transferring responsibilities relating to university health services support organizations from the State Board of Education to the Board of Governors; providing for rules; amending s. 1004.35, F.S.;

including the Board of Governors in consultations regarding coordination of course offerings; amending s. 1004.36, F.S.; transferring responsibilities relating to comprehensive master plans from the State Board of Education to the Board of Governors; amending s. 1004.39, F.S.; transferring responsibilities relating to the college of law at Florida International University from the State Board of Education to the Board of Governors; deleting obsolete provisions; amending s. 1004.40, F.S.; transferring responsibilities relating to the college of law at Florida Agricultural and Mechanical University from the State Board of Education to the Board of Governors; deleting obsolete provisions; amending s. 1004.41, F.S., relating to the J. Hillis Miller Health Center at the University of Florida; authorizing the University of Florida Board of Trustees to utilize certain revenues; amending s. 1004.43, F.S.; transferring responsibilities relating to the H. Lee Moffitt Cancer Center and Research Institute from the State Board of Education to the Board of Governors; amending s. 1004.435, F.S.; transferring responsibilities relating to cancer control from the State Board of Education to the Board of Governors; revising membership of the Florida Cancer Control and Research Council; amending s. 1004.445, F.S.; transferring responsibilities relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute from the State Board of Education to the Board of Governors; amending s. 1004.447, F.S.; requiring annual reporting to the Board of Governors; amending s. 1004.47, F.S.; updating terminology relating to solid and hazardous waste management research; amending s. 1004.58, F.S.; including the Board of Governors as a report recipient; providing for the Chancellor of the State University System to serve as a member of the board and to staff the board; amending s. 1005.03, F.S., relating to the designation "college" or "university"; deleting obsolete terminology; amending s. 1005.06, F.S., relating to institutions not under the jurisdiction of the Commission for Independent Education; deleting obsolete terminology; amending s. 1005.22, F.S.; removing an obsolete reference; amending s. 1006.53, F.S.; removing references to State Board of Education rules for religious observances; amending s. 1006.60, F.S.; including rules of the Board of Governors relating to codes of conduct; amending s. 1006.61, F.S.; including policies of the Board of Governors relating to disruptive student activities; amending s. 1006.62, F.S.; including rules of the Board of Governors relating to expulsion and discipline of students; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt rules for state universities relating to safety issues; amending s. 1006.71, F.S., relating to gender equity in intercollegiate athletics; transferring responsibilities relating to state universities from the Commissioner of Education and State Board of Education to the Chancellor of the State University System and Board of Governors; adding the Legislature to the list of recipients of annual assessments; amending s. 1007.01, F.S.; requiring recommendations to the Legislature relating to articulation; amending s. 1007.22, F.S.; encouraging boards to establish programs to maximize articulation; amending s. 1007.23, F.S.; requiring the State Board of Education and the Board of Governors to enter into a statewide articulation agreement which addresses certain issues; revising provisions relating to admissions; amending s. 1007.24, F.S., relating to the statewide course numbering system; requiring the Commissioner of Education in conjunction with the chancellor, to perform certain duties; requiring the Department of Education in conjunction with the Board of Governors to perform certain duties; requiring the State Board of Education to approve course level with input from the Board of Governors; amending s. 1007.25, F.S., relating to general education courses, common prerequisites, and other degree requirements; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.2615, F.S., relating to acceptance of American Sign Language credits as foreign language credits; conforming provisions; amending s. 1007.262, F.S., relating to foreign language competence and equivalence determinations; conforming provisions; providing an exemption; amending s. 1007.264, F.S., relating to admission of impaired and learning disabled persons to postsecondary educational institutions; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.265, F.S., relating to graduation, study program admission, and upper-division entry for impaired and learning disabled persons; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.27, F.S., relating to articulated acceleration mechanisms and the statewide articulation agreement; conforming provisions; deleting obsolete provisions; amending s. 1007.28, F.S.; transferring requirement for establishment and maintenance of a computer-assisted student advising system from the State Board of Education to the Department of Education in conjunction with the Board of Governors; requiring the State Board of

Education and the Board of Governors to specify roles and responsibilities relating to the system; amending s. 1007.33, F.S., relating to site-determined baccalaureate degree access; conforming provisions; amending s. 1008.29, F.S., relating to the college-level communication and mathematics skills examination (CLAST); requiring the State Board of Education in conjunction with the Board of Governors to establish minimum passing scores and identify coursework to satisfy testing requirements; authorizing the Board of Governors to set certain examination fees; amending s. 1008.30, F.S., relating to common placement testing; requiring public postsecondary educational institutions to provide certain modifications for students with disabilities; requiring the State Board of Education in conjunction with the Board of Governors to specify certain college-preparatory requirements; amending s. 1008.32, F.S.; limiting State Board of Education oversight enforcement authority to school districts and community colleges and their respective boards; amending s. 1008.345, F.S.; conforming provisions relating to implementation of the state system of school improvement and education accountability; requiring State Board of Education and Board of Governors approval of CLAST skills and certain assessments; including the Board of Governors as a recipient of certain information; amending s. 1008.37, F.S., relating to postsecondary feedback of information to high schools; removing State Board of Education rulemaking; requiring the Commissioner of Education to report to the Board of Governors; amending s. 1008.38, F.S., relating to the articulation accountability process; requiring the State Board of Education in conjunction with the Board of Governors to establish an articulation accountability process; amending s. 1008.45, F.S., relating to the community college accountability process; conforming provisions; amending s. 1008.46, F.S.; transferring responsibilities relating to the state university accountability process from the State Board of Education to the Board of Governors; amending s. 1009.01, F.S.; revising definition of "out-of-state fee"; amending s. 1009.21, F.S., relating to determination of resident status for tuition purposes; modifying State Board of Education rulemaking; authorizing rulemaking by the Board of Governors; amending s. 1009.24, F.S.; revising provisions relating to state university tuition and fees; providing guidelines and requirements for the establishment of fees and fines; updating terminology; providing that a state university may not charge any fee except as specifically authorized by law; amending s. 1009.26, F.S.; transferring responsibilities relating to state university fee waivers from the State Board of Education to the Board of Governors; authorizing university boards of trustees to waive tuition and out-of-state fees under certain conditions; amending s. 1009.27, F.S., relating to deferral of fees; removing State Board of Education rulemaking; amending s. 1009.285, F.S., relating to fees for repeated enrollment in college-credit courses; deleting reference to definitions and fee levels established by the State Board of Education; amending s. 1009.29, F.S., relating to increased fees for funding financial aid programs; correcting a reference; amending s. 1009.40, F.S., relating to general requirements for student eligibility for state financial aid; conforming provisions relating to tuition assistance grants; amending s. 1009.90, F.S.; including the Board of Governors with respect to Department of Education duties relating to student financial aid; amending s. 1009.91, F.S.; requiring state university student loan information to be reported annually to the Board of Governors; amending s. 1009.971, F.S., relating to the Florida Prepaid College Board; updating terminology; amending s. 1010.01, F.S., relating to uniform records and accounts; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; requiring a uniform classification of accounts; requiring state universities to file financial statements; amending s. 1010.011, F.S.; revising a definition for purposes of financial matters; amending s. 1010.02, F.S., relating to financial accounting and expenditure; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.04, F.S., relating to purchasing; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.07, F.S., relating to bonds and insurance; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.09, F.S., relating to direct-support organizations; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.30, F.S., relating to audits; transferring supervision of state universities from the State Board of Education to the Board of Governors; amending s. 1011.01, F.S.; transferring budget responsibilities relating to state universities from the State Board of Education to the Board of Governors; requiring coordination; amending s. 1011.011, F.S.; requiring the State Board of Education in conjunction with the Board of Governors to submit legislative capital outlay budget requests for state universities; amending s. 1011.40, F.S.;

transferring state university budget responsibilities from the State Board of Education to the Board of Governors; amending s. 1011.41, F.S.; requiring compliance with certain tuition and fee policies for receipt of state university appropriations; amending s. 1011.4106, F.S.; providing requirements for the expenditure of tuition and fee revenues from local accounts; providing for deposit into the State Treasury under certain conditions; amending s. 1011.411, F.S., relating to budgets for sponsored research at universities; conforming a cross-reference; amending s. 1011.42, F.S., relating to university depositories; authorizing certain fund transfers; amending s. 1011.48, F.S.; transferring responsibilities for educational research centers for child development from the State Board of Education to the Board of Governors; amending s. 1011.82, F.S., relating to requirements for participation in the Community College Program Fund; conforming a cross-reference; amending s. 1011.90, F.S.; transferring state university funding responsibilities from the State Board of Education to the Board of Governors; amending s. 1011.91, F.S.; transferring certain responsibilities relating to additional appropriations; amending s. 1011.94, F.S.; redesignating the Trust Fund for University Major Gifts as the "University Major Gifts Program"; removing provisions relating to the trust fund; transferring responsibilities relating to the University Major Gifts Program from the State Board of Education to the Board of Governors; removing references to New College and the New College Foundation; amending s. 1012.01, F.S.; limiting definitions for purposes of personnel; amending s. 1012.80, F.S.; transferring responsibilities relating to employee disruptive activities at state universities from the State Board of Education to the Board of Governors; amending s. 1012.801, F.S., relating to State University System employees; updating terminology; amending s. 1012.93, F.S.; authorizing evaluation of faculty proficiency in English through a test approved by the Board of Governors; amending s. 1012.98, F.S.; deleting obsolete provisions relating to professional development programs; amending s. 1013.01, F.S.; excluding the Board of Governors from the definition of "board" for purposes of educational facilities; amending s. 1013.02, F.S.; transferring rulemaking authority relating to state university educational facilities from the State Board of Education to the Board of Governors; amending s. 1013.03, F.S.; providing functions of the Board of Governors relating to state university educational facilities; revising provisions relating to submission of data; deleting obsolete provisions; amending s. 1013.11, F.S.; providing for the Chancellor of the State University System to receive reports; amending s. 1013.12, F.S.; requiring state university firesafety inspections to comply with rules of the Board of Governors; revising recipients of an annual report; amending s. 1013.15, F.S.; subjecting lease or lease-purchase agreements to requirements for issuance of bonds and debt; amending s. 1013.16, F.S.; subjecting leases executed by a university board of trustees to requirements for issuance of bonds and debt; amending s. 1013.17, F.S.; transferring responsibilities relating to university leasing in affiliated research and development parks from the State Board of Education to the Board of Governors; subjecting leases to requirements for issuance of bonds and debt; amending s. 1013.171, F.S.; authorizing each university board of trustees to enter into certain lease agreements; transferring systemwide strategic plan adoption responsibilities from the State Board of Education to the Board of Governors; subjecting agreements to requirements for issuance of bonds and debt; amending s. 1013.19, F.S.; subjecting certain contracts executed by a university board of trustees to requirements for the issuance of bonds and debt; amending s. 1013.25, F.S.; requiring approval of the Administration Commission to exercise the power of eminent domain; amending s. 1013.28, F.S.; requiring state university disposal of property according to rules of the Board of Governors or the Board of Trustees for the Florida School for the Deaf and the Blind; amending s. 1013.31, F.S.; providing Department of Education duties relating to educational plant surveys and PECO funding; removing State Board of Education rulemaking; updating terminology and making technical changes; requiring approval of state university educational plant surveys by the Board of Governors; amending s. 1013.46, F.S.; deleting State Board of Education rulemaking for prequalification of bidders; amending s. 1013.47, F.S.; including rules of the Board of Governors with respect to contracts for construction of educational facilities; amending s. 1013.52, F.S.; requiring the Board of Governors' or the Chancellor of the State University System's review and approval for state university joint-use facilities proposals; amending s. 1013.60, F.S.; requiring that state university capital outlay budget request information approved by the Board of Governors be submitted to the Commissioner of Education; amending s. 1013.64, F.S.; requiring the Board of Governors to submit a 3-year priority list for capital outlay projects for the universities; transferring responsibilities for state university funds for comprehensive educational plant needs from the State Board of Education to the Board of Governors; amending s. 1013.65, F.S.; requiring

copies of capital outlay allocations to be provided to the Board of Governors; amending s. 1013.74, F.S.; deleting a cross-reference; transferring responsibilities relating to state university fixed capital outlay projects from the State Board of Education to the Board of Governors; subjecting projects to requirements for issuance of bonds and debt; amending s. 1013.78, F.S.; providing an exception relating to legislative approval for university-related facility acquisitions; authorizing the Board of Governors of the State University System to repeal certain rules; providing a requirement for the repeal of any such rules; repealing s. 186.805, F.S., relating to the Data Bank on Older Floridians; repealing s. 1004.54, F.S., relating to the Learning Development and Evaluation Center; repealing s. 741.03055, F.S., relating to review of premarital preparation courses, pilot programs, and questionnaire and curriculum; repealing s. 741.03056, F.S., relating to an informational questionnaire; repealing s. 1001.75, F.S., relating to powers and duties of state university presidents; repealing s. 1007.261, F.S., relating to state university admission of students; repealing s. 1007.31, F.S., relating to limited access programs; repealing s. 1007.32, F.S., relating to transfer students; repealing s. 1008.51, F.S., relating to the Council for Education Policy Research and Improvement; repealing s. 1011.4105, F.S., relating to transition from the state accounting system (FLAIR) to the university accounting system; repealing s. 1012.92, F.S., relating to personnel codes of conduct, disciplinary measures, and rulemaking authority; repealing s. 1012.94, F.S., relating to evaluations of faculty members; repealing s. 1012.95, F.S., relating to university employment equity accountability programs; requiring the Board of Governors and the university boards of trustees to repeal certain rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1270** was placed on the calendar of Bills on Third Reading.

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By Senator Storms—

**CS for SB 2866**—A bill to be entitled An act relating to sexually violent predators; amending s. 394.913, F.S.; providing for information concerning sexual acts and sexual motivation in a person's criminal history to be provided to multidisciplinary teams treating sexually violent predators; creating s. 394.9223, F.S.; providing for the use of physical force against a person confined in a secure facility as a sexually violent predator under certain circumstances; providing for examinations, reports, and investigations following the use of force; providing for criminal penalties when force is used with malicious intent; creating s. 394.9221, F.S.; authorizing the employment of certified correctional officers at a secure facility; amending s. 916.1091, F.S.; authorizing the employment of certified correctional officers at forensic facilities; providing for such authority to operate retroactively; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2866** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Lynn, by two-thirds vote **CS for HB 77** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

On motion by Senator Lynn, the rules were waived and by two-thirds vote—

**CS for HB 77**—A bill to be entitled An act relating to child visitation; creating s. 39.0139, F.S.; providing a short title; providing legislative findings and intent; creating a presumption; providing for a hearing; providing conditions for visitation or other contact; providing additional considerations for visitation or other contact; amending ss. 39.402, 39.506, 39.509, and 39.521, F.S.; subjecting specified visitation orders to s. 39.0139, F.S.; creating s. 753.01, F.S.; providing definitions; creating s. 753.02, F.S.; providing responsibilities for the Clearinghouse on Supervised Visitation; authorizing the clearinghouse to apply for grants and accept private contributions; creating s. 753.03, F.S.; providing for the development of standards; providing membership of an advisory board; providing for reports; creating s. 753.04, F.S.; providing interim standards for supervised visitation programs; creating s. 753.05, F.S.;

providing for referrals related to child sexual abuse; requiring a supervised visitation program to agree to comply with specified standards; repealing ss. 753.001, 753.002, and 753.004, F.S., relating to the Florida Family Visitation Network; providing a directive to the Division of Statutory Revision; providing an effective date.

—a companion measure, was substituted for **CS for SB 20** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 77** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Bennett, by two-thirds vote—

**CS for SB 236**—A bill to be entitled An act relating to motor vehicle insurance for foster children; creating a pilot program for the purpose of reimbursing foster parents, residential facilities, or foster children who live independently for a portion of the increased costs of motor vehicle insurance for a foster child who has a driver's license; directing the Department of Children and Family Services to establish a pilot program in Sarasota, DeSoto, Manatee, Pinellas, Pasco, and Hillsborough Counties; requiring that the person who incurs the increased cost submit to the department documentation of that increase; requiring that foster children be encouraged to pay the remaining portion of the increase in costs; directing the department to develop procedures for operating the pilot program; requiring the department to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 236** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Saunders, by two-thirds vote—

**CS for CS for SB 248**—A bill to be entitled An act relating to nursing specialties; amending s. 464.003, F.S.; defining the terms “clinical nurse specialist practice” and “clinical nurse specialist”; creating s. 464.0115, F.S.; providing requirements for certification as a clinical nurse specialist; providing fees; authorizing the Board of Nursing to adopt rules; amending s. 464.012, F.S.; conforming a cross-reference; amending s. 464.015, F.S.; restricting the use of professional titles and abbreviations relating to practice by clinical nurse specialists, certified registered nurse anesthetists, and certified nurse midwives; providing penalties; amending s. 464.016, F.S.; prohibiting the use of any name or title stating or implying that a person is a clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife unless the person is licensed or certified; providing penalties; reenacting s. 921.0022(3)(g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 464.016, F.S., in a reference thereto; amending ss. 458.348 and 459.025, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 248** was placed on the calendar of Bills on Third Reading.

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By Senator Siplin—

**CS for SB 468**—A bill to be entitled An act relating to required school instruction; amending s. 1003.42, F.S.; requiring the character-development program to include conflict-resolution management; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 468** was placed on the calendar of Bills on Third Reading.

By Senator Dockery—

**CS for CS for SB 1160 and SB 2566**—A bill to be entitled An act relating to building and facility designations; providing for the designation of buildings and facilities at the University of Florida, the University of South Florida, and the University of Central Florida; directing the universities to erect suitable markers; designating the Department of Education office at 921 N. Davis Street in Jacksonville as the “Mary L. Singleton Education Office”; directing the Department of Education to erect suitable markers; designating the administration building at the Florida State Hospital in Chattahoochee as the “William DeWitt Rogers Administration Building”; directing the Department of Children and Family Services to erect suitable markers; designating the Florida Center for Nursing in Orlando as the “Florida Barbara B. Lumpkin Center for Nursing”; directing the Department of Health to erect suitable markers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1160 and SB 2566** was placed on the calendar of Bills on Third Reading.

By Senator Deutch—

**CS for SB 2092**—A bill to be entitled An act relating to charter school districts; amending s. 1003.62, F.S.; postponing the termination of an academic performance-based charter school pilot program in certain counties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2092** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden, by two-thirds vote—

**CS for CS for SB 2100**—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring the Board of Pharmacy to set fees and rules to register pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from certain registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring the board to adopt rules requiring a pharmacy to notify the board when employing technicians; requiring the board to maintain a directory of technicians and publish the directory on the Internet; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S.; conforming references; amending s. 465.0235, F.S.; authorizing pharmacies to use an automated pharmacy system located on its premises; prohibiting automated pharmacy systems from dispensing substances controlled in Schedule I of ch. 893, F.S.; requiring the Board of Pharmacy to adopt rules for the security of an automated pharmacy system which require a photographic record of the recipient if the drug is dispensed directly to the recipient in a public location; providing an appropriation and authorizing additional positions; providing effective dates.

—was read the second time by title.

