



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Atwater at 9:54 a.m. A quorum present—38:

Mr. President	Gaetz	Peaden
Alexander	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	

Excused: Senators Altman and Deutch

PRAYER

The following prayer was offered by Pastor Anton Elwood, New Mount Zion A.M.E. Church, Tallahassee:

God, we thank you for this wonderful April morning that you are allowing each of us to enjoy. Thank you for the mission cause and the purpose you have placed on each of us. Thank you for the effort that we give to it everyday.

We ask, O God, that, as we are here, that you will always think about our families, and protect them as we are away. We invite your presence to be with us—that you will lead and guide our deliberations today. It's in your holy name, we pray. Amen.

PLEDGE

Senate Pages Nikki C. Poole of Live Oak; Craig Michael Porter II of Pembroke Pines; Chance Fleeting of Temple Terrace; and John “Hunter” Spears of Windermere, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Peaden—

By Senator Peaden—

SR 1670—A resolution commending the osteopathic physicians of this state and recognizing April 14, 2010, as “Osteopathic Medicine Day” in Florida.

WHEREAS, osteopathic physicians provide health care services that account for more than 59 million patient visits in this country each year, and

WHEREAS, this state has three accredited osteopathic hospitals, two osteopathic medical colleges, and the third-largest osteopathic physician population in the United States, and

WHEREAS, osteopathic manipulation of the musculoskeletal system is a viable and proven technique for many diagnoses and treatments and provides an alternative to many drug therapies, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

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

That osteopathic physicians of this state are commended for their contributions to the health and welfare of all Floridians and April 14, 2010, is recognized as “Osteopathic Medicine Day” in Florida.

—**SR 1670** was introduced, read and adopted by publication.

At the request of Senator Constantine—

By Senator Constantine—

SR 2846—A resolution recognizing the Winter Park High School 2010 Wildcats Basketball Team.

WHEREAS, the Winter Park High School 2010 Wildcats Basketball Team set a school record by finishing the season with an outstanding record of 29 wins and 6 losses, and

WHEREAS, the 2010 Wildcats Basketball Team was ranked first in the East Metro Conference, Central Florida, and this state, and

WHEREAS, the 2010 Wildcats Basketball Team was ranked twelfth in the nation, and

WHEREAS, the 2010 Wildcats Basketball Team finished second at the prestigious City of Palms Tournament and third at the ESPN National High School Invitational Tournament, and

WHEREAS, the 2010 Wildcats Basketball Team defeated archrival Dr. Phillips High School by a score of 76-57 on March 6, 2010, and went

on to win the State 6A Championship for the first time in the school's 83-year history, and

WHEREAS, the 2010 Wildcats Basketball Team was lead to victory by coaches David Bailey, Eric Faber, Tom Beard, David Jakubcin, and David Stock, Principal William Gordon, and Athletic Director Michael Brown, and

WHEREAS, the 2010 Wildcats Basketball Team was comprised of outstanding players Ashton Burke, Alexander Carpousis, Julius Carroll, Adam Jones, Robert Lovaglio, John David Swanson, Isaac Turner, Brett Comer, James Ferrell, Austin Rivers, Alexander Swanson, Aaron White, Brian Klusman, and Michael Mitchell, and managers Brooks Worswick, Jeffrey Lee, and Whitney Miller, and

WHEREAS, the 2010 Wildcats Basketball Team accomplished much over the course of the 2009-2010 season through hard work and team spirit and earned the admiration and support of the residents of Winter Park and the surrounding community, NOW, THEREFORE,

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

That the members of the Senate recognize the outstanding accomplishments of the Winter Park High School 2010 Wildcats Basketball Team and applaud the athletic ability, model sportsmanship, and honorable citizenship demonstrated by team members.

—**SR 2846** was introduced, read and adopted by publication.

BILLS ON THIRD READING

CS for SB 622—A bill to be entitled An act relating to gaming; amending s. 285.710, F.S., relating to compact authorization; providing definitions; providing that specified agreements executed by the Seminole Tribe of Florida and the Governor are void and not in effect; ratifying and approving a specified compact executed by the Tribe and the Governor; directing the Governor to cooperate with the Tribe in seeking approval of the compact from the United States Secretary of the Interior; revising powers and duties of the Governor regarding a compact and amendments to a compact between the Tribe and the state; revising a provision that specifies that the compact is invalid if certain provisions are held invalid by a court or the United States Department of the Interior; revising a provision for the effect on the compact of certain changes to the Indian Gaming Regulatory Act; removing a provision directing the Governor to ensure certain funds received are deposited in a specified fund; removing a provision for expiration of certain authority granted to the Governor; removing a provision that expresses legislative intent; revising duties of the Governor to execute an agreement for application of certain state taxes on Indian lands; providing for distribution of certain moneys paid to the state; providing for the calculation and distribution of a local government share of such moneys; revising provisions for moneys remitted by the Tribe to the state before the effective date of the compact; providing for deposit of the moneys into the General Revenue Fund; revising provisions that authorize certain gaming activity; repealing s. 285.711, F.S., relating to a gaming compact between the Seminole Tribe and the State of Florida; creating s. 285.712, F.S.; providing that the Governor is the designated state officer responsible for negotiating and executing, on behalf of the state, tribal-state gaming compacts with certain Indian tribes; requiring any such compact to be conditioned on ratification by the Legislature; providing procedures for ratification of a compact and submission to the United States Secretary of the Interior for review and approval; amending s. 26 of chapter 2009-170, Laws of Florida, an act relating to gaming; revising the effective date for provisions of that act to remove contingency requirements applicable to provisions relating to the pari-mutuel industry; providing a date for those provisions to take effect; providing an effective date.

—as amended April 8 was read the third time by title.

MOTION

On motion by Senator Jones, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 1 (920884)—Delete lines 203-240 and insert:

(9) *The moneys paid by the Tribe to the state for the benefit of exclusivity under the compact ratified by this section shall be deposited into the General Revenue Fund. Three percent of the amount paid by the Tribe to the state shall be designated as the local government share and shall be distributed as provided in subsections (10) and (11).*

(10) *The calculations necessary to determine the local government share distributions shall be made by the state compliance agency based upon the net win per facility as provided by the Tribe. The local government share attributable to each casino shall be distributed as follows:*

(a) *Broward County shall receive 22.5 percent, the City of Coconut Creek shall receive 55 percent, the City of Coral Springs shall receive 12 percent, the City of Margate shall receive 8.5 percent, and the City of Parkland shall receive 2 percent of the local government share derived from the Seminole Indian Casino-Coconut Creek.*

(b) *Broward County shall receive 25 percent, the City of Hollywood shall receive 55 percent, the Town of Davie shall receive 10 percent, and the City of Dania Beach shall receive 10 percent of the local government share derived from the Seminole Indian Casino-Hollywood.*

(c) *Broward County shall receive 25 percent, the City of Hollywood shall receive 55 percent, the Town of Davie shall receive 10 percent, and the City of Dania Beach shall receive 10 percent of the local government share derived from the Seminole Hard Rock Hotel & Casino-Hollywood.*

(d) *Collier County shall receive 100 percent of the local government share derived from the Seminole Indian Casino-Immokalee.*

(e) *Glades County shall receive 100 percent of the local government share derived from the Seminole Indian Casino-Brighton.*

(f) *Hendry County shall receive 100 percent of the local government share derived from the Seminole Indian Casino-Big Cypress.*

(g) *Hillsborough County shall receive 100 percent of the local government share derived from the Seminole Hard Rock Hotel & Casino-Tampa.*

(11) *Upon receipt of the annual audited revenue figures from the Tribe and completion of the calculations as provided in subsection (10), the state compliance agency shall certify the results to the Chief Financial Officer and shall request the distributions to be paid from the General Revenue Fund within 30 days after authorization of nonoperating budget authority pursuant to s. 216.181(12).*

(Renumber subsequent subsections.)

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 2 (233804) (with title amendment)—Between lines 314 and 315 insert:

Section 6. *One percent of the state's portion of the revenue-sharing payments shall be allocated to the Florida Council on Compulsive Gambling and used for the exclusive purpose of treatment services for residents seeking help for gambling addiction.*

And the title is amended as follows:

After line 48 insert: *providing that a portion of the state's revenue-sharing payments be used for treating compulsive gambling;*

On motions by Senator Jones, **CS for SB 622** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—29

Mr. President	Garcia	Rich
Alexander	Gelber	Richter
Aronberg	Haridopolos	Ring
Bennett	Hill	Siplin
Bullard	Jones	Smith
Dean	Joyner	Sobel
Detert	Justice	Thrasher
Diaz de la Portilla	Lawson	Villalobos
Dockery	Lynn	Wilson
Fasano	Negron	

Nays—9

Baker	Gaetz	Peaden
Constantine	Gardiner	Storms
Crist	Oelrich	Wise

MOTIONS

On motions by Senator Villalobos by two-thirds vote, **SM 944** and **SM 1896** were withdrawn from the Committee on Rules, the rules were waived and by two-thirds vote were placed first on the Special Order Calendar.

SPECIAL ORDER CALENDAR

SM 944—A memorial to the Congress of the United States, urging Congress to direct that one of the retiring space shuttle orbiters be preserved and placed on permanent display at the Kennedy Space Center.

WHEREAS, the space shuttle program was a technical milestone, producing the first reusable orbital spacecraft, and has been the mainstay of the nation’s manned space flight program, and

WHEREAS, the National Aeronautics and Space Administration launched the first space shuttle mission in 1981 from the Kennedy Space Center, the location from which all subsequent missions have been launched, and

WHEREAS, since 1981, there have been over 125 shuttle missions, with the last planned shuttle flight scheduled for launch from the Kennedy Space Center in September 2010, and

WHEREAS, in fiscal year 2008, the space shuttle program was responsible for approximately 15 percent of the Kennedy Space Center’s budget allocation, and more than 40,000 jobs in this state are estimated to be attributable to the space center’s operations, an indication that, in addition to its historical importance, the shuttle program has been of significant economic importance to Floridians, and

WHEREAS, after the tragic losses of Challenger in 1986 and Columbia in 2003, three orbiters remain in the shuttle fleet: Atlantis, Discovery, and Endeavor, NOW, THEREFORE,

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

That the Legislature requests the United States Congress to direct that one of the retiring space shuttle orbiters be preserved and placed on permanent display at the Kennedy Space Center.

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 Haridopolos, **SM 944** was adopted and certified to the House. The vote on adoption was:

Yeas—38

Mr. President	Alexander	Aronberg
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Baker	Gardiner	Rich
Bennett	Gelber	Richter
Bullard	Haridopolos	Ring
Constantine	Hill	Siplin
Crist	Jones	Smith
Dean	Joyner	Sobel
Detert	Justice	Storms
Diaz de la Portilla	Lawson	Thrasher
Dockery	Lynn	Villalobos
Fasano	Negron	Wilson
Gaetz	Oelrich	Wise
Garcia	Peaden	

Nays—None

SM 1896—A memorial to the Congress of the United States, urging Congress to support any commercial, civil, military, or academic endeavor, including job training and placement, which will enable the United States space program to maintain, to the greatest extent possible, our nation’s only human space flight workforce.

WHEREAS, the space shuttle first began flying from Florida in 1981, and

WHEREAS, Florida is the home of the nation’s only human space flight workforce, and

WHEREAS, our nation’s prowess in space suffered when the Apollo program was abruptly terminated, followed by a lengthy gap in time before the onset of the Space Shuttle Program, and

WHEREAS, this nation did not sufficiently facilitate alternate commercial, civil, military, or academic endeavors, including job training and placement, in Florida to preserve the skills of the Apollo workforce so that they could be put to use on the Space Shuttle Program, and

WHEREAS, the unemployed, highly skilled Apollo workforce was forced to dissipate and find employment elsewhere, and

WHEREAS, the Space Shuttle Program was forced, in large part and at great expense, to use a new and untested workforce for space shuttle launch operations, and

WHEREAS, the Space Shuttle Program is slated to retire in 2010 and there is currently a gap of at least 5 years between space shuttle retirement and the next American human space flight, and

WHEREAS, the United States should not repeat the mistakes made at the end of the Apollo program, NOW, THEREFORE,

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

That the United States Congress is urged to facilitate any commercial, civil, military, or academic endeavor, including job training and placement, which will maintain this nation’s highly skilled human space flight operations workforce, which currently resides in Florida.

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 Haridopolos, **SM 1896** was adopted and certified to the House. The vote on adoption was:

Yeas—38

Mr. President	Crist	Garcia
Alexander	Dean	Gardiner
Aronberg	Detert	Gelber
Baker	Diaz de la Portilla	Haridopolos
Bennett	Dockery	Hill
Bullard	Fasano	Jones
Constantine	Gaetz	Joyner

Justice	Rich	Storms
Lawson	Richter	Thrasher
Lynn	Ring	Villalobos
Negron	Siplin	Wilson
Oelrich	Smith	Wise
Peaden	Sobel	