Senator Peaden moved the following amendments which were adopted:

**Amendment 1 (085120)**—On page 3, line 3, after the period (.) insert: *When a pharmacist supervises four registered technicians under the guidelines of the board, at least one of the four must be certified by the Pharmacy Technician Certification Board or any other nationally accredited certifying body approved by the board.*

**Amendment 2 (760178)(with title amendment)**—On page 8, line 18, delete “public location” and insert: *pharmacy*

And the title is amended as follows:

On page 2, line 6, delete “public location” and insert: *pharmacy*

#### MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

**Amendment 3 (753844)(with title amendment)**—On page 2, between lines 11 and 12, insert:

Section 1. Subsection (1) of section 465.0075, Florida Statutes, is amended to read:

465.0075 Licensure by endorsement; requirements; fee.—

(1) The department shall issue a license by endorsement to any applicant who applies to the department and remits a nonrefundable fee of not more than \$100, as set by the board, and whom the board certifies:

(a) Has met the qualifications for licensure in s. 465.007(1)(b) and (c);

(b) Has obtained a passing score, as established by rule of the board, on the licensure examination of the National Association of Boards of Pharmacy or a similar nationally recognized examination, if the board certifies that the applicant has taken the required examination *and holds a doctor of pharmacy degree not more than 12 years prior to application*;

(c1) Has submitted evidence of the active licensed practice of pharmacy, including practice in community or public health by persons employed by a governmental entity, in another jurisdiction for at least 2 of the immediately preceding 5 years or evidence of successful completion of board-approved postgraduate training or a board-approved clinical competency examination within the year immediately preceding application for licensure; or

2. Has completed an internship meeting the requirements of s. 465.007(1)(c) within the 2 years immediately preceding application; and

(d) Has obtained a passing score on the pharmacy jurisprudence portions of the licensure examination, as required by board rule.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, delete line 2 and insert: An act relating to pharmacy; amending s. 465.0075, F.S.; revising provisions governing licensure by endorsement to require certification that an applicant holds a doctor of pharmacy degree;

Pursuant to Rule 4.19, **CS for CS for SB 2100** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Peaden—

**SB 2634**—A bill to be entitled An act relating to hospice facility construction; amending s. 400.6051, F.S.; providing for review of construction plans by the Agency for Health Care Administration; authorizing the agency to charge fees for such review; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2634** was placed on the calendar of Bills on Third Reading.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator King, by two-thirds vote **CS for SB 1822** was withdrawn from Committee on Regulated Industries; and **CS for SB 2398** was withdrawn from Committee on General Government Appropriations.

## REPORTS OF COMMITTEES

The Responsible Regulation Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 18, 2007: CS for CS for SB 1972, CS for SB 1976, CS for CS for SB 2052, CS for SB 1488, CS for SB 1490, CS for SB 1946, SB 1452, CS for SB 656, CS for SB 1178, CS for CS for SB 668, CS for SB 1776, SM 1680, SM 2770, CS for SB 464

Respectfully submitted,  
*Lee Constantine, Chair*

The Oversight and Procedural Policy and Calendar Committee submits the following bill to be placed on the Special Order Calendar for Wednesday, April 18, 2007: CS for SCR 2874

Respectfully submitted,  
*James E. "Jim" King, Jr., Chair*

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 18, 2007: SB 1950, CS for CS for SB 1270, CS for SB 2866, CS for SB 20, CS for SB 236, CS for CS for SB 248, CS for SB 468, CS for CS for SB 1160 and SB 2566, CS for SB 2092, CS for CS for SB 2100, SB 2634

Respectfully submitted,  
*Burt L. Saunders, Chair*

The Committee on Banking and Insurance recommends the following pass: CS for SB 2856

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 2448

The Committee on Transportation recommends the following pass: SB 2912

**The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

The Committee on Criminal Justice recommends the following pass: CS for SB 490

The Committee on Judiciary recommends the following pass: CS for SB 474

**The bills contained in the foregoing reports were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.**

The Committee on Commerce recommends the following pass: CS for SB 2084

**The bill was referred to the Committee on Finance and Tax under the original reference.**

The Committee on Criminal Justice recommends the following pass: CS for SB 94

The Committee on Judiciary recommends the following pass: CS for SB 1782

**The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.**

The Committee on Criminal Justice recommends the following pass: CS for SB 2040

The Committee on General Government Appropriations recommends the following pass: SB 1172

**The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.**

The Committee on Commerce recommends the following pass: SB 750 with 1 amendment

**The bill was referred to the Committee on Higher Education under the original reference.**

The Committee on Military Affairs and Domestic Security recommends the following pass: CS for SB 2006

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

The Committee on Criminal Justice recommends the following pass: SB 720

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

The Committee on Banking and Insurance recommends the following pass: SB 2782

**The bill was referred to the Committee on Regulated Industries under the original reference.**

The Committee on Health and Human Services Appropriations recommends the following pass: CS for CS for SB 1630

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 1936

The Committee on Commerce recommends the following pass: CS for SB 1678; CS for SB 1722

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 142; CS for SB 1612; SB 1774; CS for SB 2312

The Committee on Criminal Justice recommends the following pass: SB 1780; CS for SB 2180

The Committee on General Government Appropriations recommends the following pass: CS for SB 420; SB 672; CS for CS for SB's 1038 and 218; SB 1202; CS for CS for SB 1824

The Committee on Health and Human Services Appropriations recommends the following pass: CS for SB 430; CS for SB 564; CS for SB 692; CS for SB 2868

The Committee on Higher Education Appropriations recommends the following pass: CS for SB 1190; SB 1648

The Committee on Judiciary recommends the following pass: SB 1862; CS for SB's 2730 and 1596

The Committee on Regulated Industries recommends the following pass: SB 2290

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 442; CS for SB 1900

The Committee on Education Facilities Appropriations recommends the following pass: CS for SB 680 with 1 amendment

**The bills contained in the foregoing reports were placed on the calendar.**

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1754; SB 2526

**The bills with committee substitutes attached were referred to the Committee on Commerce under the original reference.**

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The Committee on Regulated Industries recommends committee substitutes for the following: SB 2504; SB 2816

The Committee on Transportation recommends a committee substitute for the following: SB 324

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

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 894

**The bill with committee substitute attached was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.**

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The Committee on Commerce recommends a committee substitute for the following: SB 928

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

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The Committee on Finance and Tax recommends a committee substitute for the following: SB 680

**The bill with committee substitute attached was referred to the Committee on Education Facilities Appropriations under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 636

The Committee on Community Affairs recommends a committee substitute for the following: SB 2848

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 996

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1624

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 2234

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 254; CS for SB 286; CS for SB's 1038 and 218

The Committee on Judiciary recommends a committee substitute for the following: SB 2870

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

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The Committee on Regulated Industries recommends a committee substitute for the following: SB 2376

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

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The Committee on Commerce recommends a committee substitute for the following: CS for SB 2496

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 106

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 1462

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1188

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

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The Committee on Regulated Industries recommends a committee substitute for the following: SB 2484

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

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2218

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2768

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

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2702

The Committee on Community Affairs recommends a committee substitute for the following: SB 2836

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

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The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: SB 574 and CS for SB 1228

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

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The Committee on Commerce recommends a committee substitute for the following: CS for SB 2488

The Committee on Community Affairs recommends a committee substitute for the following: SB 780

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for CS for SB 2804

The Committee on Finance and Tax recommends committee substitutes for the following: SB 442; CS for CS for SB 2420

The Committee on Higher Education Appropriations recommends a committee substitute for the following: CS for CS for SB 2414

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.**

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1742

The Committee on Commerce recommends a committee substitute for the following: SB 1206

The Committee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: SB 1644; CS for SB 1792

The Committee on Criminal Justice recommends a committee substitute for the following: SB 270

The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: CS for SB 2130

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 560; SB 1020; SB 1022; SJR 3034

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for SB 500; SB 746; CS for CS for SB 1638; CS for SB 1974; CS for CS for SB 2054; SB 2766

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: SB 16; SB 236; CS for SB 248; CS for SB 2100

The Committee on Higher Education Appropriations recommends committee substitutes for the following: CS for SB 918; CS for SB 1270; SB 1570

The Committee on Judiciary recommends committee substitutes for the following: SB 426; CS for SB 902

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for CS for SB 506

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

**REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS**

The Committee on Banking and Insurance recommends that the Senate confirm the following appointment made by the Board of Governors:

*Office and Appointment* *For Term Ending*

Executive Director, Citizens Property Insurance Corporation  
Appointee: Wallace, Scott R. Pleasure of the Board

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

*Office and Appointment* *For Term Ending*

Secretary of Corrections  
Appointee: McDonough, James R. Pleasure of Governor

*Office and Appointment* *For Term Ending*

Executive Director of Department of Law Enforcement  
Appointee: Bailey, Gerald M. Pleasure of Governor and Cabinet

The Committee on Criminal Justice recommends that the Senate confirm the following appointment made by the Governor and Cabinet:

*Office and Appointment* *For Term Ending*

Parole Commission  
Appointee: David, Monica 06/30/2012

The Committee on Military Affairs and Domestic Security recommends that the Senate confirm the following appointment made by the Governor:

*Office and Appointment* *For Term Ending*

Executive Director of Department of Veterans' Affairs  
Appointee: Collins, LeRoy, Jr. Pleasure of Governor and Cabinet

**[The appointments were referred to the Committee on Ethics and Elections under the original reference.]**

**COMMITTEE SUBSTITUTES**

**FIRST READING**

By the Committee on Health and Human Services Appropriations; and Senator Bullard—

**CS for SB 16**—A bill to be entitled An act relating to congenital craniofacial anomalies; requiring that the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation, conduct a study concerning the medical necessity, costs, and efficacy of mandating coverage for certain treatments and therapies; requiring that the agency report its findings and recommendations to the Legislature; providing an appropriation; providing an effective date.

By the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Senator Hill—

**CS for CS for SB 106**—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; requiring electronic submission of fingerprints of child care personnel and retention of fingerprints by the Department of Law Enforcement; requiring that fingerprints retained be searched against arrest records; requiring that records identified with the retained fingerprints be reported to the Department of Children and Family Services; providing for fees; requiring an invoice for fees; providing rulemaking authority; requiring certain persons to be re-fingerprinted; requiring level 2 screening of each person who is employed in a child care facility every 5 years; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senators Bennett, Fasano and Lynn—

**CS for SB 236**—A bill to be entitled An act relating to motor vehicle insurance for foster children; creating a pilot program for the purpose of reimbursing foster parents, residential facilities, or foster children who live independently for a portion of the increased costs of motor vehicle insurance for a foster child who has a driver's license; directing the Department of Children and Family Services to establish a pilot program in Sarasota, DeSoto, Manatee, Pinellas, Pasco, and Hillsborough Counties; requiring that the person who incurs the increased cost submit to the department documentation of that increase; requiring that foster children be encouraged to pay the remaining portion of the increase in

costs; directing the department to develop procedures for operating the pilot program; requiring the department to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an effective date.

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By the Committees on Health and Human Services Appropriations; Health Regulation; and Senator Saunders—

**CS for CS for SB 248**—A bill to be entitled An act relating to nursing specialties; amending s. 464.003, F.S.; defining the terms “clinical nurse specialist practice” and “clinical nurse specialist”; creating s. 464.0115, F.S.; providing requirements for certification as a clinical nurse specialist; providing fees; authorizing the Board of Nursing to adopt rules; amending s. 464.012, F.S.; conforming a cross-reference; amending s. 464.015, F.S.; restricting the use of professional titles and abbreviations relating to practice by clinical nurse specialists, certified registered nurse anesthetists, and certified nurse midwives; providing penalties; amending s. 464.016, F.S.; prohibiting the use of any name or title stating or implying that a person is a clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife unless the person is licensed or certified; providing penalties; reenacting s. 921.0022(3)(g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 464.016, F.S., in a reference thereto; amending ss. 458.348 and 459.025, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

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By the Committees on Finance and Tax; Higher Education; and Senator Wise—

**CS for CS for SB 254**—A bill to be entitled An act relating to the affordability of textbooks; creating s. 1004.09, F.S.; prohibiting certain actions by employees of a state university or community college relating to the purchase of required textbooks by students; requiring that community colleges and state universities notify students of the textbooks required for each course by listing such textbooks on the community college or university website; requiring the adoption of certain policies and practices designed to minimize the cost of textbooks; requiring such policies and procedures to include limited exceptions for notification requirements; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study of the costs of college textbooks and the practices of public postsecondary institutions regarding the purchase of textbooks; requiring the office to conduct a survey of students enrolled in such institutions; requiring that the office review certain information when conducting the study; requiring the office to submit a final report on the results of the study, including recommendations, to the President of the Senate and the Speaker of the House of Representatives on or before December 1, 2007; providing an effective date.

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By the Committee on Criminal Justice; and Senator Lynn—

**CS for SB 270**—A bill to be entitled An act relating to illicit drugs; creating within the Executive Office of the Governor the Task Force for the Remediation of Illicit Drug Labs; prescribing the membership of the task force; providing for meetings and duties of the task force; requiring public hearings; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring that the Office of Drug Control within the Executive Office of the Governor provide staff support; requiring that the task force file reports and recommendations to the Governor and the Legislature; requiring cooperation by state agencies; creating within the Executive Office of the Governor the Drug Paraphernalia Abatement Task Force; prescribing task force membership; providing for meetings and duties of the task force; providing that meetings and records of the task force are subject to statutory public meetings and records requirements; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring that the Office of Drug Control within the Executive Office of the Governor provide staff support; requiring that the task force file preliminary and final reports before specified deadlines; requiring cooperation by state agencies; abolishing the task force on a specified date; providing an effective date.

By the Committees on Finance and Tax; Commerce; and Senator Fasano—

**CS for CS for SB 286**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.02, F.S.; defining the term “fractional aircraft ownership program”; amending s. 212.08, F.S.; providing exemptions for the sale or use of an aircraft for primary use pursuant to a fractional aircraft ownership program, for the parts and labor used in the maintenance, repair, and overhaul associated with aircraft sold or used pursuant to such a program, and for the sale or use of a fractional ownership interest pursuant to such a program; providing an effective date.

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By the Committee on Transportation; and Senator Bullard—

**CS for SB 324**—A bill to be entitled An act relating to a motor vehicle safety pilot program; requiring certain limited access facilities that are adjacent to a canal or other water body to have a system of guardrails, retention cables, or other barriers between the highway and the canal or water body; providing for the Department of Transportation to establish certain standards governing the installation and maintenance of the barriers; requiring that barriers be installed for existing highways by a specified date; providing for future review and repeal; providing an effective date.

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By the Committee on Judiciary; and Senators Saunders and Crist—

**CS for SB 426**—A bill to be entitled An act relating to false, deceptive, or misleading advertising; creating s. 817.4115, F.S.; defining the terms “performing person or group” and “recording person or group”; prohibiting a person, in advertising or conducting a live musical performance, from using a false, deceptive, or misleading statement of an affiliation, connection, or association between a performing person or group and a recording person or group; providing exceptions; providing that a violation of the act is a misdemeanor of the first degree; providing criminal penalties; authorizing the Department of Legal Affairs or state attorney to file a civil action for injunctive relief against any person or group violating the act; providing for the prevailing party to receive court costs and attorney’s fees; authorizing a court to impose a civil penalty for each violation of the act; providing an effective date.

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By the Committee on Finance and Tax; and Senator Bennett—

**CS for SB 442**—A bill to be entitled An act relating to motor vehicle, mobile home, and vessel registration; amending s. 320.01, F.S.; redefining the term “registration period”; defining the term “extended registration period”; amending s. 320.055, F.S.; establishing an extended registration period and renewal period for certain motor vehicles and mobile homes; amending s. 320.06, F.S.; extending the time period and revising the fee for replacement of registration license plates; providing for staggered implementation; extending the period of validity of license plates and validation stickers to provide for an extended registration period; amending s. 320.07, F.S.; providing for the semiannual, annual, or biennial renewal of motor vehicle and mobile home registrations; authorizing the biennial renewal of certain motor vehicle and mobile home registrations upon payment of the cumulative total of license taxes, service charges, surcharges, and other fees; amending s. 320.071, F.S.; specifying that the registration period for a motor vehicle or mobile home may not exceed a specified number of months; creating s. 320.203, F.S.; providing for the disposition of biennial registration revenues; amending s. 328.72, F.S.; providing for an extended registration period for certain vessel owners; providing an effective date.

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By the Committees on General Government Appropriations; Regulated Industries; and Senator Saunders—

**CS for CS for SB 500**—A bill to be entitled An act relating to bingo; providing a short title; amending s. 849.0931, F.S.; defining the terms “deal,” “flare,” and “instant bingo”; exempting instant bingo from specified prohibitions; providing requirements for the operation of instant bingo games; providing requirements for the use of proceeds and prize

payout; providing requirements for the manufacture and sale of instant bingo tickets; providing penalties; reenacting ss. 718.114 and 723.079(8), F.S., relating to powers and duties of condominium and homeowners' associations, to incorporate the amendment to s. 849.0931, F.S., in references thereto; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Governmental Operations; Transportation; and Senators Fasano and Crist—

**CS for CS for CS for SB 506**—A bill to be entitled An act relating to regional transportation facilities; creating part V of chapter 343, F.S., the Tampa Bay Regional Transportation Authority act; creating s. 343.90, F.S.; creating s. 343.91, F.S.; providing definitions; creating s. 343.92, F.S.; creating the Tampa Bay Regional Transportation Authority, comprising Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties; providing for organization and membership; providing for reimbursement of travel expenses and per diem; requiring members to comply with specified financial disclosure provisions; providing for employees and advisory committees; creating s. 343.922, F.S.; specifying purposes of the authority; providing for rights, powers, and duties of the authority; authorizing the authority to construct, operate, and maintain certain multimodal transportation systems; authorizing the authority to collect fares and tolls on its transportation facilities; requiring the authority to develop and adopt a regional multimodal transportation master plan by a date certain; providing for content, updates, and use of the plan; authorizing the authority to request funding and technical assistance; authorizing the authority to borrow money, enter into partnerships and other agreements, enter into and make lease-purchase agreements, and make contracts for certain purposes; specifying that the authority does not have power to pledge the credit or taxing power of the state; creating s. 343.94, F.S.; providing legislative approval of bond financing by the authority for its projects; providing for issuance of the bonds by the authority or the Division of Bond Finance; providing for contract with bondholders; authorizing the authority to employ fiscal agents; authorizing the State Board of Administration to act as fiscal agent; creating s. 343.941, F.S.; providing that the authority's bonds are not debts or pledges of faith and credit of the state; creating s. 343.943, F.S.; providing a state covenant with bondholders; creating s. 343.944, F.S.; providing certain rights and remedies for bondholders; creating s. 343.945, F.S.; providing for enforcement by bondholders of pledges to the authority from the department; creating s. 343.946, F.S.; providing for lease-purchase agreements between the authority and the department; creating s. 343.947, F.S.; providing for the department to act as an agent for the authority for the purposes of constructing and completing the authority's projects; creating s. 343.95, F.S.; providing for the authority to purchase property and property rights; creating s. 343.96, F.S.; providing for the authority to enter into cooperative agreements with other entities and persons; creating s. 343.962, F.S.; providing for the authority to enter into certain public-private agreements under certain conditions; providing procedures for proposals for public-private multimodal transportation projects; authorizing the public-private entity to impose certain tolls or fares for use of the systems; providing criteria for the constructed systems; authorizing the authority to use certain powers to facilitate project development, construction, and operation; providing intent relating to governmental entities; authorizing the authority to adopt certain rules and establish an application fee; creating s. 343.97, F.S.; exempting the authority from certain taxation; creating s. 343.973, F.S.; specifying that bonds or other obligations issued by the authority are legal investments constituting securities for certain purposes; creating s. 343.975, F.S.; providing for application, effect, or supersession of specified provisions; providing an effective date.