Nays—None

SENATOR PEADEN PRESIDING

On motion by Senator Negron—

CS for CS for SB 8—A bill to be entitled An act relating to Medicaid and public assistance fraud; creating s. 624.35, F.S.; providing a short title; creating s. 624.351, F.S.; providing legislative intent; establishing the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial Services to coordinate efforts to eliminate Medicaid and public assistance fraud; providing for membership; providing for meetings; specifying duties; requiring an annual report to the Legislature and Governor; creating s. 624.352, F.S.; directing the Chief Financial Officer to prepare model interagency agreements that address Medicaid and public assistance fraud; specifying which agencies can be a party to such agreements; amending s. 16.59, F.S.; conforming provisions to changes made by the act; requiring the Divisions of Insurance Fraud and Public Assistance Fraud in the Department of Financial Services to be collocated with the Medicaid Fraud Control Unit if possible; requiring positions dedicated to Medicaid managed care fraud to be collocated with the Division of Insurance Fraud; amending s. 20.121, F.S.; establishing the Division of Public Assistance Fraud within the Department of Financial Services; amending ss. 411.01, 414.33, and 414.39, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 943.401, F.S.; directing the Department of Financial Services rather than the Department of Law Enforcement to investigate public assistance fraud; directing the Auditor General and the Office of Program Policy Analysis and Government Accountability to review the Medicaid fraud and abuse processes in the Agency for Health Care Administration; requiring a report to the Legislature and Governor by a certain date; establishing the Medicaid claims adjudication project in the Agency for Health Care Administration to decrease the incidence of inaccurate payments and to improve the efficiency of the Medicaid claims processing system; transferring activities relating to public assistance fraud from the Department of Law Enforcement to the Division of Public Assistance Fraud in the Department of Financial Services by a type two transfer; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 8** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

CS for SB 844—A bill to be entitled An act relating to insurance; providing a short title; amending s. 624.310, F.S.; expanding the definition of “affiliated party” to include certain third-party marketers; amending s. 626.025, F.S.; including family members of insurance agents in a prohibition related to the transaction of life insurance; amending s. 626.621, F.S.; expanding grounds for discretionary refusal, suspension, or revocation of certain licenses; amending s. 626.641, F.S.; prohibiting the Department of Financial Services from issuing certain licenses in certain circumstances; amending s. 626.798, F.S.; prohibiting a family member of a life insurance agent from being a beneficiary of certain policies; amending s. 626.9521, F.S.; increasing the administrative fine that may be imposed for each willful violation of the offenses of twisting and churning; increasing the administrative fine that may be imposed for each willful violation of the offense of submitting fraudulent signatures on an application or policy-related document; providing that the fact that a licensee made a reasonable effort to ascertain a customer’s age at the time of an insurance application does not constitute a defense to certain violations of state law; authorizing the use of video depositions in certain circumstances; amending s. 626.99, F.S.; extending the unconditional refund period for fixed annuity contracts and variable or market value annuity contracts for customers 65 years of age or older;

requiring that the unconditional refund amount for a variable or market value annuity contract be equal to the cash surrender value provided in the contract, plus any fees or charges deducted from the premiums or imposed under the contract; providing for applicability of certain provisions; requiring that an insurer provide a prospective purchaser of an annuity policy with a buyer’s guide to annuities; requiring that such buyer’s guide contain certain information; requiring that an insurer attach a cover page to an annuity policy informing the purchaser of the unconditional refund period; requiring that the cover page provide other specified information; amending s. 627.4554, F.S.; defining the term “accredited investor”; authorizing the Department of Financial Services to order an insurance agent to pay monetary restitution to a senior consumer under certain circumstances; limiting the amount of such restitution; prohibiting an annuity contract issued to a senior consumer from containing a surrender or deferred sales charge for withdrawal of funds from an annuity in excess of a specified maximum amount; providing for the periodic reduction of such charge; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (644106) (with title amendment)—Between lines 100 and 101 insert:

Section 3. Section 624.46223, Florida Statutes, is created to read:

624.46223 Notice of intent to withdraw.—Any association, fund, or pool authorized by state law and created for the purpose of forming a risk-management mechanism or providing self insurance for public entities in this state may not require its members to provide more than 45 days’ notice of the member’s intention to withdraw as a prerequisite for withdrawing from the association, fund, or pool.

And the title is amended as follows:

Delete line 5 and insert: marketers; creating s. 624.46223, F.S.; prohibiting a self-insurance association, fund, or pool from requiring its members to provide more than a specified maximum period of notice of any member’s intent to withdraw; amending s. 626.025, F.S.; including family

Senator Aronberg moved the following amendment which was adopted:

Amendment 2 (727058) (with title amendment)—Between lines 100 and 101 insert:

Section 3. Paragraph (j) of subsection (2) of section 626.221, Florida Statutes, is amended to read:

626.221 Examination requirement; exemptions.—

(2) However, no such examination shall be necessary in any of the following cases:

(j) An applicant for license as a customer representative who has earned the designation of Accredited Advisor in Insurance (AAI) from the Insurance Institute of America, the designation of Certified Insurance Counselor (CIC) from the Society of Certified Insurance Service Counselors, the designation of Accredited Customer Service Representative (ACSR) from the Independent Insurance Agents of America, the designation of Certified Professional Service Representative (CPSR) from the National Foundation for Certified Professional Service Representatives, the designation of Certified Insurance Service Representative (CISR) from the Society of Certified Insurance Service Representatives, or the designation of Certified Insurance Representative (CIR) from the National Association of Christian Catastrophe Insurance Adjusters. Also, an applicant for license as a customer representative who has earned an associate degree or bachelor’s degree from an accredited college or university with at least 9 academic hours of property and casualty insurance curriculum, or the equivalent, or has earned the designation of Certified Customer Service Representative (CCSR) from the Florida Association of Insurance Agents, or the designation of Registered Customer Service Representative (RCSR) from a regionally accredited postsecondary institution in this state, or the designation of Professional Customer Service Representative (PCSR) from the Professional Career Institute, whose curriculum has been approved by the

department and whose curriculum includes comprehensive analysis of basic property and casualty lines of insurance and testing at least equal to that of standard department testing for the customer representative license. The department shall adopt rules establishing standards for the approval of curriculum.

And the title is amended as follows:

Delete line 7 and insert: to the transaction of life insurance; amending s. 626.221, F.S.; expanding the list of individuals who are exempt from the requirement to pass an examination before being issued a license as an agent, customer representative, or adjuster; amending s.

Senator Bennett moved the following amendment which was adopted:

Amendment 3 (777604) (with title amendment)—Delete lines 153-325 and insert:

Section 6. Section 626.798, Florida Statutes, is amended to read:

626.798 Life agent as beneficiary; prohibition.—No life agent shall, with respect to the placement of life insurance coverage with a life insurer covering the life of a person who is not a family member of the agent, handle in his or her capacity as a life agent the placement of such coverage when the agent placing the coverage or a family member of such agent receives a commission therefor and is the named beneficiary under the life insurance policy, unless the life agent or family member has an insurable interest in the life of such person. *However, the agent or a family member of such agent may not be designated as a trustee or guardian or be granted power of attorney unless he or she is a family member of the policy owner.* For the purposes of this section, the phrase “not a family member,” with respect to a life agent, means an individual who is not related to the life agent as father, mother, son, daughter, brother, sister, grandfather, grandmother, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister. For the purposes of this section, the term “insurable interest” means that the life agent has an actual, lawful, and substantial economic interest in the safety and preservation of the life of the insured or a reasonable expectation of benefit or advantage from the continued life of the insured.

Section 7. Paragraphs (a) and (b) of subsection (3) of section 626.9521, Florida Statutes, are amended, and subsections (4) and (5) are added to that section, to read:

626.9521 Unfair methods of competition and unfair or deceptive acts or practices prohibited; penalties.—

(3)(a) If a person violates s. 626.9541(1)(l), the offense known as “twisting,” or violates s. 626.9541(1)(aa), the offense known as “churning,” the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082, and an administrative fine not greater than \$5,000 shall be imposed for each nonwillful violation or an administrative fine not greater than \$75,000 ~~\$40,000~~ shall be imposed for each willful violation. To impose an administrative fine for a willful violation ~~criminal penalties~~ under this paragraph, the practice of “churning” or “twisting” must involve fraudulent conduct.

(b) If a person violates s. 626.9541(1)(ee) by willfully submitting fraudulent signatures on an application or policy-related document, the person commits a felony of the third degree, punishable as provided in s. 775.082, and an administrative fine not greater than \$5,000 shall be imposed for each nonwillful violation or an administrative fine not greater than \$75,000 ~~\$40,000~~ shall be imposed for each willful violation.

(4) A licensee must make all reasonable efforts to ascertain the consumer’s age at the time an insurance application is completed.

(5) If a consumer who is a senior citizen is a victim, a video deposition of the victim may be used for any purpose in any administrative proceeding conducted pursuant to chapter 120 if all parties are given proper notice of the deposition in accordance with the Florida Rules of Civil Procedure.

Section 8. Subsection (4) of section 626.99, Florida Statutes, is amended to read:

626.99 Life insurance solicitation.—

(4) DISCLOSURE REQUIREMENTS.—

(a) The insurer shall provide to each prospective purchaser a buyer’s guide and a policy summary prior to accepting the applicant’s initial premium or premium deposit, unless the policy for which application is made provides an unconditional refund for a period of at least 14 days, or unless the policy summary contains an offer of such an unconditional refund. ~~In these instances, which event~~ the buyer’s guide and policy summary must be delivered with the policy or prior to delivery of the policy.

(b) With respect to *fixed and variable annuities*, ~~the insurer shall provide to each prospective purchaser a buyer’s guide to annuities and a contract summary as provided in the National Association of Insurance Commissioners (NAIC) Model Annuity and Deposit Fund Regulation~~ and the policy must provide an unconditional refund for a period of at least 14 days. *For fixed annuities, the buyer’s guide shall be in the form as provided by the National Association of Insurance Commissioners (NAIC) Annuity Disclosure Model Regulation, until such time as a buyer’s guide is developed by the department, at which time the department guide must be used. For variable annuities, a policy summary may be used, which may be contained in a prospectus, until such time as a buyer’s guide is developed by NAIC or the department, at which time one of those guides must be used. If the prospective owner of an annuity contract is 65 years of age or older:*

1. An unconditional refund of premiums paid for a fixed annuity contract, including any contract fees or charges, must be available for a period of 21 days; and

2. An unconditional refund for variable or market value annuity contracts must be available for a period of 21 days. The unconditional refund shall be equal to the cash surrender value provided in the annuity contract, plus any fees or charges deducted from the premiums or imposed under the contract. This subparagraph does not apply if the prospective owner is an accredited investor, as defined in Regulation D as adopted by the United States Securities and Exchange Commission.

(c) The insurer shall attach a cover page to any annuity policy informing the purchaser of the unconditional refund period prescribed in paragraph (b). The cover page must also provide contact information for the issuing company and the selling agent, the department’s toll-free help line, and any other information required by the department by rule. The cover page is part of the policy and is subject to review by the office pursuant to s. 627.410.

~~(d)~~ The insurer shall provide a buyer’s guide and a policy summary to any prospective purchaser upon request.

Section 9. Subsections (3) and (5) of section 627.4554, Florida Statutes, as amended by section 9 of chapter 2008-237, Laws of Florida, are amended, present subsection (9) of that section is renumbered as subsection (10), and a new subsection (9) is added to that section, to read:

627.4554 Annuity investments by seniors.—

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

(a) “Annuity contract” means a fixed annuity, equity indexed annuity, fixed equity indexed annuity, or variable annuity that is individually solicited, whether the product is classified as an individual annuity or a group annuity.

(b) “Accredited investor” means any person who comes within any of the following categories, or who the issuer reasonably believes comes within any of the following categories, at the time of the sale of an annuity to that person:

1. The person’s net worth or joint net worth with his or her spouse, at the time of the purchase, exceeds \$1 million; or

2. The person had an individual income in excess of \$200,000 in each of the 2 most recent years, or joint income with his or her spouse in excess of \$300,000 in each of those years, and has a reasonable expectation of reaching the same income level in the current year.

~~(c)~~ “Recommendation” means advice provided by an insurance agent, or an insurer if no insurance agent is involved, to an individual

senior consumer which results in a purchase or exchange of an annuity in accordance with that advice.

(d)(e) “Senior consumer” means a person 65 years of age or older. In the event of a joint purchase by more than one party, a purchaser is considered to be a senior consumer if any of the parties is age 65 or older.

(5) MITIGATION OF RESPONSIBILITY.—

(a) The office may order an insurer to take reasonably appropriate corrective action, including rescission of the policy or contract and a full refund of the premiums paid or the accumulation value, whichever is greater, for any senior consumer harmed by a violation of this section by the insurer or the insurer’s insurance agent.

(b) The department may order:

1. An insurance agent to take reasonably appropriate corrective action, *including monetary restitution of penalties or fees incurred by the senior consumer*, for any senior consumer harmed by a violation of this section by the insurance agent.

2. A managing general agency or insurance agency that employs or contracts with an insurance agent to sell or solicit the sale of annuities to senior consumers to take reasonably appropriate corrective action for any senior consumer harmed by a violation of this section by the insurance agent.

(c) *The department shall, in addition to any other penalty authorized under chapter 626, order an insurance agent to pay restitution to any senior consumer who has been deprived of money by the agent’s misappropriation, conversion, or unlawful withholding of monies belonging to the senior consumer in the course of a transaction involving annuities. The amount of restitution required to be paid pursuant to this paragraph may not exceed the amount misappropriated, converted, or unlawfully withheld. This paragraph does not limit or restrict a person’s right to seek other remedies as provided by law.*

(d)(e) Any applicable penalty under the Florida Insurance Code for a violation of paragraph (4)(a), paragraph (4)(b), or subparagraph (4)(c)2. may be reduced or eliminated, according to a schedule adopted by the office or the department, as appropriate, if corrective action for the senior consumer was taken promptly after a violation was discovered.