By the Committees on Finance and Tax; Community Affairs; and Senators Atwater, Storms, Deutch, Haridopolos and Geller—

**CS for CS for SB 560**—A bill to be entitled An act relating to local governments; amending s. 73.071, F.S.; requiring that the value of the expected future tax benefits for homestead property be compensated for in an eminent domain taking; creating s. 73.0725, F.S.; requiring the condemning authority in an eminent domain taking to determine the present value of the expected future tax benefit for homestead property; amending s. 193.011, F.S.; clarifying the standard for determining highest and best use for purposes of deriving the just value of property;

amending s. 195.052, F.S.; specifying data to be used for tabulating property value and taxation including information concerning ad valorem taxes and millage rates; requiring that such data be reported to the Department of Revenue for publication on the department's website and all property appraiser websites, if available; amending s. 200.069, F.S.; requiring that the notice of proposed property taxes mailed to taxpayers include the county government's official website address; requiring the electronic reporting of local government revenue and expenditure data; requiring the reporting of local government budgets; requiring the electronic reporting of local government contracts; providing for a study by legislative staff and a report; providing an appropriation; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senators Bennett and Gaetz—

**CS for SB 574 and CS for SB 1228**—A bill to be entitled An act relating to school districts; creating s. 1003.621, F.S.; providing criteria for designating academically high-performing school districts; providing exceptions for such districts to be exempt from certain statutes and rules; providing compliance requirements; providing for district governing boards; providing for reports; providing for a review by the State Board of Education of certain reporting requirements; amending s. 200.065, F.S.; providing for notice concerning property and casualty insurance costs; amending s. 1011.71, F.S., relating to the district school tax; providing criteria for using funds; authorizing the use of funds for specified purposes; eliminating restrictions on the use of funds; providing an effective date.

By the Committee on Banking and Insurance; and Senator Lawson—

**CS for SB 636**—A bill to be entitled An act relating to title insurance; amending s. 626.84201, F.S.; providing additional requirements for non-resident title insurance agent licensure; amending s. 626.9541, F.S.; revising unlawful rebate specifications; amending s. 627.7711, F.S.; revising definitions; amending s. 627.780, F.S.; providing an exception to a prohibition against dealing in certain premiums; amending ss. 627.782 and 627.783, F.S.; revising rate and rate-deviation requirements; amending s. 627.7845, F.S.; revising determination of insurability and records retention requirements; amending s. 701.04, F.S.; clarifying the content of estoppel letters sent to mortgagors; amending s. 701.041, F.S.; revising definitions relating to mortgage certificates of release; revising limitations on the application of the statute; adding title insurance agents for the purpose of assigning liability for damages; deleting the authority of the Financial Services Commission to adopt rules establishing charges; providing an effective date.

By the Committee on Finance and Tax; and Senators Dockery, Baker, Haridopolos, Argenziano, Bennett, Webster, Fasano and Siplin—

**CS for SB 680**—A bill to be entitled An act relating to growth management; amending s. 1013.738, F.S.; revising the eligibility criteria for the High Growth District Capital Outlay Assistance Grant Program; revising provisions for allocating funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund; providing an appropriation; providing an effective date.

By the Committee on General Government Appropriations; and Senators Alexander, Atwater, Gaetz and Fasano—

**CS for SB 746**—A bill to be entitled An act relating to workers' compensation for first responders; creating s. 112.1815, F.S.; providing a definition of the term "first responder"; providing a standard of proof for first responders having an injury or disease caused by exposure to a toxic substance; providing that any adverse result or complication relating to smallpox vaccinations is an injury by accident arising out of employment for first responders; providing a standard of proof for first responders in cases involving occupational disease; providing for the continuation of permanent total supplemental benefits after the age of 62 for certain first responders; providing a definition of the term "occu-

pational disease"; providing that the act fulfills an important state interest; providing an effective date.

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By the Committee on Community Affairs; and Senator Garcia—

**CS for SB 780**—A bill to be entitled An act relating to affordable housing; amending s. 163.3177, F.S., relating to the housing element of a local government comprehensive plan; requiring certain counties to adopt a plan for ensuring affordable workforce housing; providing that a local government that fails to comply with such requirement is ineligible to receive state housing assistance grants; amending s. 163.3184, F.S.; authorizing certain local government comprehensive plan amendments to be expedited; providing requirements for amendment notices; requiring a public hearing; amending s. 163.3187, F.S.; authorizing certain local government comprehensive plan amendments to be made more than twice a year; creating ss. 197.307, 197.3071, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S.; authorizing a county commission or municipality to adopt an ordinance providing for the deferral of ad valorem taxes and non-ad valorem assessments for affordable rental housing property under certain conditions; requiring the tax collector to provide certain notices to taxpayers about deferrals; providing specifications for such ordinances; providing eligibility requirements; authorizing a property owner to defer payment of ad valorem taxes and certain assessments; providing circumstances in which taxes and assessments may not be deferred; specifying the rate for deferment; providing that the taxes, assessments, and interest deferred constitute a prior lien on the property; providing an application process; providing notice requirements for applications that are not approved for deferment; providing an appeals process; requiring applications for deferral to contain a list of outstanding liens; providing the date for calculating taxes due and payable; requiring that a property owner furnish proof of certain insurance coverage under certain conditions; requiring the tax collector and the property owner to notify the property appraiser of parcels for which taxes and assessments have been deferred; requiring the property appraiser to notify the tax collector of changes in ownership or use of tax-deferred properties; providing requirements for tax certificates for deferred payment; providing the rate of interest; providing circumstances in which deferrals cease; requiring the property appraiser to notify the tax collector of deferrals that have ceased; requiring the tax collector to collect taxes, assessments and interest due; requiring the tax collector to notify the property owner of due taxes on tax-deferred property under certain conditions; requiring the tax collector to sell a tax certificate under certain circumstances; specifying persons who may pay deferred taxes, assessments and accrued interest; requiring the tax collector to maintain a record of payment and to distribute payments; providing for construction of provisions authorizing the deferments; providing penalties; amending s. 420.504, F.S.; providing that the corporation is a state agency for purposes of the state allocation pool; authorizing the corporation to provide notice of internal review committee meetings by publication on an Internet website; providing that the corporation is not governed by certain provisions relating to corporations not for profit; amending s. 420.506, F.S.; deleting a provision relating to lease of certain state employees; amending s. 420.5061, F.S.; deleting obsolete provisions; removing a provision requiring all assets and liabilities and rights and obligations of the Florida Housing Finance Agency to be transferred to the corporation; providing that the corporation is the legal successor to the agency; removing a provision requiring the corporation to make transfers to the General Revenue Fund; removing a provision requiring all state property in use by the agency to be transferred to and become the property of the corporation; amending s. 420.507, F.S.; requiring that an agreement financing affordable housing be recorded in the official records of the county where the real property is located; providing that such agreement is a state land use regulation; amending s. 420.5087, F.S.; authorizing the Florida Housing Finance Corporation to provide partially forgivable loans to nonprofit organizations that serve extremely-low-income elderly tenants; providing criteria; amending s. 420.5095, F.S.; specifying the content of rules for reviewing loan applications for workforce housing projects; requiring the corporation to establish a committee for reviewing loan applications; providing for membership; providing powers and duties of the committee; requiring the corporation's board of directors to make the final decisions concerning ranking and program participants; specifying areas where local governments may use program funds; expanding the types of projects that may receive priority funding; requiring that the processing of certain approvals of development orders or development permits be expedited;

providing loan applicant requirements; revising reporting requirements; amending s. 420.511, F.S.; requiring that the corporation's annual report include information on the Community Workforce Housing Innovation Pilot Program; amending s. 420.513, F.S.; providing exemption from taxes for certain instruments issued in connection with the financing of certain housing; amending s. 420.526, F.S.; revising the cap on predevelopment loans; amending s. 420.9076, F.S.; increasing affordable housing advisory committee membership; revising membership criteria; authorizing the use of fewer members under certain circumstances; revising and providing duties of the advisory committee; providing an effective date.

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By the Committee on Criminal Justice; and Senator Joyner—

**CS for SB 894**—A bill to be entitled An act relating to female genital mutilation; creating s. 794.08, F.S.; defining the term "female genital mutilation"; providing that a person who commits female genital mutilation upon a female younger than 18 years of age commits a felony of the first degree; providing that a person who removes, or causes or permits the removal of, a female younger than 18 years of age from this state for the purpose of committing female genital mutilation commits a felony of the second degree; providing that a parent or guardian who consents to the female genital mutilation of his or her female child who is younger than 18 years of age commits a felony of the third degree; providing that the act does not apply with respect to certain medical procedures that are conducted by health professionals to preserve the health of the female; providing that consent is not a defense to the offense of female genital mutilation; amending s. 921.0022, F.S.; creating felony classifications in the offense severity ranking chart of the Criminal Punishment Code for specified violations; providing an effective date.

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By the Committees on Judiciary; Regulated Industries; and Senator Jones—

**CS for CS for SB 902**—A bill to be entitled An act relating to community associations; creating s. 712.11, F.S.; providing for the revival of certain covenants that have lapsed; amending s. 718.106, F.S.; prohibiting local governments from limiting the access of certain persons to beaches adjacent to or adjoining condominium property; providing an exception; amending s. 718.110, F.S.; revising provisions relating to the amendment of declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 718.114, F.S.; providing that certain leaseholds, memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; amending s. 718.404, F.S.; providing retroactive application of provisions relating to mixed-use condominiums; amending s. 719.103, F.S.; providing a definition; amending s. 719.507, F.S.; prohibiting laws, ordinances, or regulations that apply only to improvements that are or may be subjected to an equity club form of ownership; amending s. 720.302, F.S.; revising governing provisions relating to corporations that operate residential homeowners' associations; amending s. 720.303, F.S.; revising application to include certain meetings; requiring the association to provide certain information to prospective purchasers or lienholders; authorizing the association to charge a reasonable fee for providing certain information; requiring the budget to provide for annual operating expenses; authorizing the budget to include reserve accounts for capital expenditures and deferred maintenance; providing a formula for calculating the amount to be reserved; authorizing the association to adjust replacement reserve assessments annually; authorizing the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revising provisions relating to financial reporting; revising time periods in which the association must complete its reporting; repealing s. 720.303(2), F.S., as amended, relating to board meetings, to remove conflicting versions of that subsection; creating s. 720.3035, F.S.; providing for architectural control covenants and parcel owner improvements; authorizing the review and approval of plans and specifications; providing limitations; providing rights and privileges for parcel owners as set forth in the declaration of covenants; amending s. 720.305, F.S.; providing that, where a member is entitled to collect attorney's fees against the association, the member may also recover additional amounts as determined by the court; amending s. 720.306,

F.S.; providing that certain mergers or consolidations of an association shall not be considered a material or adverse alteration of the proportionate voting interest appurtenant to a parcel; amending s. 720.307, F.S.; requiring developers to deliver financial records to the board in any transition of association control to members; requiring certain information to be included in the records and for the records to be prepared in a specified manner; amending s. 720.308, F.S.; providing circumstances under which a guarantee of common expenses shall be effective; providing for approval of the guarantee by association members; providing for a guarantee period and extension thereof; requiring the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; providing payments required from the guarantor to be determined in a certain manner; providing a formula to determine the guarantor's total financial obligation to the association; providing that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; amending s. 720.311, F.S.; revising provisions relating to dispute resolution; providing that the filing of any petition for arbitration or the serving of an offer for presuit mediation shall toll the applicable statute of limitations; providing that certain disputes between an association and a parcel owner shall be subject to presuit mediation; revising provisions to conform; providing that temporary injunctive relief may be sought in certain disputes subject to presuit mediation; authorizing the court to refer the parties to mediation under certain circumstances; requiring the aggrieved party to serve on the responding party a written offer to participate in presuit mediation; providing a form for such offer; providing that service of the offer is effected by the sending of such an offer in a certain manner; providing that the prevailing party in any subsequent arbitration or litigation proceedings is entitled to seek recovery of all costs and attorney's fees incurred in the presuit mediation process; requiring the mediator or arbitrator to meet certain certification requirements; removing a requirement relating to development of an education program to increase awareness of the operation of homeowners' associations and the use of alternative dispute resolution techniques; providing effective dates.

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By the Committees on Higher Education Appropriations; Higher Education; and Senator Wise—

**CS for CS for SB 918**—A bill to be entitled An act relating to public postsecondary need-based student financial assistance; amending s. 1009.77, F.S.; providing that the Florida Work Experience Program is available to students in specified career education programs and educator preparation institutes; lowering the percentage of student wages that must be reimbursed to employers; providing that participating postsecondary educational institutions must pay for specified preemployment expenses for students employed with public schools; prescribing student eligibility requirements; deleting provisions requiring that the State Student Financial Assistance Trust Fund be used for the program; providing an effective date.

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By the Committee on Commerce; and Senator Wise—

**CS for SB 928**—A bill to be entitled An act relating to illicit drugs; creating within the Executive Office of the Governor the Task Force for the Remediation of Illicit Drug Labs; prescribing the membership of the task force; providing for meetings and duties of the task force; requiring public hearings; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring that the Office of Drug Control within the Executive Office of the Governor provide staff support; requiring that the task force file reports and recommendations to the Governor and the Legislature; requiring cooperation by state agencies; creating within the Executive Office of the Governor the Drug Paraphernalia Abatement Task Force; prescribing task force membership; providing for meetings and duties of the task force; providing that meetings and records of the task force are subject to statutory public meetings and records requirements; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring that the Office of Drug Control within the Executive Office of the Governor provide staff support; requiring that the task force file preliminary and final reports before specified deadlines; requiring cooperation by state agencies; abolishing the task force on a specified date; providing an effective date.

By the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; and Senators Bennett, Lynn, Fasano and Atwater—

**CS for CS for SB 996**—A bill to be entitled An act relating to energy; creating s. 288.10894, F.S.; creating the Florida Alternative Energy Development Corporation; providing legislative findings; providing definitions; requiring that the corporation comply with public-meetings and public-records laws; providing for the organization, purpose, and duties of the corporation; providing for the membership of the board of directors of the corporation; requiring the disclosure of financial interests by board members; requiring an annual report; creating s. 288.10895, F.S.; creating the Alternative Energy Incentive Program for the purpose of encouraging economic development and research; providing definitions; providing for the program to be operated by the Florida Alternative Energy Development Corporation; providing the qualification criteria for a business to receive an award under the program; providing a grant-application process and requirements for such application; providing for an evaluation and award process; requiring that the corporation validate the performance of projects funded under the program; amending s. 377.703, F.S.; deleting provisions requiring that the Department of Environmental Protection conduct energy research and development, plan for the development of renewable energy resources, promote the development and use of renewable energy resources, and create a database of all energy programs in the state; amending s. 212.08, F.S.; increasing the limitation on a tax exemption for materials used in the distribution of biodiesel and ethanol; clarifying the definition of the term "ethanol"; creating an annual tax holiday for energy-efficient products; defining the term "energy-efficient product"; authorizing the Department of Revenue to adopt rules; requiring the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to certify eligibility for the sales tax exemption for equipment, technology, and other materials for renewable energy; amending s. 213.053, F.S.; providing for the Department of Revenue to provide information to the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection for purposes of administering the sales tax exemption and the corporate income tax credit; amending s. 220.192, F.S.; requiring the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to determine eligibility for the corporate income tax credits for investments in renewable energy technologies; amending s. 377.803, F.S.; defining the term "corporation" for purposes of the Florida Renewable Energy Technologies and Energy Efficiency Act; amending s. 377.804, F.S.; providing for the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to administer the Renewable Energy Technologies Grants Program; amending s. 377.806, F.S.; requiring the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to administer the Solar Energy Incentives Program; creating s. 366.915, F.S.; creating the Florida Renewable Portfolio Standard Act; providing legislative findings; providing definitions; requiring public utilities to sell a minimum amount of renewable energy; authorizing the Public Service Commission to adopt rules; amending s. 366.91, F.S.; redefining the term "renewable energy"; creating s. 366.925, F.S.; providing a short title; directing the Public Service Commission to develop rules requiring all public utilities to develop net-metering programs; providing for a customer to receive credit for electricity generated by renewable energy systems owned by the customer; directing the commission to adopt rules setting the standards that renewable energy systems must meet in order for customers to qualify for the program; requiring every wholesaler of diesel fuel to a marina within the state to offer biodiesel for sale; creating s. 403.0874, F.S.; requiring the Department of Environmental Protection to conduct an inventory of greenhouse gas emissions; amending s. 366.04, F.S.; authorizing the Public Service Commission to review and approve sales and transfers of public utility assets, including in a merger; authorizing the commission to adopt rules; creating s. 212.086, F.S.; providing a financial incentive for the purchase of an alternative motor vehicle; providing that any person who purchases an alternative motor vehicle from a sales tax dealer is eligible for a refund of the sales tax paid; requiring that the alternative motor vehicle be certified under the Internal Revenue Code of 1986, as amended, as a new qualified hybrid motor vehicle, new qualified alternative fuel motor vehicle, new qualified fuel cell motor vehicle, or new advanced lean-burn technology motor vehicle; requiring that an application for refund be filed with the Department of Revenue; providing that the total dollar amount of refunds is limited to the total amount of appropriations in any fiscal year; authorizing a request for a refund to

be held for payment in the following fiscal year under certain circumstances; requiring the department to adopt rules; providing for future repeal of the program; amending s. 255.252, F.S.; requiring an inventory of state-owned buildings and an energy efficiency project schedule for guaranteed energy-performance savings contract improvements; amending s. 287.063, F.S.; requiring that the term of payment for consolidated equipment finance contracts may not extend beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for repayment of funds under the guaranteed energy-performance savings contract; amending s. 489.145, F.S.; clarifying certain definitions; providing additional requirements for a state agency to enter into a guaranteed energy-performance savings contract; providing for financing of contracts related to guaranteed energy-performance savings; requiring the Department of Financial Services to review proposals to ensure that the most effective financing is used; requiring the Office of the Chief Financial Officer to develop model contractual and related documents; requiring that contracts or leases submitted by a state agency to the Office of Chief Financial Officer meet certain criteria; amending s. 366.93, F.S.; revising definitions related to certain power plants to include integrated gasification combined cycle power plants; requiring the Public Service Commission to implement rules related to integrated gasification combined cycle power plant cost recovery; requiring a report; amending s. 403.519, F.S.; providing requirements and procedures for determination of need for integrated gasification combined cycle power plants; providing an exemption from purchased power supply bid rules under certain circumstances; requiring a study, rulemaking, and a report by the Department of Community Affairs; amending s. 287.151, F.S.; providing definitions; providing a schedule of deadlines by which certain percentages of the vehicles purchased by a state agency, state university, or local government within the 12 months immediately preceding each deadline must be hybrid, flex-fuel, biodiesel, or compressed natural gas vehicles; providing that all vehicles purchased by such entities after July 1, 2011, must be hybrid, flex-fuel, biodiesel, or compressed natural gas vehicles; providing appropriations; providing effective dates.