(9) **PROHIBITED CHARGES.**—*An annuity contract issued to a senior consumer may not contain a surrender or deferred sales charge for a withdrawal of money from an annuity exceeding 10 percent of the amount withdrawn. The charge shall be reduced so that no surrender or deferred sales charge exists after the end of the 10th policy year or 10 years after the premium is paid, whichever is later. This subsection does not apply to annuities purchased by an accredited investor or to those annuities specified in paragraph (7)(b).*

Section 10. This act shall take effect January 1, 2011.

And the title is amended as follows:

Delete lines 13-52 and insert: 626.798, F.S.; prohibiting a family member of a life insurance agent from being a beneficiary of certain policies; prohibiting an agent or a family member of such agent from being designated as a trustee or guardian or being granted power of attorney unless he or she is a family member of the policy owner; amending s. 626.9521, F.S.; increasing the administrative fine that may be imposed for each willful violation of the offenses of twisting and churning; increasing the administrative fine that may be imposed for each willful violation of the offense of submitting fraudulent signatures on an application or policy-related document; requiring that a licensee make a reasonable effort to ascertain a customer’s age at the time of completion of an insurance application; authorizing the use of video depositions in certain circumstances; amending s. 626.99, F.S.; requiring that the buyer’s guide for fixed annuities be in the form provided by the National Association of Insurance Commissioners Annuity Disclosure Model Regulation; authorizing the use of a policy summary for variable annuities until the NAIC or the department develops a buyer’s guide; extending the unconditional refund period for fixed annuity contracts and variable or market value annuity contracts for customers 65 years of age or older; requiring that the unconditional refund amount for a variable or market value annuity contract be equal to the cash surrender value provided in the contract, plus any fees or charges deducted from

the premiums or imposed under the contract; providing for applicability of certain provisions; requiring that an insurer provide a prospective purchaser of an annuity policy with a buyer’s guide to annuities; requiring that such buyer’s guide contain certain information; requiring that an insurer attach a cover page to an annuity policy informing the purchaser of the unconditional refund period; requiring that the cover page provide other specified information; amending s. 627.4554, F.S.; defining the term “accredited investor”; authorizing the Department of Financial Services to order an insurance agent to pay monetary restitution to a senior consumer under certain circumstances; limiting the amount of such restitution; prohibiting an annuity contract issued to a senior consumer from containing a surrender or deferred sales charge for withdrawal of funds from an annuity in excess of a specified maximum amount; providing for the periodic reduction of such charge;

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 4 (884116) (with title amendment)—Between lines 109 and 110 insert:

Section 4. Paragraph (k) of subsection (3) of section 626.2815, Florida Statutes, is amended to read:

626.2815 Continuing education required; application; exceptions; requirements; penalties.—

(3)

(k) Any person who holds a license to solicit or sell life insurance in this state must complete a minimum of 3 hours in continuing education, approved by the department, on the subject of suitability in annuity and life insurance transactions. *This requirement does not apply to an agent who does not have any active life insurance or annuity contracts. In applying this exemption, the department may require the filing of a certification attesting that the agent has not sold life insurance or annuities during the continuing education compliance cycle in question and does not have any active life insurance or annuity contracts.* A licensee may use the hours obtained under this paragraph to satisfy the requirement for continuing education in ethics under paragraph (a).

And the title is amended as follows:

Delete line 7 and insert: to the transaction of life insurance; amending s. 626.2815, F.S.; providing an exemption from certain continuing education requirements to certain agents; authorizing the department to take certain action in applying such exemption; amending s.

Pursuant to Rule 4.19, **CS for SB 844** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for CS for CS for SB’s 1196 and 1222—A bill to be entitled An act relating to community associations; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; providing a phase-in period for such elevators; amending s. 617.0721, F.S.; revising the limitations on the right of members to vote on corporate matters for certain corporations not for profit that are regulated under ch. 718 or ch. 719, F.S.; amending s. 617.0808, F.S.; excepting certain corporations not for profit that are an association as defined in s. 720.301, F.S., or a corporation regulated under ch. 718 or ch. 719, F.S., from certain provisions relating to the removal of a director; creating s. 617.1606, F.S.; providing that certain statutory provisions providing for the inspection of corporate records do not apply to a corporation not for profit that is an association as defined in s. 720.301, or a corporation regulated under ch. 718 or ch. 719, F.S.; creating s. 627.714, F.S.; requiring that coverage under a unit owner’s policy for certain assessments include at least a minimum amount of loss assessment coverage; specifying the maximum amount of any unit owner’s loss assessment coverage that can be assessed for any loss; providing that certain changes to the limits of a unit owner’s coverage for loss assessments made on or after a specified period before the date of loss do not apply to the loss;

providing that certain insurers are not required to pay more than an amount equal to that unit owner's loss assessment coverage limit; requiring that every property insurance policy to an individual unit owner contain a specified provision; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; amending s. 718.103, F.S.; redefining the term "developer"; amending s. 718.110, F.S.; allowing the condominium association to have the authority to restrict through an amendment to a declaration of condominium, rather than prohibit, the rental of condominium units; authorizing the classification of certain portions of common elements as limited common elements upon receipt of the required vote to amend a declaration; providing that such reclassification is not an amendment pursuant to specified provisions of state law; amending s. 718.111, F.S.; deleting a requirement for the board of a condominium to hold a meeting open to unit owners to establish the amount of an insurance deductible; revising the property to which a property insurance policy for a condominium association applies; revising the requirements for a condominium unit owner's property insurance policy; limiting the circumstances under which a person who violates requirements to maintain association records may be personally liable for a civil penalty; providing that a condominium association is not responsible for the use of certain information provided to an association member under certain circumstances; specifying records of a condominium association which are exempt from a requirement that records be available for inspection by an association member; increasing the amount of time within which a condominium association must provide unit owners with a copy of the association's annual financial report; revising the requirements for rules relating to the financial report that must be adopted by the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation; revising the requirements for a financial report based on the amount of a condominium's revenues; amending s. 718.112, F.S.; revising provisions relating to the terms or appointment or election of condominium members to a board of administration; creating exceptions to such provisions for condominiums that contain timeshares; specifying a certification that a person who is appointed or elected to a board of administration must make or educational requirements such board member must satisfy; conforming cross-references to changes made by the act; deleting a provision prohibiting an association from foregoing the retrofitting with a fire sprinkler system of common areas in a high-rise building; prohibiting local authorities having jurisdiction from requiring retrofitting with a sprinkler system or other engineered lifesafety system before a specified date; requiring that certain associations initiate, before a specified date, an application for a building permit for the required fire sprinkler installation with the local government having jurisdiction demonstrating that the association will be in compliance with certain firesafety requirements by a specified date; authorizing an association to forgo retrofitting under certain circumstances; providing requirements for a special meeting of unit owners which may be called every 3 years in order to vote to forgo retrofitting of the sprinkler system or other engineered lifesafety systems; providing meeting notice requirements; expanding the monetary obligations that a director or officer must satisfy to avoid abandoning his or her office; amending s. 718.115, F.S.; specifying certain services provided in a declaration of condominium which are obtained pursuant to a bulk contract to be deemed a common expense; specifying provisions that must be contained in a bulk contract; specifying cancellation procedures for bulk contracts; amending s. 718.116, F.S.; increasing the period of accrual of certain assessments used to determine the amount of limited liability of certain first mortgagees or their successors or assignees; requiring a tenant in a unit owned by a person who is delinquent in the payment of a monetary obligation to the condominium association to pay rent to the association under certain circumstances; authorizing the condominium association to sue such tenant who fails to pay rent for eviction under certain circumstances; providing that the tenant is immune from claims from the unit owner as the result of paying rent to the association under certain circumstances; amending s. 718.117, F.S.; revising the circumstances under which a condominium association may be terminated due to economic waste or impossibility; revising provisions specifying the effect of a termination of condominium; amending s. 718.202, F.S.; authorizing the deposit of certain funds into multiple escrow accounts; requiring that an escrow agent maintain separate accounting records for each purchaser under certain circumstances; amending s. 718.301, F.S.; revising conditions under which unit owners other than the developer may elect at least a majority of the members of the board of administration of an association; amending s. 718.303, F.S.; authorizing an association to suspend for a reasonable time the right of a unit owner or the unit's

occupant, licensee, or invitee to use certain common elements under certain circumstances; prohibiting a fine from being levied or a suspension from being imposed unless the association meets certain requirements for notice and provides an opportunity for a hearing; authorizing an association to suspend voting rights of a member due to nonpayment of assessments, fines, or other charges under certain circumstances; amending s. 718.501, F.S.; specifying that the jurisdiction of the Division of Florida Condominiums, Timeshares, and Mobile Homes includes bulk assignees and bulk buyers; creating part VII of ch. 718, F.S.; creating the "Distressed Condominium Relief Act"; providing legislative findings and intent; defining the terms "bulk assignee" and "bulk buyer"; providing for the assignment of developer rights by a bulk assignee; specifying liabilities of bulk assignees and bulk buyers; providing exceptions; providing additional responsibilities of bulk assignees and bulk buyers; authorizing certain entities to assign developer rights to a bulk assignee; limiting the number of bulk assignees at any given time; providing for the transfer of control of a board of administration to unit owners; providing effects of such transfer on parcels acquired by a bulk assignee; providing obligations of a bulk assignee upon the transfer of control of a board of administration; requiring that a bulk assignee certify certain information in writing; providing for the resolution of a conflict between specified provisions of state law; providing that the failure of a bulk assignee or bulk buyer to comply with specified provisions of state law results in the loss of certain protections and exemptions; requiring that a bulk assignee or bulk buyer file certain information with the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation before offering any units for sale or lease in excess of a specified term; requiring that a copy of such information be provided to a prospective purchaser or tenant; requiring that certain contracts and disclosure statements contain specified statements; requiring that a bulk assignee or bulk buyer comply with certain disclosure requirements; prohibiting a bulk assignee from authorizing certain actions on behalf of an association while the bulk assignee is in control of the board of administration of the association; requiring that a bulk assignee or bulk buyer comply with certain laws with respect to contracts entered into by the association while the bulk assignee or bulk buyer was in control of the board of administration; providing parcel owners with specified protections regarding certain contracts; requiring that a bulk buyer comply with certain requirements regarding the transfer of a parcel; prohibiting a person from being classified as a bulk assignee or bulk buyer unless condominium parcels were acquired before a specified date; providing that the assignment of developer rights to a bulk assignee does not release a developer from certain liabilities; amending s. 719.106, F.S.; providing for the filling of vacancies on the condominium board of administration; amending s. 719.1055, F.S.; providing an additional required provision in cooperative bylaws; deleting a provision prohibiting an association from foregoing the retrofitting with a fire sprinkler system of common areas in a high-rise building; prohibiting local authorities having jurisdiction from requiring retrofitting with a sprinkler system or other engineered lifesafety system before a specified date; providing requirements for a special meeting of unit owners which may be called every 3 years in order to vote to require retrofitting of the sprinkler system or other engineered lifesafety system; providing meeting notice requirements; amending s. 719.108, F.S.; providing a prioritized list for disbursement of payments received by an association; providing for a lien by an association on a condominium unit for certain fees and costs; providing procedures and notice requirements for the filing of a lien by an association; requiring a tenant in a unit owned by a person who is delinquent in the payment of a monetary obligation to the condominium association to pay rent to the association under certain circumstances; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; expanding the list of association records that are not accessible to members and parcel owners; prohibiting certain association personnel from receiving a salary or compensation; providing exceptions; amending s. 720.304, F.S.; providing that a flagpole and any flagpole display are subject to certain codes and regulations; amending s. 720.305, F.S.; authorizing the association to suspend rights to use common areas and facilities if the member is delinquent on the payment of a monetary obligation due for a certain period of time; providing procedures and notice requirements for levying a fine or imposing a suspension; amending s. 720.306, F.S.; providing requirements for secret ballots; providing procedures for filling a vacancy on the board of directors; amending s. 720.3085, F.S.; requiring a tenant in a property owned by a person who is delinquent in the payment of a monetary obligation to the condominium association to pay rent to the

association under certain circumstances; amending s. 720.31, F.S.; authorizing an association to enter into certain agreements to use lands or facilities; requiring that certain items be stated and fully described in the declaration; limiting an association's power to enter into such agreements after a specified period following the recording of a declaration; requiring that certain agreements be approved by a specified percentage of voting interests of an association when the declaration is silent as to the authority of an association to enter into such agreement; authorizing an association to join with other associations or a master association under certain circumstances and for specified purposes; creating s. 720.315, F.S.; prohibiting the board of directors of a homeowners' association from levying a special assessment before turnover of the association by the developer unless certain conditions are met; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (793666)—Delete lines 1107-1142 and insert: condominium with a fire sprinkler system ~~or other engineered lifesafety system~~ in a building that has been certified for occupancy by the applicable governmental entity; if the unit owners have voted to forego such retrofitting ~~and engineered lifesafety system~~ by the affirmative vote of a majority ~~two-thirds~~ of all voting interests in the affected condominium. ~~However, a condominium association may not vote to forego the retrofitting with a fire sprinkler system of common areas in a high-rise building. For purposes of this subsection, the term "high-rise building" means a building that is greater than 75 feet in height where the building height is measured from the lowest level of fire department access to the floor of the highest occupiable story. For purposes of this subsection, the term "common areas" means any enclosed hallway, corridor, lobby, stairwell, or entryway. In no event shall The local authority having jurisdiction may not require completion of retrofitting of common areas with a fire sprinkler system before the end of 2019 2014. By December 31, 2016, an association that is not in compliance with the requirements for a fire sprinkler system and has not voted to forego retrofitting of such a system must initiate an application for a building permit for the required installation with the local government having jurisdiction demonstrating that the association will become compliant by December 31, 2019.~~