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By the Committee on Finance and Tax; and Senators Haridopolos, Atwater, Storms, Deutch and Geller—

**CS for SB 1020**—A bill to be entitled An act relating to ad valorem taxation; amending s. 200.001, F.S.; defining the term “per capita Florida personal income”; amending s. 200.065, F.S.; requiring that the property appraiser provide instructions to the taxing authorities for computing the rolled-back rate; providing alternative methods of calculating the millage rates for the 2007-2008 and 2008-2009 fiscal years; providing a single method for calculating the millage rate beginning in the 2009-2010 fiscal year; providing that certain tax increment finance payments, taxes levied for the payment of bonds, and voted tax levies are exempt from the limitations on millage rates; amending s. 218.63, F.S.; prohibiting a unit of local government from participating in the allocation of revenues from the local government half-cent sales tax if the local government levies a millage rate in excess of the maximum rate allowed; amending ss. 192.0105, 193.1142, 194.037, and 1011.71, F.S., relating to taxpayer rights, approval of the assessment rolls, disclosure of tax impact, and school district taxes; conforming cross-references; providing for the Office of the Auditor General or the Office of Program Policy Analysis and Government Accountability to assist counties or municipalities in implementing the revenue reductions required by the act; providing appropriations; providing an effective date.

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By the Committee on Finance and Tax; and Senators Haridopolos, Atwater, Storms, Deutch and Geller—

**CS for SB 1022**—A bill to be entitled An act relating to affordable housing; amending s. 193.017, F.S.; requiring appraisers to use an income approach when assessing affordable housing property that has a low-income tax credit; creating s. 193.018, F.S.; providing for the just valuation of affordable housing property; requiring property appraisers to use an income approach when assessing such property; specifying the kinds of property subject to the assessment; providing an effective date.

By the Committees on Finance and Tax; Regulated Industries; and Senators Jones, Geller, Rich, King, Argenziano and Hill—

**CS for CS for SB’s 1038 and 218**—A bill to be entitled An act relating to slot machine gaming, as authorized by Section 23 of Article X of the State Constitution; amending s. 551.102, F.S.; defining the term “nonredeemable credits”; redefining the term “slot machine revenues”; amending s. 551.103, F.S.; deleting a requirement that the Division of Pari-mutuel Wagering annually adjust the amount of the bond supplied by a slot machine licensee; establishing the annual amount of bond required; providing for procedures for drug testing; amending s. 551.104, F.S.; providing for implementation of a drug-testing program; amending s. 551.1045, F.S.; providing procedures for temporary occupational licenses; deleting provisions for temporary licensees to be adopted within 180 days; amending s. 551.106, F.S.; establishing when payment of the annual slot machine license fee must be made by a licensee; amending s. 551.107, F.S.; authorizing the division to adopt rules to create a single occupational license; providing for validity; providing for additional disciplinary actions; amending s. 551.109, F.S.; exempting slot machine manufacturers and distributors, certain educational facilities, the division, and the Department of Law Enforcement from certain prohibitions against possessing slot machines at a place other than the licensee’s facility under certain circumstances; authorizing agency rulemaking; amending s. 551.114, F.S.; increasing the number of slot machines a licensee may make available for play; amending s. 551.116, F.S.; increasing the hours that slot machine gaming areas may be open upon local government approval; amending s. 551.121, F.S.; authorizing automatic teller machines in certain areas of a pari-mutuel facility; excluding check cashing in the designated slot machine gaming areas; amending s. 849.15, F.S.; clarifying the authority to legally ship slot machines into the state under certain circumstances; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Lynn—

**CS for SB 1188**—A bill to be entitled An act relating to direct payment for services under health insurance policies; amending s. 627.638, F.S.; including licensed basic life support or advanced life support providers under provisions for direct payment for certain services under health insurance policies; providing an effective date.

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By the Committee on Commerce; and Senator Atwater—

**CS for SB 1206**—A bill to be entitled An act relating to warranty responsibility for motor vehicle dealers; amending s. 320.696, F.S.; providing that reasonable compensation for work, including labor and parts, is the same under warranty as under other circumstances unless the motor vehicle manufacturer, distributor, or importer demonstrates that the charges are proper; prohibiting a motor vehicle manufacturer, distributor, or importer from imposing a charge on a motor vehicle dealer for warranty work and certain products; providing an effective date.

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By the Committees on Higher Education Appropriations; Higher Education; and Senator Oelrich—

**CS for CS for SB 1270**—A bill to be entitled An act relating to education; amending s. 20.055, F.S.; revising a definition; amending s. 20.15, F.S.; deleting the Division of Colleges and Universities in the Department of Education; requiring the department to provide certain support services to the Board of Governors of the State University System; creating s. 20.155, F.S., relating to the Board of Governors; providing for certain rights and privileges, the head of the board, personnel, certain powers and duties, and an Office of Inspector General; amending s. 23.21, F.S., relating to definitions for purposes of paperwork reduction; updating terminology; amending s. 110.131, F.S., relating to other-personal-services temporary employment; updating terminology; amending s. 110.181, F.S., relating to the Florida State Employees’ Charitable Campaign; conforming a cross-reference; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting obsolete provisions; amending s. 112.19, F.S., relating to death benefits for certain officers; updating terminology; requiring the Board of Governors to adopt rules; amending s. 112.191, F.S., relating to death benefits for firefighters; updating terminology; requiring the Board of Governors to

adopt rules; amending s. 112.313, F.S., relating to standards of conduct; revising definition of "employee" to include provosts; updating terminology; amending s. 112.3135, F.S., relating to restriction on employment of relatives; updating terminology; amending s. 112.3145, F.S., relating to disclosure of financial interests and clients represented before agencies; updating terminology; amending s. 120.52, F.S., relating to definitions for purposes of the Administrative Procedure Act; revising definition of "agency" to include the Board of Governors and state university boards of trustees under certain circumstances; revising definition of "educational unit"; amending s. 120.65, F.S.; including the Board of Governors in the list of entities that must reimburse the Division of Administrative Hearings for certain services and travel expenses; amending s. 121.021, F.S., relating to definitions for purposes of the Florida Retirement System; updating terminology; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; transferring authority from the State Board of Education to the Board of Governors; updating terminology and provisions; amending s. 159.703, F.S., relating to creation of research and development authorities; updating terminology and an effective date; amending s. 159.704, F.S., relating to research and development authorities; updating terminology; amending s. 159.706, F.S.; including research and development authorities designated by the Board of Regents in a grandfather clause; amending s. 211.3103, F.S., relating to distribution of the tax levy on severance of phosphate rock; updating terminology; amending s. 215.16, F.S., relating to appropriations from the General Revenue Fund; deleting unnecessary language; amending s. 215.32, F.S., relating to segregation of trust funds; including trust funds under the management of the Board of Governors; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; updating terminology; deleting obsolete terminology; conforming cross-references; amending s. 215.82, F.S., relating to validation of bonds; conforming a cross-reference; amending s. 216.0152, F.S., relating to inventory of facilities; updating terminology; amending s. 216.251, F.S., relating to salary appropriations; deleting reference to the State Board of Education with respect to State University System positions; amending s. 220.15, F.S., relating to apportionment of adjusted federal income; updating terminology; amending s. 250.10, F.S.; providing duties of the Board of Governors in cooperation with the Adjutant General and the State Board of Education; amending s. 253.381, F.S., relating to the sale of unsurveyed marshlands; deleting reference to the State Board of Education; amending s. 255.02, F.S., relating to boards authorized to replace buildings destroyed by fire; deleting obsolete terminology; amending s. 255.043, F.S., relating to art in state buildings; deleting obsolete terminology; amending s. 255.102, F.S.; requiring the Board of Governors to collaborate in the adoption of rules for contractor compliance with minority business participation; amending s. 280.02, F.S.; revising definition of "public deposit" to include moneys of a state university; amending s. 286.001, F.S., relating to statutorily required reports; updating terminology; amending s. 287.064, F.S., relating to consolidated financing of deferred-payment purchases; conforming a cross-reference; amending s. 287.155, F.S., relating to purchase of motor vehicles; updating terminology; amending s. 288.15, F.S.; adding the Board of Governors to the list of entities authorized to cooperate with the Division of Bond Finance; amending s. 288.17, F.S., relating to revenue certificates; updating terminology; amending s. 288.705, F.S.; updating terminology; amending s. 288.7091, F.S.; requiring the Florida Black Business Investment Board to develop memoranda of understanding with the Board of Governors; amending s. 288.8175, F.S.; requiring a linkage institute to be governed by an agreement between the Board of Governors and the State Board of Education; amending s. 295.07, F.S., relating to preference in appointment and retention for veterans; including certain equivalent positions; amending s. 320.08058, F.S., relating to specialty license plates; updating terminology; amending s. 334.065, F.S.; updating terminology; amending s. 377.705, F.S.; updating terminology; amending s. 381.79, F.S., relating to the Brain and Spinal Cord Injury Program Trust Fund; updating terminology; amending s. 388.43, F.S.; updating terminology; amending s. 403.073, F.S., relating to pollution prevention; updating terminology; amending s. 403.074, F.S., relating to technical assistance by the Department of Environmental Protection; updating terminology; amending s. 409.908, F.S., relating to reimbursement of Medicaid providers; updating terminology; amending s. 413.051, F.S., relating to blind persons eligible to operate vending stands; updating terminology; amending s. 447.203, F.S.; designating the Board of Governors, or the board's designee, as the public employer and legislative body with respect to public employees of state universities; revising definition of "legislative body" to conform; amending s. 455.2125, F.S., relating to adoption of changes to training requirements; updating terminology; amending s. 456.028, F.S., relating to adoption of changes to training

requirements; updating terminology; amending s. 464.0196, F.S., relating to nurse educator appointments; prescribing appointing authorities for the Florida Center for Nursing board; amending s. 489.103, F.S., relating to exemptions for purposes of construction contracting; updating terminology; amending s. 489.503, F.S., relating to exemptions for purposes of electrical and alarm system contracting; updating terminology; amending s. 553.71, F.S., relating to definitions for purposes of the Florida Building Code; conforming terminology relating to education boards; amending ss. 627.06281 and 627.06292, F.S., relating to hurricane loss data; updating terminology; amending s. 633.01, F.S., relating to the State Fire Marshal; conforming cross-references; amending s. 650.03, F.S., relating to federal-state agreement; updating terminology; amending s. 943.1755, F.S., relating to the Florida Criminal Justice Executive Institute; updating terminology; amending s. 1000.01, F.S.; providing for certain transfers; amending s. 1000.03, F.S., relating to the function, mission, and goals of the Florida K-20 education system; deleting duplicative provisions; limiting oversight authority over state university matters to the Board of Governors; amending s. 1000.05, F.S.; assigning responsibilities for implementation of equal opportunity policies to the Commissioner of Education and State Board of Education and to the Board of Governors; limiting the functions of the Office of Equal Educational Opportunity to those relating to school districts and community colleges; amending s. 1000.21, F.S.; defining "Board of Governors" as used in the education code; amending s. 1001.02, F.S.; revising powers and duties of the State Board of Education to include working in consultation with the Board of Governors on certain matters; providing for exceptions; prohibiting the State Board of Education from amending a specified budget request; prohibiting the State Board of Education from amending a list of specified fixed capital outlay requests; deleting certain responsibilities relating to state universities; revising reporting requirements relating to financial aid; conforming provisions; amending s. 1001.03, F.S.; providing exceptions regarding State Board of Education enforcement authority; requiring working in conjunction with the Board of Governors on certain matters; deleting State Board of Education review of state university academic programs; amending s. 1001.10, F.S.; providing duties of the Commissioner of Education relating to expenditures of the Board of Governors in the K-20 budget; revising reporting requirements; amending s. 1001.11, F.S.; requiring the Commissioner of Education to work with the Board of Governors for allocation of funds for qualified postsecondary projects; requiring annual reporting by the Commissioner of Education; conforming provisions; amending s. 1001.20, F.S.; transferring responsibilities regarding determination of need for investigations of state universities by the Office of Inspector General; amending s. 1001.28, F.S.; providing that Department of Education distance learning duties do not alter duties of the Board of Governors; amending s. 1001.64, F.S., relating to powers and duties of community college boards of trustees; conforming a cross-reference; amending s. 1001.70, F.S.; providing authority of the Board of Governors; authorizing travel and per diem; creating s. 1001.706, F.S., relating to powers and duties of the Board of Governors; providing for rulemaking; providing powers and duties relating to organization and operation of state universities, finance, accountability, personnel, property, compliance with laws and rules, and cooperation with other education boards; prohibiting assessment of a fee on universities; amending s. 1001.71, F.S.; providing that the university boards of trustees are part of the executive branch of state government; deleting certain board member requirements; amending s. 1001.72, F.S., relating to university boards of trustees acting as corporations; amending s. 1001.73, F.S., relating to university boards acting as trustees; transferring responsibilities of the State Board of Education to the Board of Governors; subjecting agreements to requirements for the issuance of bonds and debt; amending s. 1001.74, F.S.; revising powers and duties of university boards of trustees relating to general provisions for responsibility, organization and operation of state universities, finance, accountability, personnel, property, and compliance with laws and rules; amending s. 1002.35, F.S.; requiring the State Board of Education to work in conjunction with the Board of Governors regarding assignment of a university partner to the New World School of the Arts; updating terminology; amending s. 1002.41, F.S., relating to home education programs; conforming provisions; amending s. 1004.03, F.S.; transferring responsibilities for approval of new programs at state universities from the State Board of Education to the Board of Governors; amending s. 1004.04, F.S., relating to accountability and approval for teacher preparation programs; including the Board of Governors as a report recipient; amending s. 1004.07, F.S., relating to student withdrawal from courses due to military service; providing for rules by the State Board of Education and Board of Governors; amending s. 1004.21, F.S.; removing legislative intent regarding

state universities; providing that state universities are part of the executive branch of state government and administered by a board of trustees; amending s. 1004.22, F.S., relating to divisions of sponsored research at state universities; providing for guidelines of the Board of Governors; transferring responsibilities from the State Board of Education to the Board of Governors; amending s. 1004.24, F.S.; transferring responsibilities relating to securing liability insurance from the State Board of Education to the Board of Governors or the board's designee; amending s. 1004.28, F.S.; transferring responsibilities relating to duties of direct-support organizations from the State Board of Education to the Board of Governors; defining "property"; providing for rules; subjecting certain agreements to requirements for issuance of bonds and debt; amending s. 1004.29, F.S.; transferring responsibilities relating to university health services support organizations from the State Board of Education to the Board of Governors; providing for rules; amending s. 1004.35, F.S.; including the Board of Governors in consultations regarding coordination of course offerings; amending s. 1004.36, F.S.; transferring responsibilities relating to comprehensive master plans from the State Board of Education to the Board of Governors; amending s. 1004.39, F.S.; transferring responsibilities relating to the college of law at Florida International University from the State Board of Education to the Board of Governors; deleting obsolete provisions; amending s. 1004.40, F.S.; transferring responsibilities relating to the college of law at Florida Agricultural and Mechanical University from the State Board of Education to the Board of Governors; deleting obsolete provisions; amending s. 1004.41, F.S., relating to the J. Hillis Miller Health Center at the University of Florida; authorizing the University of Florida Board of Trustees to utilize certain revenues; amending s. 1004.43, F.S.; transferring responsibilities relating to the H. Lee Moffitt Cancer Center and Research Institute from the State Board of Education to the Board of Governors; amending s. 1004.435, F.S.; transferring responsibilities relating to cancer control from the State Board of Education to the Board of Governors; revising membership of the Florida Cancer Control and Research Council; amending s. 1004.445, F.S.; transferring responsibilities relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute from the State Board of Education to the Board of Governors; amending s. 1004.447, F.S.; requiring annual reporting to the Board of Governors; amending s. 1004.47, F.S.; updating terminology relating to solid and hazardous waste management research; amending s. 1004.58, F.S.; including the Board of Governors as a report recipient; providing for the Chancellor of the State University System to serve as a member of the board and to staff the board; amending s. 1005.03, F.S., relating to the designation "college" or "university"; deleting obsolete terminology; amending s. 1005.06, F.S., relating to institutions not under the jurisdiction of the Commission for Independent Education; deleting obsolete terminology; amending s. 1005.22, F.S.; removing an obsolete reference; amending s. 1006.53, F.S.; removing references to State Board of Education rules for religious observances; amending s. 1006.60, F.S.; including rules of the Board of Governors relating to codes of conduct; amending s. 1006.61, F.S.; including policies of the Board of Governors relating to disruptive student activities; amending s. 1006.62, F.S.; including rules of the Board of Governors relating to expulsion and discipline of students; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt rules for state universities relating to safety issues; amending s. 1006.71, F.S., relating to gender equity in intercollegiate athletics; transferring responsibilities relating to state universities from the Commissioner of Education and State Board of Education to the Chancellor of the State University System and Board of Governors; adding the Legislature to the list of recipients of annual assessments; amending s. 1007.01, F.S.; requiring recommendations to the Legislature relating to articulation; amending s. 1007.22, F.S.; encouraging boards to establish programs to maximize articulation; amending s. 1007.23, F.S.; requiring the State Board of Education and the Board of Governors to enter into a statewide articulation agreement which addresses certain issues; revising provisions relating to admissions; amending s. 1007.24, F.S., relating to the statewide course numbering system; requiring the Commissioner of Education in conjunction with the chancellor, to perform certain duties; requiring the Department of Education in conjunction with the Board of Governors to perform certain duties; requiring the State Board of Education to approve course level with input from the Board of Governors; amending s. 1007.25, F.S., relating to general education courses, common prerequisites, and other degree requirements; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.2615, F.S., relating to acceptance of American Sign Language credits as foreign language credits; conforming provisions; amending s. 1007.262, F.S., relating to foreign language competence and equivalence determinations; conforming provisions; provid-

ing an exemption; amending s. 1007.264, F.S., relating to admission of impaired and learning disabled persons to postsecondary educational institutions; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.265, F.S., relating to graduation, study program admission, and upper-division entry for impaired and learning disabled persons; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.27, F.S., relating to articulated acceleration mechanisms and the statewide articulation agreement; conforming provisions; deleting obsolete provisions; amending s. 1007.28, F.S.; transferring requirement for establishment and maintenance of a computer-assisted student advising system from the State Board of Education to the Department of Education in conjunction with the Board of Governors; requiring the State Board of Education and the Board of Governors to specify roles and responsibilities relating to the system; amending s. 1007.33, F.S., relating to site-determined baccalaureate degree access; conforming provisions; amending s. 1008.29, F.S., relating to the college-level communication and mathematics skills examination (CLAST); requiring the State Board of Education in conjunction with the Board of Governors to establish minimum passing scores and identify coursework to satisfy testing requirements; authorizing the Board of Governors to set certain examination fees; amending s. 1008.30, F.S., relating to common placement testing; requiring public postsecondary educational institutions to provide certain modifications for students with disabilities; requiring the State Board of Education in conjunction with the Board of Governors to specify certain college-preparatory requirements; amending s. 1008.32, F.S.; limiting State Board of Education oversight enforcement authority to school districts and community colleges and their respective boards; amending s. 1008.345, F.S.; conforming provisions relating to implementation of the state system of school improvement and education accountability; requiring State Board of Education and Board of Governors approval of CLAST skills and certain assessments; including the Board of Governors as a recipient of certain information; amending s. 1008.37, F.S., relating to postsecondary feedback of information to high schools; removing State Board of Education rulemaking; requiring the Commissioner of Education to report to the Board of Governors; amending s. 1008.38, F.S., relating to the articulation accountability process; requiring the State Board of Education in conjunction with the Board of Governors to establish an articulation accountability process; amending s. 1008.45, F.S., relating to the community college accountability process; conforming provisions; amending s. 1008.46, F.S.; transferring responsibilities relating to the state university accountability process from the State Board of Education to the Board of Governors; amending s. 1009.01, F.S.; revising definition of "out-of-state fee"; amending s. 1009.21, F.S., relating to determination of resident status for tuition purposes; modifying State Board of Education rulemaking; authorizing rulemaking by the Board of Governors; amending s. 1009.24, F.S.; revising provisions relating to state university tuition and fees; providing guidelines and requirements for the establishment of fees and fines; updating terminology; providing that a state university may not charge any fee except as specifically authorized by law; amending s. 1009.26, F.S.; transferring responsibilities relating to state university fee waivers from the State Board of Education to the Board of Governors; authorizing university boards of trustees to waive tuition and out-of-state fees under certain conditions; amending s. 1009.27, F.S., relating to deferral of fees; removing State Board of Education rulemaking; amending s. 1009.285, F.S., relating to fees for repeated enrollment in college-credit courses; deleting reference to definitions and fee levels established by the State Board of Education; amending s. 1009.29, F.S., relating to increased fees for funding financial aid programs; correcting a reference; amending s. 1009.40, F.S., relating to general requirements for student eligibility for state financial aid; conforming provisions relating to tuition assistance grants; amending s. 1009.90, F.S.; including the Board of Governors with respect to Department of Education duties relating to student financial aid; amending s. 1009.91, F.S.; requiring state university student loan information to be reported annually to the Board of Governors; amending s. 1009.971, F.S., relating to the Florida Prepaid College Board; updating terminology; amending s. 1010.01, F.S., relating to uniform records and accounts; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; requiring a uniform classification of accounts; requiring state universities to file financial statements; amending s. 1010.011, F.S.; revising a definition for purposes of financial matters; amending s. 1010.02, F.S., relating to financial accounting and expenditure; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.04, F.S., relating to purchasing; transferring responsibilities relating to state

universities from the State Board of Education to the Board of Governors; amending s. 1010.07, F.S., relating to bonds and insurance; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.09, F.S., relating to direct-support organizations; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.30, F.S., relating to audits; transferring supervision of state universities from the State Board of Education to the Board of Governors; amending s. 1011.01, F.S.; transferring budget responsibilities relating to state universities from the State Board of Education to the Board of Governors; requiring coordination; amending s. 1011.011, F.S.; requiring the State Board of Education in conjunction with the Board of Governors to submit legislative capital outlay budget requests for state universities; amending s. 1011.40, F.S.; transferring state university budget responsibilities from the State Board of Education to the Board of Governors; amending s. 1011.41, F.S.; requiring compliance with certain tuition and fee policies for receipt of state university appropriations; amending s. 1011.4106, F.S.; providing requirements for the expenditure of tuition and fee revenues from local accounts; providing for deposit into the State Treasury under certain conditions; amending s. 1011.411, F.S., relating to budgets for sponsored research at universities; conforming a cross-reference; amending s. 1011.42, F.S., relating to university depositories; authorizing certain fund transfers; amending s. 1011.48, F.S.; transferring responsibilities for educational research centers for child development from the State Board of Education to the Board of Governors; amending s. 1011.82, F.S., relating to requirements for participation in the Community College Program Fund; conforming a cross-reference; amending s. 1011.90, F.S.; transferring state university funding responsibilities from the State Board of Education to the Board of Governors; amending s. 1011.91, F.S.; transferring certain responsibilities relating to additional appropriations; amending s. 1011.94, F.S.; redesignating the Trust Fund for University Major Gifts as the "University Major Gifts Program"; removing provisions relating to the trust fund; transferring responsibilities relating to the University Major Gifts Program from the State Board of Education to the Board of Governors; removing references to New College and the New College Foundation; amending s. 1012.01, F.S.; limiting definitions for purposes of personnel; amending s. 1012.80, F.S.; transferring responsibilities relating to employee disruptive activities at state universities from the State Board of Education to the Board of Governors; amending s. 1012.801, F.S., relating to State University System employees; updating terminology; amending s. 1012.93, F.S.; authorizing evaluation of faculty proficiency in English through a test approved by the Board of Governors; amending s. 1012.98, F.S.; deleting obsolete provisions relating to professional development programs; amending s. 1013.01, F.S.; excluding the Board of Governors from the definition of "board" for purposes of educational facilities; amending s. 1013.02, F.S.; transferring rulemaking authority relating to state university educational facilities from the State Board of Education to the Board of Governors; amending s. 1013.03, F.S.; providing functions of the Board of Governors relating to state university educational facilities; revising provisions relating to submission of data; deleting obsolete provisions; amending s. 1013.11, F.S.; providing for the Chancellor of the State University System to receive reports; amending s. 1013.12, F.S.; requiring state university firesafety inspections to comply with rules of the Board of Governors; revising recipients of an annual report; amending s. 1013.15, F.S.; subjecting lease or lease-purchase agreements to requirements for issuance of bonds and debt; amending s. 1013.16, F.S.; subjecting leases executed by a university board of trustees to requirements for issuance of bonds and debt; amending s. 1013.17, F.S.; transferring responsibilities relating to university leasing in affiliated research and development parks from the State Board of Education to the Board of Governors; subjecting leases to requirements for issuance of bonds and debt; amending s. 1013.171, F.S.; authorizing each university board of trustees to enter into certain lease agreements; transferring systemwide strategic plan adoption responsibilities from the State Board of Education to the Board of Governors; subjecting agreements to requirements for issuance of bonds and debt; amending s. 1013.19, F.S.; subjecting certain contracts executed by a university board of trustees to requirements for the issuance of bonds and debt; amending s. 1013.25, F.S.; requiring approval of the Administration Commission to exercise the power of eminent domain; amending s. 1013.28, F.S.; requiring state university disposal of property according to rules of the Board of Governors or the Board of Trustees for the Florida School for the Deaf and the Blind; amending s. 1013.31, F.S.; providing Department of Education duties relating to educational plant surveys and PECO funding; removing State Board of Education rulemaking; updating terminology and

making technical changes; requiring approval of state university educational plant surveys by the Board of Governors; amending s. 1013.46, F.S.; deleting State Board of Education rulemaking for prequalification of bidders; amending s. 1013.47, F.S.; including rules of the Board of Governors with respect to contracts for construction of educational facilities; amending s. 1013.52, F.S.; requiring the Board of Governors' or the Chancellor of the State University System's review and approval for state university joint-use facilities proposals; amending s. 1013.60, F.S.; requiring that state university capital outlay budget request information approved by the Board of Governors be submitted to the Commissioner of Education; amending s. 1013.64, F.S.; requiring the Board of Governors to submit a 3-year priority list for capital outlay projects for the universities; transferring responsibilities for state university funds for comprehensive educational plant needs from the State Board of Education to the Board of Governors; amending s. 1013.65, F.S.; requiring copies of capital outlay allocations to be provided to the Board of Governors; amending s. 1013.74, F.S.; deleting a cross-reference; transferring responsibilities relating to state university fixed capital outlay projects from the State Board of Education to the Board of Governors; subjecting projects to requirements for issuance of bonds and debt; amending s. 1013.78, F.S.; providing an exception relating to legislative approval for university-related facility acquisitions; authorizing the Board of Governors of the State University System to repeal certain rules; providing a requirement for the repeal of any such rules; repealing s. 186.805, F.S., relating to the Data Bank on Older Floridians; repealing s. 1004.54, F.S., relating to the Learning Development and Evaluation Center; repealing s. 741.03055, F.S., relating to review of premarital preparation courses, pilot programs, and questionnaire and curriculum; repealing s. 741.03056, F.S., relating to an informational questionnaire; repealing s. 1001.75, F.S., relating to powers and duties of state university presidents; repealing s. 1007.261, F.S., relating to state university admission of students; repealing s. 1007.31, F.S., relating to limited access programs; repealing s. 1007.32, F.S., relating to transfer students; repealing s. 1008.51, F.S., relating to the Council for Education Policy Research and Improvement; repealing s. 1011.4105, F.S., relating to transition from the state accounting system (FLAIR) to the university accounting system; repealing s. 1012.92, F.S., relating to personnel codes of conduct, disciplinary measures, and rulemaking authority; repealing s. 1012.94, F.S., relating to evaluations of faculty members; repealing s. 1012.95, F.S., relating to university employment equity accountability programs; requiring the Board of Governors and the university boards of trustees to repeal certain rules; providing an effective date.

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By the Committees on Regulated Industries; Health Regulation; and Senator Crist—

**CS for CS for SB 1462**—A bill to be entitled An act relating to public food service establishments; creating s. 509.054, F.S.; requiring the Division of Hotels and Restaurants within the Department of Business and Professional Regulation to inspect toilet facilities of public food service establishments; providing the minimum sanitation standards for toilet facilities in food service establishments; providing certain exemptions; providing for administrative penalties; providing an exemption for a restroom in a public airport; providing an effective date.

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By the Committee on Higher Education Appropriations; and Senator Lynn—

**CS for SB 1570**—A bill to be entitled An act relating to the awarding of baccalaureate degrees by community colleges; amending s. 1001.64, F.S.; providing for community colleges that grant baccalaureate degrees to remain under the authority of the State Board of Education with respect to specified responsibilities; providing that the board of trustees is the governing board for purposes of granting baccalaureate degrees; providing powers of the boards of trustees, including the power to establish tuition and out-of-state fees; providing restrictions; requiring policies relating to minimum faculty teaching hours per week; amending s. 1007.33, F.S.; authorizing a community college to develop proposals to deliver baccalaureate degree programs in math and science which would prepare graduates to enter certain professions; removing a requirement that proposals for a baccalaureate degree program be submitted to the Council for Education Policy Research and Improvement for review and comment; providing requirements for the delivery of specified baccalaureate degree programs by a regionally accredited college or university at

a community college site; requiring notification to colleges and universities of intent to offer the degree program; amending s. 1009.23, F.S.; providing guidelines and restrictions for setting tuition and out-of-state fees for upper-division courses; amending s. 1011.83, F.S.; providing a residency requirement for funding baccalaureate degree programs at community colleges; providing requirements for funding nonrecurring and recurring costs associated with such programs; limiting per-student funding to a specified percentage of costs associated with state university baccalaureate degree programs; providing certain reporting and funding requirements; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Bennett—

**CS for SB 1624**—A bill to be entitled An act relating to owner-controlled insurance programs for public construction projects; amending s. 255.0517, F.S.; redefining the term “specified contracted work site”; defining the term “capital infrastructure improvement program”; requiring purchase of owner-controlled insurance in connection with a public construction project if the program maintains completed operations insurance coverage for no less than 10 years; exempting contractors and subcontractors working under a construction project insured by an owner-controlled insurance program from individually satisfying eligibility requirements for large deductible workers’ compensation rating plans; authorizing such contractors and subcontractors to combine their payrolls under the owner-controlled insurance program for workers’ compensation coverage as long as the minimum deductible for the project is \$100,000 or more and the standard estimated premium is \$500,000 or more; providing for a capital infrastructure improvement program; providing limitations concerning when the construction of a single public agency service, system, facility, or other public work may be combined with the construction of another public agency service, system, facility, or other public work to satisfy the amount specified for the purchase requirements; providing an exemption for any project of a public agency which is committed to an ongoing owner-controlled insurance program issued before October 1, 2007; providing an effective date.

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By the Committees on General Government Appropriations; Commerce; Banking and Insurance; and Senators Constantine, Webster, Atwater, Lynn and Aronberg—

**CS for CS for CS for SB 1638**—A bill to be entitled An act relating to gift certificates and similar credit items; creating s. 501.95, F.S.; defining the terms “credit memo” and “gift certificate”; prohibiting a gift certificate or credit memo sold or issued for consideration in this state from having an expiration date, expiration period, or any type of postsale charge or fee imposed on the gift certificate or credit memo; providing certain exceptions; creating s. 717.1045, F.S.; providing that the holder of an unredeemed gift certificate or credit memo is not required to report the unredeemed gift certificate or credit memo as unclaimed property to the Department of Financial Services; providing that the consideration paid for an unredeemed gift certificate or credit memo is the property of the issuer, subject only to any rights of a purchaser or owner, and is not subject to a claim made by any state acting on behalf of a purchaser or owner; requiring that a gift certificate or credit memo be reported as unclaimed property; providing legislative intent; providing the consideration paid for the gift certificate or credit memo is the property of the owner of the gift certificate or credit memo; providing an effective date.

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By the Committee on Criminal and Civil Justice Appropriations; and Senators Gaetz, Lynn and Crist—

**CS for SB 1644**—A bill to be entitled An act relating to retail theft; amending s. 812.014, F.S.; providing enhanced penalties for theft exceeding a specified amount for persons who individually, or in concert with others, coordinate the activities of one or more persons in committing the theft; amending s. 812.015, F.S.; providing enhanced penalties for retail theft exceeding a specified amount for persons who individually, or in concert with others, coordinate the activities of one or more persons in committing the offense; amending s. 921.0022, F.S.; conforming the Criminal Punishment Code offense severity ranking chart; providing an effective date.

By the Committee on Banking and Insurance; and Senator Fasano—

**CS for SB 1742**—A bill to be entitled An act relating to surplus lines coverage; amending s. 626.916, F.S.; providing requirements for insurance coverage eligible for export for residential property risks; requiring that the insured be notified that coverage may be available from Citizens Property Insurance Corporation; creating s. 626.9232, F.S.; requiring that surplus lines agents who sell surplus lines of homeowners’ insurance provide customers, who also are eligible for coverage through Citizens Property Insurance Corporation, with a premium rate quote from Citizens Property Insurance Corporation before selling such a surplus lines policy; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Posey—

**CS for SB 1754**—A bill to be entitled An act relating to prohibited free insurance practices; amending s. 626.9541, F.S.; providing an additional exclusion from a prohibition against free insurance for certain communications equipment; providing a definition; providing an effective date.

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By the Committees on Criminal and Civil Justice Appropriations; Transportation; Criminal Justice; and Senators Argenziano and Crist—

**CS for CS for SB 1792**—A bill to be entitled An act relating to the Department of Corrections; amending s. 316.003, F.S.; including vehicles operated by the department within the definition of the term “authorized emergency vehicles” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.2397, F.S.; authorizing the department to operate vehicles that have emergency lights and sirens; amending s. 945.215, F.S.; providing for the funds in the Employee Benefit Trust Fund to be used for certain additional purposes; limiting the types of donations that the department may accept for deposit into the fund; requiring that the fund be subject to oversight by the Secretary of Corrections and an annual audit; requiring that the department provide an annual report concerning allocations from the trust fund at the request of the Legislature and Governor; requiring that the department adopt rules; amending s. 945.21501, F.S.; requiring that facilities constructed using funds from the Employee Benefit Trust Fund provide maximum benefit for all employees; requiring that the department adopt rules; amending s. 948.06, F.S.; authorizing the court to issue a notice to appear for certain violators; providing for service of notices to appear; providing for tolling of the probationary period; providing for the use of a notification letter of a technical violation of a term of probation or community control; authorizing the court to allow the submission of certain documents electronically or by facsimile; requiring the Department of Corrections to provide the court with recommendations as to disposition by the court; requiring the Department of Corrections to conduct a study and submit a report; providing an effective date.

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By the Committees on General Government Appropriations; and Governmental Operations—

**CS for CS for SB 1974**—A bill to be entitled An act relating to state information technology; creating s. 14.204, F.S.; creating the Agency for Enterprise Information Technology within the Executive Office of the Governor; providing for the Governor and Cabinet to be the head of the agency; requiring that the agency be a separate budget entity that is not subject to the control of the Executive Office of the Governor; providing for an executive director of the agency to be subject to confirmation by the Senate; providing for the executive director to be the chief information officer of the state and the executive sponsor for all enterprise information technology projects; specifying the duties and responsibilities of the agency, which include defining architecture standards for information technology and developing a strategic enterprise information technology plan; requiring each state agency and the Agency Chief Information Officers Council to participate in the activities of the Agency for Enterprise Information Technology; amending s. 20.22, F.S.; removing the State Technology Office within the Department of Management Services; providing for a Technology Program within the department; amending s. 216.0446, F.S.; revising the duties of the Technology Review Workgroup within the Legislature to conform to the transfer of duties concerning the management of information technology for state agencies; amending s. 282.0041, F.S.; revising and providing definitions;

creating s. 282.0055, F.S.; providing for the Agency for Enterprise Information Technology to oversee information technology services that are common to all executive branch agencies and for agency information technology services to be responsible for information technology within an individual state agency; creating s. 282.0056, F.S.; requiring the Agency for Enterprise Information Technology to develop a work plan; requiring that the work plan be approved by the Governor and Cabinet and submitted to the Legislature; requiring that certain specified policies be included in the initial work plan; requiring that the agency develop policy recommendations and strategies for consolidating computer rooms and data centers; requiring each state agency to provide assistance in the development of the work plan upon request; amending s. 282.20, F.S.; transferring management of the Technology Resource Center from the State Technology Office to the Department of Management Services; revising the duties of the center to conform to changes made by the act; requiring that the center submit its service rates and cost-allocation plan to the Agency for Enterprise Information Technology for review; amending s. 282.3055, F.S.; revising the duties of the agency chief information officers; amending s. 282.315, F.S.; revising the duties of the Agency Chief Information Officers Council; requiring that the council assist the Agency for Enterprise Information Technology in developing strategies for information technology services and projects and make policy recommendations; revising the membership of the council; providing for the appointment of a chair, vice chair, and secretary; amending s. 282.318, F.S.; providing duties of the Agency for Enterprise Information Technology with respect to the security of data and information technology resources; requiring state agencies to conduct a comprehensive risk analysis at specified intervals, develop and update internal policies and procedures, and ensure compliance with certain security requirements; requiring the Agency for Enterprise Information Technology to designate a chief information security officer, develop standards for risk analyses and security audits, and provide training for agency information security managers; providing rulemaking authority; deleting provisions specifying duties of the Department of Management Services to conform to changes made by the act; amending s. 282.322, F.S.; requiring that the Agency for Enterprise Information Technology perform contract monitoring duties formerly performed by the Enterprise Project Management Office of the State Technology Office; amending s. 216.023, F.S.; requiring that certain legislative budget requests include the statutory reference to the policy requiring a new information technology project; amending s. 943.0313, F.S., relating to the Domestic Security Oversight Council; conforming terminology to changes made by the act; providing for the transfer of specified duties from the State Technology Office to the Department of Management Services; repealing ss. 186.022, 282.005, 282.101, 282.102, 282.23, 282.3031, 282.3032, 282.3063, 282.310, and 287.057(24), F.S., relating to information technology strategic plans, duties of the State Technology Office, the State Strategic Information Technology Alliance, information resources management responsibilities, guiding principles, the Agency Annual Enterprise Planning and Management Report, the State Annual Report on Enterprise Resource Planning and Management, and state strategic information technology alliances; amending ss. 215.95, 215.96, 282.103, 282.107, 339.155, 381.90, 403.973, 408.05, 420.0003, 420.511, 943.08, and 1001.26, F.S., relating to the Financial Management Information Board and its coordination council, the SUNCOM Network, transportation planning, the Health Information Systems Council, expedited permitting, the Florida Center for Health Information and Policy Analysis, the state housing strategy and the Florida Housing Finance Corporation, the Criminal and Juvenile Justice Information System Council, and the public broadcasting program system; conforming cross-references and other references to provisions repealed by the act; providing appropriations and authorizing additional positions; providing an effective date.