1. A vote to forego retrofitting may be obtained by limited proxy or by a ballot personally cast at a duly called membership meeting, or by execution of a written consent by the member, and ~~is shall be~~ effective upon the recording of a certificate attesting to such vote in the public records of the county where the condominium is located. The association shall mail ~~or~~; hand deliver, ~~or electronically transmit~~ to each unit owner written notice at least 14 days ~~before the~~ ~~prior to such~~ membership meeting in which the vote to forego retrofitting of the required fire sprinkler system is to take place. Within 30 days after the association's

Pursuant to Rule 4.19, **CS for CS for CS for SB's 1196 and 1222** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

CS for CS for SB 1964—A bill to be entitled An act relating to design professionals; creating s. 558.0035, F.S.; providing for limited liability for engineers, surveyors and mappers, architects, interior designers, and registered landscape architects as a result of construction defects resulting from the performance of a contract; providing exceptions; providing that the limitation of liability for the design professional does not apply if a contract requires professional liability insurance and the contracting party fails to maintain insurance, or if the liability of the design professional is limited in the contract to an amount less than the insurance coverage required by the contract; amending ss. 471.023, 472.021, 481.219, and 481.319, F.S.; conforming sections to the limitation of liability for certain design professionals provided in s. 558.0035, F.S.; providing cross-references to s. 558.0035, F.S.; providing that the

act does not affect contracts or agreements entered into, or professional services performed, before July 1, 2010; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (713430) (with title amendment)—Delete lines 33-41 and insert:

(2) *If the contract requires professional liability insurance, the contract may not limit the liability of the design professional inconsistent with such insurance requirements.*

(3) *This section does not apply:*

(a) *To claims for economic damages resulting from personal injury or damage to property other than the property that is the subject of the contract; or*

(b) *If the contract requires professional liability insurance and the contracting party fails to maintain insurance coverage as specified in the contract.*

And the title is amended as follows:

Delete lines 7-14 and insert: performance of a contract; providing that, if a contract requires professional liability insurance, the contract may not limit the liability of the design professional inconsistent with the insurance requirements; providing exceptions to the limitation of liability of the design professional; amending ss.

Pursuant to Rule 4.19, **CS for CS for SB 1964** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 2548—A bill to be entitled An act relating to loan origination; amending s. 494.00255, F.S.; reenacting a reference to certain federal laws for purposes of incorporating rules adopted under such laws; specifying application of disciplinary procedures to principal loan originators for actions of loan originators; amending s. 494.00331, F.S.; specifying nonapplication of certain limitations to licensed loan originators operating solely as loan processors; providing a definition; prohibiting acting as a loan processor unless licensed as a loan originator; requiring a declaration of intent to engage solely in loan processing; authorizing withdrawal of a declaration of intent; authorizing payment of a loan processor's fee without violating certain restrictions; amending s. 494.0038, F.S.; revising requirements relating to a good faith estimate by a loan originator; requiring a disclosure document to be signed and dated by the borrower; amending s. 494.0067, F.S.; removing the requirement for licensure application under certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2548** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

CS for SB 492—A bill to be entitled An act relating to garnishment; amending s. 222.11, F.S.; increasing the amount of wages of a head of family which is exempt from garnishment; providing a form that must be used for an agreement to waive the exemption from garnishment; amending s. 77.041, F.S.; increasing the amount of wages of a head of family which is exempt from garnishment; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendment which was adopted:

Amendment 1 (899656)—Delete line 34 and insert:

1. *Be written in the same language as the contract or agreement to*

Pursuant to Rule 4.19, **CS for SB 492** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, by two-thirds vote **HB 5** was withdrawn from the Committee on Transportation.

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

HB 5—A bill to be entitled An act relating to state road designations; designating Purple Heart Highway; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **CS for SB 520** and read the second time by title.

Senator Baker moved the following amendment:

Amendment 1 (429626) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Doolittle Raiders Highway designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of State Road 285 in Okaloosa and Walton Counties which is located north of College Boulevard in Niceville is designated as “Doolittle Raiders Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Doolittle Raiders Highway as described in subsection (1).*

Section 2. *Beach Highway designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of U.S. 331 from the Alabama state line to U.S. 98 in Walton County is designated as “The Beach Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating The Beach Highway as described in subsection (1).*

Section 3. *Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of State Road 682 (Pinellas Bayway) from State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County is designated as “Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge as described in subsection (1).*

Section 4. *Perdido Key Parkway designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of State Road 292 from Blue Angel Parkway to the beginning of Perdido Key Drive in Escambia County is designated as “Perdido Key Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Perdido Key Parkway as described in subsection (1).*

Section 5. *Andrew J. Capeletti Memorial Ramp designated; Department of Transportation to erect suitable markers.*—

(1) *The ramp that connects northbound Homestead Extension of Florida’s Turnpike to northbound Interstate 75 in Miami-Dade County is designated as “Andrew J. Capeletti Memorial Ramp.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Andrew J. Capeletti Memorial Ramp as described in subsection (1).*

Section 6. *Jose Regueiro Avenue designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of W. 20th Avenue in the City of Hialeah between W. 44th Place and Okeechobee Road in Miami-Dade County.*

(2) *The Department of Transportation is directed to erect suitable markers designating Jose Regueiro Avenue as described in subsection (1).*

Section 7. *That portion of S.W. 67th Avenue (Ludlam Road) between Bird Road and S.W. 136th Street in the City of South Miami and the Village of Pinecrest in Miami-Dade County is designated as a state historic road. No public funds shall be expended for any of the following purposes:*

(1) *To cut or remove any tree having a diameter at its thickest part in excess of 6 inches within 35 feet of either side of the paved surface of the road or to engage in an activity which requires the removal without the replacement of such tree.*

(2) *The alteration of the physical dimensions or location of S.W. 67th Avenue, the median strip thereof, or the land adjacent thereto, except:*

(a) *Routine or emergency utilities maintenance activities necessitated to maintain the road as a utility corridor.*

(b) *Modifications or improvements made to provide for vehicular ingress and egress of governmental safety vehicles.*

(c) *Alterations, modifications, or improvements made for the purpose of enhancing life safety vehicular use or pedestrian use, or both, of S.W. 67th Avenue, as long as such alterations, modifications, or improvements are heard in a public hearing and subsequently approved by the governing board of the local government in which such alterations, modifications, or improvements are located.*

(3) *Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road and the appearance of any structure are preserved. However, the preservation of the road shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in the road when alternative means promoting safety, including more restrictive traffic regulations, are available.*

Section 8. *Trooper Claude Baker Memorial Highway designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of State Road 45 in Sarasota County from Constitution Boulevard in Sarasota to River Road in Venice is designated as “Trooper Claude Baker Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Trooper Claude Baker Memorial Highway as described in subsection (1).*