By the Committees on General Government Appropriations; Communications and Public Utilities; and Environmental Preservation and Conservation—

**CS for CS for CS for SB 2054**—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; providing for court costs under certain circumstances; amending s. 316.212, F.S.; allowing the operation of golf carts on roads within the state park system

under certain conditions; amending s. 373.4142, F.S.; providing state-wide consistency for water quality standards in the Northwest Florida Water Management District; amending s. 373.414, F.S.; providing that certain variance provisions apply in the Northwest Florida Water Management District; amending s. 373.4211, F.S.; ratifying the wetland rule and amending it to include certain plant species approved by the Environmental Regulation Commission; providing for delay of the ratification until certain conditions are met; amending s. 403.031, F.S.; conforming the definition of the term “regulated air pollutant” to changes made in the federal Clean Air Act; amending s. 403.067, F.S.; providing for the trading of water quality credits in the total maximum daily load program in areas that have adopted a basin action plan; providing for rules and specifying what the rules must address; amending s. 403.0872, F.S.; conforming the requirements for air operation permits to changes made to Title V of the Clean Air Act to delete certain minor sources from the Title V permitting requirements; amending s. 403.088, F.S.; providing for the revision of water pollution operation permits; amending s. 403.50663, F.S.; clarifying certain notice requirements; amending s. 403.50665, F.S.; providing for a local government to issue a statement of inconsistency with existing land use plans and zoning ordinances due to incompleteness of information necessary for an evaluation; amending s. 403.508, F.S.; clarifying certain hearing requirements for land use and certification hearings; amending s. 403.509, F.S.; clarifying certain provisions relating to certifications issued by the Department of Environmental Protection; amending s. 403.5113, F.S.; providing technical corrections to provisions requiring postcertification amendments and review; amending s. 403.5115, F.S.; clarifying certain public-notice requirements; amending s. 403.5252, F.S.; clarifying provisions relating to the determination of completeness of an application for an electric transmission line; amending s. 403.527, F.S.; clarifying the time under which the department or the applicant may request the cancellation of a certification hearing for a proposed transmission line; amending s. 403.5271, F.S.; clarifying the responsibilities of reviewing agencies to review the completeness of an application; amending s. 403.5317, F.S.; clarifying the provisions relating to a change in the condition of a certification; amending s. 403.5363, F.S.; providing that notice of a cancellation of a certification hearing must be within a certain time; amending s. 376.30715, F.S.; defining the term “acquired” for purposes of transfers of certain property; repealing ch. 325, F.S., consisting of ss. 325.2055, 325.221, 325.222, and 325.223, F.S., relating to motor vehicle air conditioning refrigerants; repealing s. 403.0875, F.S., relating to citrus juice processing facilities; amending s. 373.459, F.S.; repealing a provision that repealed a subsection concerning financial match requirements and certain expenditure limitations for surface water protection programs; requiring the Department of Environmental Protection to conduct a salary study and submit a plan; requiring the Department of Environmental Protection to develop a project management plan to implement the remaining phases of an e-permitting program and submit a plan; prohibiting local governments from specifying the method or format of a determination by the Department of Environmental Protection or a water management district with respect to certain projects; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to maintain a list of projects and activities that applicants may consider in developing certain proposals; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Regulation; and Senator Peaden—

**CS for CS for SB 2100**—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring the Board of Pharmacy to set fees and rules to register pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from certain registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring the board to adopt rules requiring a pharmacy to notify the board when employing technicians; requiring the board to maintain a directory of technicians and publish the directory on the Internet; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S.; conforming references; amending s. 465.0235, F.S.; authorizing pharmacies to use an automated pharmacy

system located on its premises; prohibiting automated pharmacy systems from dispensing substances controlled in Schedule I of ch. 893, F.S.; requiring the Board of Pharmacy to adopt rules for the security of an automated pharmacy system which require a photographic record of the recipient if the drug is dispensed directly to the recipient in a public location; providing an appropriation and authorizing additional positions; providing effective dates.

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By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senators Constantine, Bullard and Gaetz—

**CS for CS for SB 2130**—A bill to be entitled An act relating to exceptional students; requiring a study by the Office of Program Policy Analysis and Government Accountability of the provision of educational services to certain exceptional students referred to or placed in private residential care facilities; defining terms; requiring a report with recommendations; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Posey—

**CS for SB 2218**—A bill to be entitled An act relating to duties, powers, and liabilities of trustees; amending s. 660.417, F.S.; revising criteria for investments in certain investment instruments; creating s. 736.04117, F.S.; providing criteria, requirements, and limitations on a trustee's power to invade the principal of a trust; specifying conditions under which discretionary distributions may be made in further trust; amending s. 736.0802, F.S.; specifying additional trust property transactions not voidable by a beneficiary; revising certain disclosure and applicability requirements; broadening authority for investing in certain investment instruments; revising definitions; excusing trustees from certain compliance requirements under certain circumstances; amending s. 736.0816, F.S.; defining the term "mutual fund" for certain purposes; amending s. 736.1008, F.S.; revising effective dates relating to limitations on proceedings against trustees; amending s. 736.1011, F.S.; providing construction relating to trustee drafts of exculpatory terms in a trust instrument; providing an effective date.

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By the Committees on Criminal Justice; Regulated Industries; and Senator Wise—

**CS for CS for SB 2234**—A bill to be entitled An act relating to regulation of building inspection professionals; creating pt. XV of ch. 468, F.S., relating to regulation of home inspectors; providing a purpose; providing exemptions; providing definitions; authorizing the Department of Business and Professional Regulation to establish fees; limiting fee amounts; providing for a home inspector licensure examination; providing qualifications to take the licensure examination; providing requirements for the department to certify and license home inspectors; providing for licensure by endorsement; requiring continuing education for license renewal; providing criteria for continuing education; providing for inactivation of licenses; requiring the department to establish fees for the reactivation and renewal of inactive licenses; providing for certification of partnerships and corporations offering home inspection services; requiring a certificate of authorization for certain persons and entities practicing home inspection services; providing for prohibitions and penalties; providing grounds for disciplinary proceedings; authorizing the department to impose specified penalties; requiring home inspectors to provide a specified disclosure to consumers; requiring home inspectors to maintain a specified insurance policy; requiring home inspectors to provide a written report to homeowners upon completion of each home inspection; providing content requirements for home inspection reports; authorizing certain persons to qualify for home inspection licensure notwithstanding the requirements of this part; creating pt. XVI of ch. 468, F.S., relating to regulation of mold remediators and mold assessors; providing a purpose; providing exemptions; providing definitions; authorizing the department to establish fees; limiting fee amounts; providing for a mold assessor and mold remediator licensure examination; providing qualifications to take the licensure examinations; providing requirements for the department to certify and license home inspectors; providing for licensure by endorsement; requiring continuing education for license renewal; providing criteria for continuing education; providing for inactivation of licenses; requiring the department to establish fees for the reactivation and renewal of inactive licenses; providing for

certification of partnerships and corporations offering mold assessment or mold remediation services; requiring a certificate of authorization for certain persons and entities practicing home inspection services; providing for prohibitions and penalties; providing grounds for disciplinary proceedings; authorizing the department to impose specified penalties; requiring mold assessors and mold remediators to maintain specified insurance policies; providing requirements for contracts to perform mold assessment or mold remediation; authorizing certain persons to qualify for mold assessment and mold remediation licensure notwithstanding the requirements of this part; authorizing additional positions and providing appropriations; providing an effective date.

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By the Committee on Regulated Industries; and Senator Saunders—

**CS for SB 2376**—A bill to be entitled An act relating to public project construction bonds; amending s. 255.05, F.S.; providing that the amount of a bond shall equal the contract price except under certain conditions; providing that a bond may not be conditioned on the performance of design or nonconstruction services if such services are not included in the bond amount; providing an effective date.

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By the Committees on Higher Education Appropriations; Governmental Operations; Higher Education; and Senator Ring—

**CS for CS for CS for SB 2414**—A bill to be entitled An act relating to special postsecondary education programs; amending s. 1004.226, F.S.; amending the 21st Century Technology, Research, and Scholarship Enhancement Act to include the commercialization of products and services developed from the research and development conducted at state universities; requiring the Florida Technology, Research, and Scholarship Board to review and approve State University Research Commercialization Assistance Grants; requiring board members to refrain from having any direct interest or derive any benefit from a project receiving a grant under the program created by the act; providing guidelines for a state university to receive funding through the program; requiring private matching funds; requiring the board to periodically solicit proposals of state universities; requiring that the board submit an annual report to the Governor and the Legislature; providing an appropriation; providing an effective date.

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By the Committees on Finance and Tax; Governmental Operations; Commerce; and Senator Ring—

**CS for CS for CS for SB 2420**—A bill to be entitled An act relating to venture capital funds; creating s. 288.9621, F.S.; providing a short title; creating s. 288.9622, F.S.; providing legislative findings and intent; creating s. 288.9623, F.S.; providing definitions; creating s. 288.9624, F.S.; requiring Enterprise Florida, Inc., to facilitate establishment of the SURE Venture Capital Fund; specifying criteria of the fund; authorizing the fund to impose certain fees on investors; providing for appointment of a board of trustees selection committee; providing for selection of a board of directors of the fund by Enterprise Florida, Inc.; specifying criteria; providing for terms and requirements of the directors; providing purposes of the fund; providing duties and responsibilities of the fund; authorizing the fund to charge a management fee for certain purposes; providing for reimbursement for travel and other direct expenses; providing for powers of the fund; providing investment requirements for the fund; requiring the board of directors to issue an annual report on the activities of the fund; providing report requirements; creating s. 288.9625, F.S.; creating the Institute for the Commercialization of Public Research; providing that the institute is a not-for-profit corporation; providing that the purpose of the institute is to commercialize the products of public research; providing for membership of the board of directors; requiring the institute to provide data to certain entities; providing responsibilities of the institute; prohibiting the institute from having any interest in any product supported by the institute; providing appropriations; providing an effective date.

By the Committee on Regulated Industries; and Senator Haridopolos—

**CS for SB 2484**—A bill to be entitled An act relating to lodging and food service establishments; amending s. 509.291, F.S.; revising membership provisions of the Department of Business and Professional Regulation's Division of Hotels and Restaurants' advisory council; amending s. 509.302, F.S.; revising the Hospitality Education Program; replacing the director of education with the division as administrator of the program; revising provisions relating to the administration of the program; revising the training and training-related activities funded by the program; deleting certain provisions relating to duties and responsibilities of the director of education; providing criteria by which grants may be awarded under the program; amending s. 509.072, F.S.; conforming cross-references; amending s. 509.261, F.S.; providing for the use of administrative fines; providing an effective date.

By the Committees on Commerce; Transportation; and Senator Haridopolos—

**CS for CS for SB 2488**—A bill to be entitled An act relating to recreational vehicle manufacturers, distributors, dealers, and importers; creating s. 320.3201, F.S.; providing legislative intent; creating s. 320.3202, F.S.; providing definitions; creating s. 320.3203, F.S.; providing requirements for a manufacturer/dealer agreement; requiring designation of the area of sales responsibility; providing conditions for sales outside the dealer's area of sales responsibility; creating s. 320.3205, F.S.; providing requirements and procedures for termination, cancellation, or nonrenewal of a manufacturer/dealer agreement by a manufacturer or a dealer; providing for the repurchase by the manufacturer of vehicles, accessories, parts and equipment, tools, signage, and machinery; requiring notification of a manufacturer when a dealer takes on an additional line-make; creating s. 320.3206, F.S.; providing for change in ownership by a dealer; requiring notice to the manufacturer; providing requirements for objection by the manufacturer; providing for a dealer to name a family member as a successor in case of retirement, incapacitation, or death of the dealer; providing requirements for objection to the successor by the manufacturer; creating s. 320.3207, F.S.; providing requirements for warrantors, manufacturers, and dealers with respect to warranty obligations; providing requirements for compensation of the dealer; authorizing warranty audits by the warrantor; requiring cause for denial of compensation; providing for disposition of warranty claims; prohibiting certain acts by the warrantor and the dealer; requiring notice of certain pending suits; creating s. 320.3208, F.S.; providing for inspection and rejection of a recreational vehicle upon delivery to a dealer; creating s. 320.3209, F.S.; prohibiting a manufacturer or distributor from coercing a dealer to perform certain acts; creating s. 320.3210, F.S.; providing for resolution when a dealer, manufacturer, distributor, or warrantor is injured by another party's violation; authorizing civil action; providing for mediation; providing for remedies; creating s. 320.3211, F.S.; providing administrative and criminal penalties for violations; providing for an administrative hearing to contest a penalty imposed by the department; amending s. 320.8225, F.S.; providing licensure requirements for distributors and importers; providing for severability; providing an effective date.

By the Committees on Commerce; Health Policy; and Senator Haridopolos—

**CS for CS for SB 2496**—A bill to be entitled An act relating to stem cell research; creating s. 381.99, F.S.; providing a short title; providing definitions; creating the Stem Cell Research and Ethics Advisory Council within the Department of Health; providing for membership and terms; providing duties and responsibilities; providing per diem and travel expenses, subject to a specific appropriation; requiring the Secretary of Health to make grants-in-aid from the Biomedical Research Trust Fund for stem cell research subject to a specific appropriation; providing requirements relating to applications for and awards of such grants-in-aid; providing specifications for moneys to be made available from the trust fund for stem cell research grants-in-aid; providing restrictions and requirements for uses of funds from such grants-in-aid; amending s. 20.435, F.S.; revising provisions relating to funding sources of and use of funds in the Biomedical Research Trust Fund; amending s. 381.86, F.S.; providing an exception to the Institutional Review

Board's exclusive authority to review certain biomedical and behavioral research on human subjects to allow for the Stem Cell Research and Ethics Advisory Council's duties and responsibilities with respect to such research; requiring the Department of Health to prepare and distribute, subject to a specific appropriation, a publication regarding the process, options, medical uses, risks, and benefits of umbilical cord blood collection; providing an effective date.

By the Committee on Regulated Industries; and Senator Aronberg—

**CS for SB 2504**—A bill to be entitled An act relating to construction contracting; amending s. 489.127, F.S.; prohibiting a certified or registered contractor from performing work for which the contractor is not properly licensed or from subcontracting work to an unlicensed person to perform work that requires a license; providing a penalty; authorizing local jurisdictions to issue civil citations for violations of certain specified building laws; providing an effective date.

By the Committee on Banking and Insurance; and Senator Bennett—

**CS for SB 2526**—A bill to be entitled An act relating to mortgage lenders; amending s. 494.006, F.S.; exempting from licensure requirements certain persons who are under exclusive contract with a licensed mortgage lender; establishing requirements for such persons, including obtaining an undertaking of responsibility and a surety bond; providing an effective date.

By the Committee on Banking and Insurance; and Senators Aronberg and Gaetz—

**CS for SB 2702**—A bill to be entitled An act relating to insurance representatives; amending s. 626.221, F.S.; providing an exemption from the required written examination to certain applicants for licensure as a claims adjuster; amending s. 626.7851, F.S.; authorizing certain programs to offer correspondence courses to applicants for licensure as a life insurance agent; amending s. 626.8311, F.S.; authorizing certain programs to offer correspondence courses to applicants for licensure as a health insurance agent; amending s. 626.747, F.S.; authorizing certain licensed agents to be the agent in charge of branch locations under certain circumstances; amending s. 626.865, F.S.; requiring public adjusters to maintain their surety bond unimpaired for a certain period; amending s. 626.869, F.S.; authorizing an extension of time to complete continuing education requirements for public adjusters; amending s. 626.8698, F.S.; designating the Department of Financial Services as the appropriate agency responsible for disciplinary action against public adjusters; amending s. 626.921, F.S.; providing that the department is responsible for approval of the surplus lines agent manual; amending s. 626.9611, F.S.; requiring that the department adopt rules prohibiting the use of unfair and deceptive practices in the sale of insurance to members of the United States Armed Forces; providing limitations; providing an appropriation; providing effective dates.

By the Committee on General Government Appropriations; and Senator Posey—

**CS for SB 2766**—A bill to be entitled An act relating to wildlife; amending s. 372.86, F.S.; requiring the Fish and Wildlife Conservation Commission to establish a list of reptiles of concern subject to regulation; prohibiting the unlawful capturing, keeping, possessing, transporting, or exhibiting of venomous reptiles or reptiles of concern; authorizing the commission to inspect venomous reptiles or reptiles of concern held in captivity; requiring written reports of violations; authorizing the commission to revoke licenses and permits under certain circumstances; requiring the commission to adopt rules for the transportation of venomous reptiles or reptiles of concern; amending s. 372.87, F.S.; requiring licensure for the capturing, keeping, possessing, or exhibiting of venomous reptiles or reptiles of concern; providing for fees; authorizing the commission to reduce fees applicable to reptiles of concern under certain circumstances; requiring fee proceeds to be deposited into the State Game Trust Fund; specifying uses of the proceeds; amending s. 372.88, F.S.; providing for the bond required for the exhibition of venomous

reptiles to be payable to the commission; providing for regulation of the capturing of venomous reptiles; providing for certain financial guarantees by Class I wildlife exhibitors; providing rulemaking authority; repealing s. 372.89, F.S., relating to the safe, secure, and proper housing of poisonous or venomous reptiles; repealing s. 372.90, F.S., relating to the transportation of poisonous or venomous reptiles; repealing s. 372.901, F.S., relating to the inspection of poisonous or venomous held in captivity; repealing s. 372.91, F.S., relating to who may open cages, pits, or other containers housing poisonous or venomous reptiles; renumbering s. 372.911, F.S., relating to rewards, to conform; amending s. 372.92, F.S.; providing criminal penalties for certain activities related to venomous reptiles or reptiles of concern; amending s. 372.935, F.S.; providing violation levels and applicable penalties relating to captive wildlife, including suspension or revocation of license; providing a definition; providing for commission limitations in certain administrative actions; providing an appropriation; providing effective dates.

By the Committee on Regulated Industries; and Senator Aronberg—

**CS for SB 2768**—A bill to be entitled An act relating to construction liens; amending s. 255.05, F.S.; requiring a performance bond for certain contracts with private entities for specified public works projects; revising requirements concerning the claimants that must provide certain notices; requiring that certain notices by claimants be in writing; amending s. 713.01, F.S.; defining the term “final furnishing” and redefining the term “furnish materials”; creating s. 713.012, F.S.; requiring that certain notices, demands, or requests be in writing; amending s. 713.015, F.S.; requiring that certain notices pertaining to direct contracts greater than \$2,500 for improvements to certain property be in writing; amending s. 713.02, F.S.; providing for an owner and contractor to agree to the furnishing of a payment bond; exempting an owner who agrees from certain statutory provisions; amending s. 713.07, F.S.; providing for the recommencement of construction following the termination of certain contracts; amending s. 713.08, F.S.; requiring that certain claims of lien be prepared and sworn to or affirmed by the lienor or various agents of the lienor; revising and conforming certain exceptions to a time limitation on recording of a claim of lien; amending s. 713.13, F.S.; revising the form for notices of commencement to include an additional warning and notarized statements and signatures; providing that the failure of a person to make a specified statement under oath deprives the person of a lien; requiring that notices of commencement include the tax folio number; providing for the recording of amended notices of commencement; amending s. 713.135, F.S.; requiring that building permits contain certain written statements; amending s. 713.16, F.S.; revising provisions relating to a lienor’s right to demand a statement of account; requiring that the claim of lien be recorded; deleting provisions relating to the failure to furnish the statement; amending s. 713.18, F.S.; providing procedures for service of notices and other instruments upon a limited liability company; amending s. 713.22, F.S.; extending the duration of certain liens for which amended claims of lien are filed; amending s. 713.31, F.S.; providing for the award of attorney’s fees and costs to prevailing parties in certain actions relating to fraudulent liens; amending s. 713.36, F.S.; deleting certain obsolete provisions; providing an effective date.

By the Committees on Environmental Preservation and Conservation; Community Affairs; Transportation; and Senators Baker, Crist and Bulard—

**CS for CS for CS for SB 2804**—A bill to be entitled An act relating to transportation; amending s. 215.615, F.S.; revising the Department of Transportation’s requirement to share certain costs of fixed-guideway system projects; revising criteria for an interlocal agreement to establish bond financing for fixed-guideway system projects; revising provisions for sources of funds for the payment of bonds; amending s. 332.007, F.S.; authorizing the Department of Transportation to provide funds for certain general aviation projects under certain circumstances; extending the timeframe during which the department is authorized to provide operational and maintenance assistance to certain airports and may redirect the use of certain funds to security-related or economic-impact projects related to the events of September 11, 2001; amending s. 332.14, F.S., relating to the Secure Airports for Florida’s Economy Council; providing for certain members of the council to be nonvoting members; amending s. 337.11, F.S.; providing that certain construction projects be

advertised for bids in local newspapers; amending s. 337.14, F.S.; authorizing the department to waive specified prequalification requirements for certain transportation projects under certain conditions; amending s. 337.18, F.S.; revising surety bond requirements for construction or maintenance contracts; providing for incremental annual surety bonds for multiyear maintenance contracts under certain conditions; revising the threshold for transportation projects eligible for a waiver of surety bond requirements; authorizing the department to provide for phased surety bond coverage or an alternate means of security for a portion of the contract amount in lieu of the surety bond; amending s. 338.221, F.S.; redefining the term “economically feasible” for purposes of certain turnpike projects; amending s. 338.2275, F.S.; deleting obsolete provisions relating to approved turnpike projects; revising the maximum amount of bonds that are available for turnpike projects; amending s. 338.234, F.S.; granting the Florida Turnpike Enterprise, its lessees, and licensees an exemption from requirements to pay commercial rental tax on capital improvements; creating s. 339.282, F.S.; creating the Enhanced Bridge Program for Sustainable Transportation within the Department of Transportation; providing for the use of funds in the program; providing project guidelines for program funding; amending s. 339.08, F.S.; allowing moneys in the State Transportation Trust Fund to pay the cost of the Enhanced Bridge System; amending s. 339.55, F.S.; providing for the use of State Infrastructure Bank loans for certain damaged transportation facilities in areas officially declared to be in a state of emergency; providing criteria; amending s. 341.071, F.S.; requiring certain public transit providers to annually report potential productivity and performance enhancements; defining the term “construction aggregate materials”; providing legislative intent; prohibiting an agency from approving or denying a land use zoning change, comprehensive plan amendment, land use permit, ordinance, or order without consulting with the Department of Transportation and considering the effect of such decision; prohibiting a local government from imposing a moratorium on the mining or extraction of construction aggregate materials of longer than a specified period; providing that limerock environmental resource permitting and reclamation applications are eligible to be expedited; establishing the Strategic Aggregates Review Task Force; providing for membership, staffing, reporting, and expiration; amending s. 479.01, F.S.; defining the term “wall mural”; creating s. 479.156, F.S.; providing for regulation of wall murals by municipalities or counties; requiring that certain wall murals be located in areas zoned for industrial or commercial use; requiring that the local regulation of wall murals be consistent with specified criteria; requiring the Department of Transportation and the Federal Highway Administration to approve a wall mural under certain conditions; creating s. 337.026, F.S.; granting the department authority to enter into agreements for construction aggregate materials; providing an effective date.

By the Committee on Regulated Industries; and Senator Villalobos—

**CS for SB 2816**—A bill to be entitled An act relating to community associations; amending s. 718.104, F.S.; revising required contents of a condominium declaration; amending s. 718.110, F.S.; requiring that notice of proposed amendments be provided to unit owners; amending s. 718.111, F.S.; providing authorization for condominium associations to access units for specified purposes; requiring that official records of the association be made available at certain locations; providing that certain records may not be accessible to unit owners; removing the requirement that the association’s annual financial report be provided only to unit owners providing a written request for the report; restricting a condominium association from waiving a financial report for more than 2 years; providing duties for condominium boards of administration in the event of certain casualties; providing that certain assessments may be made against unit owners under certain conditions; amending s. 718.112, F.S.; authorizing the board or membership to determine the composition of the board of administration under certain circumstances; requiring members of the board of administration to be unit owners, absent provisions indicating board member requirements; requiring the board to respond to certain inquiries by certified mail, return receipt requested; authorizing a condominium association to respond only twice every 30 days to unit owner inquiries; providing board of administration and unit owners’ meeting requirements; requiring the board to address certain agenda items proposed by a petition of 20 percent of the unit owners; revising notice procedures; revising the terms of office and reelection of the members of a condominium association board; providing that certain persons providing notice of a meeting must provide an affidavit affirming that the notices were delivered; authorizing the asso-

ciation's representative to provide certain notices; providing for the securing of ballots; revising procedures relating to the filling of a vacancy on the board; removing a provision allowing an association to provide for different voting and election procedures in its bylaws; providing unit owners with the right to have items placed on the agenda of the annual meeting and voted upon under certain conditions; requiring the association to prepare an annual budget of estimated revenues and expenses; requiring the budget to include reserve accounts for certain purposes; requiring that certain ballot statements contain certain statements; requiring a vote to provide for no reserves or percentage of reserves to be made at certain times; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; prohibiting the board from applying for or accepting certain loans or lines of credit; requiring that common expenses be paid by the developer during a specified time; requiring that assessments be made against units on a quarter-annual or more frequent basis; providing that certain provisions may not preclude the right of an association to accelerate assessments of certain owners delinquent in payment of common expenses; providing that accelerated assessments are due and payable after the claim of lien is filed; revising assessment requirements; deleting the requirement that the bylaws include an element for mandatory nonbinding arbitration; amending s. 718.113, F.S.; requiring boards of administration to adopt or restate hurricane shutter specifications yearly at the annual meeting; authorizing the board to install hurricane protection that complies with the applicable building code; requiring the board to have the condominium buildings periodically inspected for structural and electrical soundness by a professional engineer or professional architect registered in the state; requiring the inspector to provide a report to the association and unit owners; prohibiting the board from prohibiting the display of certain religious items on the front-door area of a unit; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners' appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney's fees; amending s. 718.1255, F.S.; requiring the division to promptly refer certain cases to mediation; creating s. 718.1257, F.S.; providing that condominium unit owners and renters have the right to own a companion animal and to have that animal live with them under specified conditions; amending s. 718.302, F.S.; conforming provisions; amending s. 718.3025, F.S.; providing requirements for certain contracts between a party contracting to provide maintenance or management services and an association; amending s. 718.3026, F.S.; providing that certain contracts between a service provider and an association may not be for a term in excess of 3 years and may not contain an automatic renewal clause; requiring that certain contracts for construction occur under the advisement of an attorney; amending s. 718.303, F.S.; requiring hearings to levy fines to be held before a committee of unit owners who are not members of the board; requiring that persons subject to certain actions be notified of their violations in a certain manner; providing a timeframe within which a person must respond; authorizing the budget to include reserve accounts for capital expenditures and deferred maintenance; providing a formula for calculating the amount to be reserved; authorizing the association to adjust replacement reserve assessments annually; authorizing the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revising provisions relating to financial reporting; revising time periods in which the association must complete its reporting; amending s. 718.404, F.S.; providing for retroactive application of certain provisions; amending s. 718.501, F.S.; requiring the division to prepare and disseminate a prospectus and other information for use by owners, purchasers, lessees, and developers of residential condominiums; providing that the board member training provided by the division shall be provided in conjunction with recommendations by the ombudsman; providing powers and duties of the division with respect to association violations; requiring associations to provide certain notice and to participate in certain educational training; amending s. 718.5011, F.S.; restricting location of the Office of the Condominium Ombudsman; providing that the ombudsman shall exercise his or her policymaking and other functions independently of the Department of Business and Professional Regulation and without approval or control of the department; requiring the department to render administrative support for certain matters; requiring that revenues collected by the department for the Office of the Condominium Ombudsman be deposited in a separate fund or account under specified conditions; amending s. 718.5012, F.S.; removing requirements that the ombudsman develop certain policies and procedures; providing additional powers and duties of the ombudsman; amending s. 718.504, F.S.; revising and providing information to be contained in the condominium prospectus or offering circular; amending s. 720.303, F.S.; revising procedures used in preparing the association's annual financial report; amending s.

720.307, F.S., relating to transition of association control in a community; revising criteria with respect to election of members to the board of directors; requiring certain developers and owners to convey title to all common areas prior to turnover; revising requirements for turnover of documents; requiring that certain information be included in the records and that the records be prepared in a specified manner; revising application to include certain associations; amending s. 720.3075, F.S.; prohibiting associations from restricting the use of hurricane shutters in certain circumstances; requiring a developer who rents or leases any unsold units in a condominium to pay all monthly maintenance fees on those units to the association as if the units were owned by individual owners; providing an effective date.

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By the Committee on Community Affairs; and Senator Constantine—

**CS for SB 2836**—A bill to be entitled An act relating to the Florida Building Commission; requiring the commission to review the requirements in the National Electrical Code which relate to bonding and grounding systems for swimming pools; authorizing the commission to adopt a rule for bonding and grounding which is an alternative to that of the National Electrical Code; providing legislative intent relating to retrofitting buildings to prevent hurricane and storm damage; directing the commission to consider the costs and benefits of any mitigation techniques before adoption of a rule; requiring the commission to develop and adopt within the Florida Building Code appropriate mitigation techniques to use to retrofit buildings constructed before the code was implemented; amending s. 553.73, F.S.; authorizing the commission to approve certain amendments to the code; amending s. 553.775, F.S.; providing that, upon written application by substantially affected persons, the Florida Building Commission must issue, or cause to be issued, a formal interpretation of the code; amending s. 553.791, F.S.; defining terms; requiring that certain forms be signed at the completion of a required inspection; requiring that a deficiency notice be posted at the job site whenever an element is found to be not in conformance with the building code or the permitting documents; providing for corrective actions; prohibiting the charging of certain fees; amending s. 553.841, F.S.; providing legislative intent regarding education and outreach for understanding the Florida Building Code; requiring the Department of Community Affairs to administer an education and outreach program; requiring that the education and outreach program be provided by a private, nonprofit corporation under contract with the department; requiring the department to consider certain criteria when selecting the corporation; requiring the commission to provide certain courses to accredit persons subject to the building code; authorizing the commission to adopt rules; amending s. 553.842, F.S.; providing for certification of products; authorizing the commission to impose penalties for violation of the product validation process; requiring the commission to review certain modifications recommended by the commission's technical advisory committee; authorizing the commission to adopt or modify the modifications in response to public comments; contingent upon appropriations, directing the commission to conduct a study to evaluate certain specified activities related to mitigation of property loss; requiring the commission to deliver a report to the Governor and others by a specified date; providing for the content of the report; directing the commission to work with others to review the Florida Energy Code and to compare that code to other energy efficiency codes; requiring the commission to deliver a report to the Legislature by a specified date; providing an appropriation; providing an effective date.

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By the Committee on Community Affairs; and Senator Diaz de la Portilla—

**CS for SB 2848**—A bill to be entitled An act relating to municipal incorporation; prohibiting counties from requiring certain municipalities to pay charges, assessments, taxes, fees, or other consideration for certain residents' actions; providing that the provisions of the act are not preempted by law; providing an effective date.

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By the Committees on Judiciary; and Children, Families, and Elder Affairs—

**CS for SB 2870**—A bill to be entitled An act relating to child support enforcement; amending s. 61.1814, F.S.; providing for the collection and

deposit of an annual fee for certain child support cases; amending s. 61.1824, F.S.; revising requirements for certain employers to remit support payments electronically; providing grounds for waiving the requirement for employers to electronically remit support payments; amending s. 409.2564, F.S.; lowering the amount of child support owed to permit federal action against an obligor's passport; amending s. 409.25641, F.S.; revising provisions governing the automated enforcement of a support order from another state; amending s. 409.2567, F.S.; authorizing the Department of Revenue to pay a federally required annual fee; amending ss. 49.011 and 409.257, F.S.; authorizing service of process by publication for unknown legal fathers; requiring a diligent search for the legal father; prescribing requirements for service of process by publication; amending s. 742.09, F.S.; providing an exception to the prohibition against publication of the name of a party in a paternity action; providing an effective date.

By the Committee on Finance and Tax; and Senators Atwater, Storms, Deutch, Haridopolos and Geller—

**CS for SJR 3034**—A joint resolution proposing amendments to Sections 3, 4, and 6 of Article VII and the creation of a new section in Article XII of the State Constitution, to authorize an exemption from ad valorem taxation for tangible personal property, to authorize portability of the limitation in the difference between the just value and the assessed value for homestead property, to create an additional homestead exemption for first-time homestead property owners, and to provide an effective date if such amendments are adopted.

#### REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Governmental Operations; and Senator Wise—

**CS for SB 198**—A bill to be entitled An act relating to firefighter and municipal police pensions; amending s. 175.032, F.S.; redefining the term “firefighter”; redefining the term “special fire control district” to include certain community development districts performing fire suppression and related services; amending s. 175.061, F.S.; authorizing the terms of office for the board of trustees of the firefighters’ pension trust fund to be revised under certain circumstances; authorizing the plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree’s spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 175.071, F.S.; requiring the board of trustees to perform its powers subject to certain fiduciary standards and ethics provisions; increasing the percentage of assets of the firefighters’ pension trust fund which the board of trustees may invest in foreign securities; authorizing certain individuals to sign drafts issued upon the firefighters’ pension trust fund; amending s. 185.05, F.S.; authorizing the terms of office for the board of trustees of the municipal police officers’ retirement trust fund to be revised under certain circumstances; authorizing the plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree’s spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 185.06, F.S.; requiring the board of trustees to perform its powers subject to certain fiduciary standards and ethics provisions; increasing the percentage of assets of the municipal police officers’ retirement trust fund which the board of trustees may invest in foreign securities; authorizing certain individuals to sign drafts issued upon the municipal police officers’ retirement trust fund; amending s. 190.011, F.S.; authorizing community development districts to levy the state excise tax on property insurance premiums; providing for severability; providing an effective date.

—was referred to the Committees on Finance and Tax; and General Government Appropriations.

By the Committees on Finance and Tax; Higher Education; and Senator Wise—

**CS for CS for SB 254**—A bill to be entitled An act relating to the affordability of textbooks; creating s. 1004.09, F.S.; prohibiting certain actions by employees of a state university or community college relating

to the purchase of required textbooks by students; requiring that community colleges and state universities notify students of the textbooks required for each course by listing such textbooks on the community college or university website; requiring the adoption of certain policies and practices designed to minimize the cost of textbooks; requiring such policies and procedures to include limited exceptions for notification requirements; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study of the costs of college textbooks and the practices of public postsecondary institutions regarding the purchase of textbooks; requiring the office to conduct a survey of students enrolled in such institutions; requiring that the office review certain information when conducting the study; requiring the office to submit a final report on the results of the study, including recommendations, to the President of the Senate and the Speaker of the House of Representatives on or before December 1, 2007; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By the Committees on Finance and Tax; Community Affairs; and Senators Atwater, Storms, Deutch, Haridopolos and Geller—

**CS for CS for SB 560**—A bill to be entitled An act relating to local governments; amending s. 73.071, F.S.; requiring that the value of the expected future tax benefits for homestead property be compensated for in an eminent domain taking; creating s. 73.0725, F.S.; requiring the condemning authority in an eminent domain taking to determine the present value of the expected future tax benefit for homestead property; amending s. 193.011, F.S.; clarifying the standard for determining highest and best use for purposes of deriving the just value of property; amending s. 195.052, F.S.; specifying data to be used for tabulating property value and taxation including information concerning ad valorem taxes and millage rates; requiring that such data be reported to the Department of Revenue for publication on the department’s website and all property appraiser websites, if available; amending s. 200.069, F.S.; requiring that the notice of proposed property taxes mailed to taxpayers include the county government’s official website address; requiring the electronic reporting of local government revenue and expenditure data; requiring the reporting of local government budgets; requiring the electronic reporting of local government contracts; providing for a study by legislative staff and a report; providing an appropriation; providing an effective date.

—was placed on the Calendar.

By the Committee on Governmental Operations; and Senator Lawson—

**CS for SB 628**—A bill to be entitled An act relating to public records and meetings; creating s. 627.3121, F.S.; providing an exemption from public-records requirements for certain records of the Florida Workers’ Compensation Joint Underwriting Association, Inc.; authorizing the release of records that are confidential and exempt from disclosure to another agency in the performance of that agency’s official duties; requiring the receiving agency to maintain the confidentiality of the records; providing an exemption from public-meetings requirements for portions of a meeting of the association’s board of governors or a subcommittee during which confidential records are discussed; requiring that exempt portions of meetings be recorded, transcribed, and maintained for a specified period; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Rules.

By the Committees on Governmental Operations; Health Regulation; and Senators Atwater, Fasano and Lynn—

**CS for CS for SB 770**—A bill to be entitled An act relating to the physician workforce; creating s. 381.4018, F.S.; providing legislative intent; creating the Office of Physician Workforce Assessment and Development within the Division of Health Access and Tobacco of the

Department of Health; requiring that the office serve as a coordinating and planning body to assess the state's future workforce needs for physicians; requiring the office to develop strategies for addressing the current and projected workforce needs; specifying additional functions of the office; requiring each allopathic and osteopathic physician in the state to complete a survey concerning the physician's practice as a condition of license renewal; specifying the information to be furnished to the Department of Health in the physician survey; providing for a nondisciplinary citation to be issued to a physician or osteopathic physician who fails to complete the required survey; requiring the department to provide notice of the applicable penalty; requiring the Office of Physician Workforce Assessment and Development to annually analyze and evaluate the results of the survey; requiring the office to report its findings to the Governor and the Legislature; creating the Physician Workforce Advisory Council within the Department of Health to assist the department with respect to physician workforce issues; providing for the membership of the advisory council and terms of office; providing for members of the council to be reimbursed for travel and per diem expenses; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

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By the Committee on Community Affairs; and Senator Garcia—

**CS for SB 780**—A bill to be entitled An act relating to affordable housing; amending s. 163.3177, F.S., relating to the housing element of a local government comprehensive plan; requiring certain counties to adopt a plan for ensuring affordable workforce housing; providing that a local government that fails to comply with such requirement is ineligible to receive state housing assistance grants; amending s. 163.3184, F.S.; authorizing certain local government comprehensive plan amendments to be expedited; providing requirements for amendment notices; requiring a public hearing; amending s. 163.3187, F.S.; authorizing certain local government comprehensive plan amendments to be made more than twice a year; creating ss. 197.307, 197.3071, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S.; authorizing a county commission or municipality to adopt an ordinance providing for the deferral of ad valorem taxes and non-ad valorem assessments for affordable rental housing property under certain conditions; requiring the tax collector to provide certain notices to taxpayers about deferrals; providing specifications for such ordinances; providing eligibility requirements; authorizing a property owner to defer payment of ad valorem taxes and certain assessments; providing circumstances in which taxes and assessments may not be deferred; specifying the rate for deferment; providing that the taxes, assessments, and interest deferred constitute a prior lien on the property; providing an application process; providing notice requirements for applications that are not approved for deferment; providing an appeals process; requiring applications for deferral to contain a list of outstanding liens; providing the date for calculating taxes due and payable; requiring that a property owner furnish proof of certain insurance coverage under certain conditions; requiring the tax collector and the property owner to notify the property appraiser of parcels for which taxes and assessments have been deferred; requiring the property appraiser to notify the tax collector of changes in ownership or use of tax-deferred properties; providing requirements for tax certificates for deferred payment; providing the rate of interest; providing circumstances in which deferrals cease; requiring the property appraiser to notify the tax collector of deferrals that have ceased; requiring the tax collector to collect taxes, assessments and interest due; requiring the tax collector to notify the property owner of due taxes on tax-deferred property under certain conditions; requiring the tax collector to sell a tax certificate under certain circumstances; specifying persons who may pay deferred taxes, assessments and accrued interest; requiring the tax collector to maintain a record of payment and to distribute payments; providing for construction of provisions authorizing the deferments; providing penalties; amending s. 420.504, F.S.; providing that the corporation is a state agency for purposes of the state allocation pool; authorizing the corporation to provide notice of internal review committee meetings by publication on an Internet website; providing that the corporation is not governed by certain provisions relating to corporations not for profit; amending s. 420.506, F.S.; deleting a provision relating to lease of certain state employees; amending s. 420.5061, F.S.; deleting obsolete provisions; removing a provision requiring all assets and liabilities and rights and obligations of the Florida Housing Finance Agency to be

transferred to the corporation; providing that the corporation is the legal successor to the agency; removing a provision requiring the corporation to make transfers to the General Revenue Fund; removing a provision requiring all state property in use by the agency to be transferred to and become the property of the corporation; amending s. 420.507, F.S.; requiring that an agreement financing affordable housing be recorded in the official records of the county where the real property is located; providing that such agreement is a state land use regulation; amending s. 420.5087, F.S.; authorizing the Florida Housing Finance Corporation to provide partially forgivable loans to nonprofit organizations that serve extremely-low-income elderly tenants; providing criteria; amending s. 420.5095, F.S.; specifying the content of rules for reviewing loan applications for workforce housing projects; requiring the corporation to establish a committee for reviewing loan applications; providing for membership; providing powers and duties of the committee; requiring the corporation's board of directors to make the final decisions concerning ranking and program participants; specifying areas where local governments may use program funds; expanding the types of projects that may receive priority funding; requiring that the processing of certain approvals of development orders or development permits be expedited; providing loan applicant requirements; revising reporting requirements; amending s. 420.511, F.S.; requiring that the corporation's annual report include information on the Community Workforce Housing Innovation Pilot Program; amending s. 420.513, F.S.; providing exemption from taxes for certain instruments issued in connection with the financing of certain housing; amending s. 420.526, F.S.; revising the cap on predevelopment loans; amending s. 420.9076, F.S.; increasing affordable housing advisory committee membership; revising membership criteria; authorizing the use of fewer members under certain circumstances; revising and providing duties of the advisory committee; providing an effective date.

—was referred to the Committees on Finance and Tax; and Transportation and Economic Development Appropriations.

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By the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; and Senators Bennett, Lynn, Fasano and Atwater—

**CS for CS for SB 996**—A bill to be entitled An act relating to energy; creating s. 288.10894, F.S.; creating the Florida Alternative Energy Development Corporation; providing legislative findings; providing definitions; requiring that the corporation comply with public-meetings and public-records laws; providing for the organization, purpose, and duties of the corporation; providing for the membership of the board of directors of the corporation; requiring the disclosure of financial interests by board members; requiring an annual report; creating s. 288.10895, F.S.; creating the Alternative Energy Incentive Program for the purpose of encouraging economic development and research; providing definitions; providing for the program to be operated by the Florida Alternative Energy Development Corporation; providing the qualification criteria for a business to receive an award under the program; providing a grant-application process and requirements for such application; providing for an evaluation and award process; requiring that the corporation validate the performance of projects funded under the program; amending s. 377.703, F.S.; deleting provisions requiring that the Department of Environmental Protection conduct energy research and development, plan for the development of renewable energy resources, promote the development and use of renewable energy resources, and create a database of all energy programs in the state; amending s. 212.08, F.S.; increasing the limitation on a tax exemption for materials used in the distribution of biodiesel and ethanol; clarifying the definition of the term "ethanol"; creating an annual tax holiday for energy-efficient products; defining the term "energy-efficient product"; authorizing the Department of Revenue to adopt rules; requiring the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to certify eligibility for the sales tax exemption for equipment, technology, and other materials for renewable energy; amending s. 213.053, F.S.; providing for the Department of Revenue to provide information to the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection for purposes of administering the sales tax exemption and the corporate income tax credit; amending s. 220.192, F.S.; requiring the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to determine eligibility for the corporate income tax credits for investments in renewable energy technologies; amending s. 377.803,

F.S.; defining the term “corporation” for purposes of the Florida Renewable Energy Technologies and Energy Efficiency Act; amending s. 377.804, F.S.; providing for the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to administer the Renewable Energy Technologies Grants Program; amending s. 377.806, F.S.; requiring the Florida Alternative Energy Development Corporation rather than the Department of Environmental Protection to administer the Solar Energy Incentives Program; creating s. 366.915, F.S.; creating the Florida Renewable Portfolio Standard Act; providing legislative findings; providing definitions; requiring public utilities to sell a minimum amount of renewable energy; authorizing the Public Service Commission to adopt rules; amending s. 366.91, F.S.; redefining the term “renewable energy”; creating s. 366.925, F.S.; providing a short title; directing the Public Service Commission to develop rules requiring all public utilities to develop net-metering programs; providing for a customer to receive credit for electricity generated by renewable energy systems owned by the customer; directing the commission to adopt rules setting the standards that renewable energy systems must meet in order for customers to qualify for the program; requiring every wholesaler of diesel fuel to a marina within the state to offer biodiesel for sale; creating s. 403.0874, F.S.; requiring the Department of Environmental Protection to conduct an inventory of greenhouse gas emissions; amending s. 366.04, F.S.; authorizing the Public Service Commission to review and approve sales and transfers of public utility assets, including in a merger; authorizing the commission to adopt rules; creating s. 212.086, F.S.; providing a financial incentive for the purchase of an alternative motor vehicle; providing that any person who purchases an alternative motor vehicle from a sales tax dealer is eligible for a refund of the sales tax paid; requiring that the alternative motor vehicle be certified under the Internal Revenue Code of 1986, as amended, as a new qualified hybrid motor vehicle, new qualified alternative fuel motor vehicle, new qualified fuel cell motor vehicle, or new advanced lean-burn technology motor vehicle; requiring that an application for refund be filed with the Department of Revenue; providing that the total dollar amount of refunds is limited to the total amount of appropriations in any fiscal year; authorizing a request for a refund to be held for payment in the following fiscal year under certain circumstances; requiring the department to adopt rules; providing for future repeal of the program; amending s. 255.252, F.S.; requiring an inventory of state-owned buildings and an energy efficiency project schedule for guaranteed energy-performance savings contract improvements; amending s. 287.063, F.S.; requiring that the term of payment for consolidated equipment finance contracts may not extend beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for repayment of funds under the guaranteed energy-performance savings contract; amending s. 489.145, F.S.; clarifying certain definitions; providing additional requirements for a state agency to enter into a guaranteed energy-performance savings contract; providing for financing of contracts related to guaranteed energy-performance savings; requiring the Department of Financial Services to review proposals to ensure that the most effective financing is used; requiring the Office of the Chief Financial Officer to develop model contractual and related documents; requiring that contracts or leases submitted by a state agency to the Office of Chief Financial Officer meet certain criteria; amending s. 366.93, F.S.; revising definitions related to certain power plants to include integrated gasification combined cycle power plants; requiring the Public Service Commission to implement rules related to integrated gasification combined cycle power plant cost recovery; requiring a report; amending s. 403.519, F.S.; providing requirements and procedures for determination of need for integrated gasification combined cycle power plants; providing an exemption from purchased power supply bid rules under certain circumstances; requiring a study, rulemaking, and a report by the Department of Community Affairs; amending s. 287.151, F.S.; providing definitions; providing a schedule of deadlines by which certain percentages of the vehicles purchased by a state agency, state university, or local government within the 12 months immediately preceding each deadline must be hybrid, flex-fuel, biodiesel, or compressed natural gas vehicles; providing that all vehicles purchased by such entities after July 1, 2011, must be hybrid, flex-fuel, biodiesel, or compressed natural gas vehicles; providing appropriations; providing effective dates.

—was referred to the Committees on Finance and Tax; and Transportation and Economic Development Appropriations.

By the Committee on Finance and Tax; and Senators Haridopolos, Atwater, Storms, Deutch and Geller—

**CS for SB 1020**—A bill to be entitled An act relating to ad valorem taxation; amending s. 200.001, F.S.; defining the term “per capita Florida personal income”; amending s. 200.065, F.S.; requiring that the property appraiser provide instructions to the taxing authorities for computing the rolled-back rate; providing alternative methods of calculating the millage rates for the 2007-2008 and 2008-2009 fiscal years; providing a single method for calculating the millage rate beginning in the 2009-2010 fiscal year; providing that certain tax increment finance payments, taxes levied for the payment of bonds, and voted tax levies are exempt from the limitations on millage rates; amending s. 218.63, F.S.; prohibiting a unit of local government from participating in the allocation of revenues from the local government half-cent sales tax if the local government levies a millage rate in excess of the maximum rate allowed; amending ss. 192.0105, 193.1142, 194.037, and 1011.71, F.S., relating to taxpayer rights, approval of the assessment rolls, disclosure of tax impact, and school district taxes; conforming cross-references; providing for the Office of the Auditor General or the Office of Program Policy Analysis and Government Accountability to assist counties or municipalities in implementing the revenue reductions required by the act; providing appropriations; providing an effective date.

—was placed on the Calendar.

By the Committee on Finance and Tax; and Senators Haridopolos, Atwater, Storms, Deutch and Geller—

**CS for SB 1022**—A bill to be entitled An act relating to affordable housing; amending s. 193.017, F.S.; requiring appraisers to use an income approach when assessing affordable housing property that has a low-income tax credit; creating s. 193.018, F.S.; providing for the just valuation of affordable housing property; requiring property appraisers to use an income approach when assessing such property; specifying the kinds of property subject to the assessment; providing an effective date.

—was placed on the Calendar.

By the Committees on Regulated Industries; Health Regulation; and Senator Crist—

**CS for CS for SB 1462**—A bill to be entitled An act relating to public food service establishments; creating s. 509.054, F.S.; requiring the Division of Hotels and Restaurants within the Department of Business and Professional Regulation to inspect toilet facilities of public food service establishments; providing the minimum sanitation standards for toilet facilities in food service establishments; providing certain exemptions; providing for administrative penalties; providing an exemption for a restroom in a public airport; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committees on Governmental Operations; and Environmental Preservation and Conservation—

**CS for CS for SB 1980**—A bill to be entitled An act relating to the management of wildlife and saltwater fisheries; amending s. 320.08056, F.S.; increasing the annual use fee for the Sea Turtle specialty license plate; amending s. 320.08058, F.S.; authorizing the use of certain annual fees for specialty license plates to promote and market the plates; incorporating the amendments made to s. 370.12, F.S., in a reference thereto; amending s. 370.0603, F.S.; authorizing the deposit of certain funds into the Marine Resources Conservation Trust Fund; providing purposes for which funds may be used; amending s. 370.1105, F.S.; correcting a reference; amending s. 370.12, F.S.; authorizing use of certain annual use fees for specialty license plates to promote and market the plates; authorizing the Fish and Wildlife Conservation Commission to use certain annual use fees to buy back certain specialty license plates; amending s. 370.13, F.S.; authorizing the waiver of replacement tag fees for stone crab traps under certain conditions; providing for legislative approval of commission rules establishing equitable rent; deleting the suspension of

stone crab endorsements for first violations; amending s. 370.135, F.S.; establishing certain endorsement fees for the taking of blue crabs; establishing an annual trap tag fee; authorizing the commission to establish an amount of equitable rent by rule; providing for legislative approval of the rule; authorizing the commission to waive endorsement and trap tag fees for a 1-year period; authorizing the waiver of blue crab trap replacement tag fees under certain conditions; requiring the deposit of certain proceeds into the Marine Resources Conservation Trust Fund; specifying the use of such proceeds; providing for the adoption of rules; providing administrative penalties for certain violations; prohibiting the unauthorized possession of blue crab trap gear or removal of blue crab trap contents and providing penalties therefor; providing penalties for certain other prohibited activities relating to blue crab traps, lines, buoys, and trap tags; providing penalties for fraudulent reports related to endorsement transfers; prohibiting certain activities during endorsement suspension and revocation; preserving state jurisdiction for certain convictions; providing requirements for certain license renewal; providing for the expiration of certain provisions unless reenacted by the Legislature; appropriating certain fee revenues to the commission for blue crab effort management program costs; amending ss. 370.14, 370.1405, and 370.142, F.S.; clarifying provisions regulating spiny lobsters; providing for legislative approval of rules establishing equitable rent; authorizing the waiver of spiny lobster trap replacement fees under certain conditions; providing administrative penalties for certain violations concerning spiny lobsters; prohibiting transfer of spiny lobster certificates under certain conditions; amending s. 861.021, F.S.; clarifying provisions regulating spiny lobsters; amending s. 370.143, F.S.; revising provisions for certain trap retrieval programs and fees; authorizing the waiver of trap retrieval fees under certain conditions; amending s. 372.09, F.S.; authorizing the use of certain annual use fees for specialty license plates to promote and market the plates; amending s. 372.672, F.S.; authorizing use of certain annual use fees for specialty license plates to promote and market the plates; amending s. 372.83, F.S.; correcting cross-references; reenacting s. 380.511(1)(c), F.S., relating to deposit of proceeds from sale of certain specialty license plates, to incorporate the amendments made to s. 320.08058, F.S., in a reference thereto; amending s. 20.331, F.S.; requiring the Fish and Wildlife Conservation Commission to adopt and publish a rule establishing due process procedures; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Environmental Preservation and Conservation; and Senator Jones—

**CS for SB 2008**—A bill to be entitled An act relating to sand source management; creating s. 161.144, F.S.; providing for the development and maintenance of an inventory of identified offshore sand sources by the Department of Environmental Protection as part of its comprehensive long-term beach management plan; providing for public review of maps of offshore sand sources; providing for boards of county commissioners of coastal counties adjacent to sand sources proposed for use outside of the region or subregion to be notified and given adequate opportunity to comment during a project's planning and permitting stages; providing for the inclusion of certain information in the department's annual funding request; providing an effective date.

—was referred to the Committee on General Government Appropriations.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 1308, SB 1310, SB 1312, SB 1314, SB 1316, SB 1318, CS for SB 1320, SB 1322, SB 1324, SB 1326, CS for SB 1328, CS for SB 1330, SB 1332, SB 1334, CS for SB 1430, SB 2388 and SB 2394 which he approved on April 18, 2007.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 77, HB 99, HB 7085 and requests the concurrence of the Senate.

*William S. Pittman III*, Chief Clerk

By Healthcare Council; and Representative Porth and others—

**CS for HB 77**—A bill to be entitled An act relating to child visitation; creating s. 39.0139, F.S.; providing a short title; providing legislative findings and intent; creating a presumption; providing for a hearing; providing conditions for visitation or other contact; providing additional considerations for visitation or other contact; amending ss. 39.402, 39.506, 39.509, and 39.521, F.S.; subjecting specified visitation orders to s. 39.0139, F.S.; creating s. 753.01, F.S.; providing definitions; creating s. 753.02, F.S.; providing responsibilities for the Clearinghouse on Supervised Visitation; authorizing the clearinghouse to apply for grants and accept private contributions; creating s. 753.03, F.S.; providing for the development of standards; providing membership of an advisory board; providing for reports; creating s. 753.04, F.S.; providing interim standards for supervised visitation programs; creating s. 753.05, F.S.; providing for referrals related to child sexual abuse; requiring a supervised visitation program to agree to comply with specified standards; repealing ss. 753.001, 753.002, and 753.004, F.S., relating to the Florida Family Visitation Network; providing a directive to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By Representative Hooper and others—

**HB 99**—A bill to be entitled An act relating to charitable public solicitations; providing a short title; amending s. 316.2045, F.S.; exempting certain nonprofit organizations from permit requirements related to obstructing streets or roads for solicitation purposes; establishing conditions certain nonprofit organizations must meet in order to solicit charitable donations on certain streets, roads, and rights-of-way; authorizing local governments to halt solicitation activities if such conditions are not met; providing an effective date.

—was referred to the Committees on Community Affairs; and Transportation.

By the Government Efficiency and Accountability Council; and Representative Grant—

**HB 7085**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2007, and July 1, 2008; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 13 was corrected and approved.

## CO-INTRODUCERS

Senators Alexander—SB 1202, CS for SB 2250; Aronberg—SR 2956; Atwater—SR 1860; Bullard—CS for SB 464, SB 840; Crist—SB 1648; Dawson—SM 1698; Deutch—CS for SB 2458; Jones—SB 1172; Justice—SB 158; Lawson—CS for SB 464, CS for SB 468; Lynn—CS for SB 2280; Margolis—CS for CS for SB 1824; Villalobos—SB 1174

**RECESS**

On motion by Senator King, the Senate recessed at 11:49 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, April 19 or upon call of the President.

**SENATE PAGES**

April 16-20, 2007

Douglas Cannon, Boca Raton; Garrett Carlson, Melbourne; Adrienne Donoho, St. Johns; Spencer S. Fletcher, LaBelle; Alison Fraraccio, Parrish; Karel Garvin, Live Oak; Jesse Johnston, Live Oak; Amelia "Millie" Mathis, Marianna; Matthew R. Miller, Wewahitchka; Savannah Miller, Tallahassee; Peter Monteparo, Melbourne; Benin Saffo, Tallahassee; Zebian Saffo, Tallahassee; Chelsey Severance, Tallahassee; Taylor Smith, Wewahitchka; Grace Smokay, Haines City; Nathan Sullivan, Live Oak