Section 9. *Gretchen Evans Memorial Bridge designated; Department of Transportation to erect suitable markers.*—

(1) *The bridge on U.S. 98 in Wakulla County at the Wakulla River is designated as “Gretchen Evans Memorial Bridge.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Gretchen Evans Memorial Bridge as described in subsection (1).*

Section 10. *Earl S. “Coach” Kitchings Avenue designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of Edgewood Avenue West in Duval County from New Kings Road (U.S. 1) to Lem Turner Road is designated the “Earl S. ‘Coach’ Kitchings Avenue.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Earl S. “Coach” Kitchings Avenue as described in subsection (1).*

Section 11. *Coach Jermaine D. Hall Memorial Highway designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of I-95 from Baymeadows Road in Duval County to State Road 16 in St. Johns County is designated the “Coach Jermaine D. Hall Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Coach Jermaine D. Hall Memorial Highway as described in subsection (1).*

Section 12. *Veterans Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 26 between the Levy County line and the Alachua County line in Gilchrist County is designated as “Veterans Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Veterans Memorial Highway as described in subsection (1).*

Section 13. *Sergeant Ricky Lord Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 26 between the Levy County line and County Road 313 in Gilchrist County is designated as “Sergeant Ricky Lord Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Sergeant Ricky Lord Road as described in subsection (1).*

Section 14. *Julia Tuttle Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of Biscayne Boulevard Way between S.E. 2nd Avenue and U.S. 1 (Biscayne Boulevard) in Miami-Dade County is designated as “Julia Tuttle Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Julia Tuttle Way as described in subsection (1).*

Section 15. *Cpl. Christopher Lee Poole, Jr., Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of Old U.S. Highway 441 in Mt. Dora from the intersection of State Road 19A to Alexander Street is designated the “Cpl. Christopher Lee Poole, Jr., Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Cpl. Christopher Lee Poole, Jr., Memorial Highway as described in subsection (1).*

Section 16. *Sgt. Frederico G. Borjas Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 44 east of Eustis beginning at the intersection of County Road 44 and ending just west of County Road 439 is designated the “Sgt. Frederico G. Borjas Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Sgt. Frederico G. Borjas Memorial Highway as described in subsection (1).*

Section 17. *Johnny C. Treadwell Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 46 near Sorrento from Round Lake Road to County Road 437 is designated the “Johnny C. Treadwell Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Johnny C. Treadwell Memorial Highway as described in subsection (1).*

Section 18. *Orange Bowl Way designated; Department of Transportation to erect suitable markers.—*

(1) *Northwest 77th Court in Miami Lakes is designated as “Orange Bowl Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Orange Bowl Way as described in subsection (1).*

Section 19. *Purple Heart Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. Highway 27 between the Florida-Georgia border in Gadsden County and Biscayne Bay in Miami-Dade County is designated as “Purple Heart Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Purple Heart Highway as described in subsection (1).*

Section 20. *Heather Hurd Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. Highway 27 in Polk County between Sand Mine Road and U.S. Highway 192 is designated as “Heather Hurd Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Heather Hurd Memorial Highway as described in subsection (1).*

Section 21. *Michael G. Rippe Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *Upon its completion, that portion of SR 739 in Lee County known as the Metro Parkway Extension between Six Mile Cypress Parkway and U.S. 41/Alico Road is designated as “Michael G. Rippe Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Michael G. Rippe Parkway as described in subsection (1).*

Section 22. *Earl Roland Lewis and Eloise Allen Lewis Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of County Road 251 in Lafayette County between U.S. 27 and S.W. CR 534 is designated as “Earl Roland Lewis and Eloise Allen Lewis Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Earl Roland Lewis and Eloise Allen Lewis Road.*

Section 23. *K. Earl Durden Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 79 in Bay County from U.S. Highway 98 to the B.V. Buchanan Bridge in West Bay is designated as “K. Earl Durden Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating K. Earl Durden Highway as described in subsection (1).*

Section 24. *Colonel Bud Day Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 397 from Government Avenue to the North gate of Eglin Air Force Base in Okaloosa County is designated as “Colonel Bud Day Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Colonel Bud Day Boulevard as described in subsection (1).*

Section 25. *Miss Lillie Williams Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of N.W. 79th Street between N.W. 6th Avenue and E. 12th Avenue in Miami-Dade County is designated as “Miss Lillie Williams Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Miss Lillie Williams Boulevard as described in subsection (1).*

Section 26. *Army Sergeant Daniel L. McCall Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. Highway 90 between Avalon Boulevard and Pace Patriot Boulevard in the City of Pace in Santa Rosa County is designated as “Army Sergeant Daniel L. McCall Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Army Sergeant Daniel L. McCall Memorial Highway as described in subsection (1).*

Section 27. *Anthony J. Perez Street designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of 40th Street/Bird Road between 102nd Avenue and 117th Avenue in Miami-Dade County is designated as “Anthony J. Perez Street.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Anthony J. Perez Street as described in subsection (1).*

Section 28. *John Torrese Family Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 997 between S.W. 288th Street and S.W. 344th Street in Miami-Dade County is designated as “John Torrese Family Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating John Torrese Family Road as described in subsection (1).*

Section 29. *Manuel Capo Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.W. 88th Street between S.W. 137th Avenue and S.W. 142nd Avenue in Miami-Dade County is designated as “Manuel Capo Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Manuel Capo Way as described in subsection (1).*

Section 30. *Manuel Capo Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.W. 8th Street between S.W. 24th Avenue and S.W. 27th Avenue in Miami-Dade County is designated as “Manuel Capo Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Manuel Capo Boulevard as described in subsection (1).*

Section 31. *Lt. Colonel Charles Brown Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. Highway 1 (State Road 5) between S.W. 104th Street and S.W. 112th Street in Miami-Dade County is designated as “Lt. Colonel Charles Brown Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Lt. Colonel Charles Brown Memorial Highway as described in subsection (1).*

Section 32. Subsection (1) of section 585.61, Florida Statutes, is amended to read:

585.61 Animal disease diagnostic laboratories.—

(1) *There is hereby created and established an animal disease diagnostic laboratory in Osceola County and Suwannee County. The laboratory complex in Osceola County is designated as the “Bronson Animal Disease Diagnostic Laboratory.”*

Section 33. Section 17 of chapter 2008-256, Laws of Florida, is amended to read:

Section 17. *Dr. Jose A. Marques Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of 8th Street between S.W. 107th Avenue and S.W. 127th ~~117th~~ Avenue in Miami-Dade County is designated as “Dr. Jose A. Marques Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Dr. Jose A. Marques Boulevard as described in subsection (1).*

Section 34. *Kenneth H. “Buddy” MacKay and Jim H. Williams Bridge designated; Department of Transportation to erect suitable markers.—*

(1) *The bridge on S.W. 17th Street between S.W. 12th Avenue and S. Pine Avenue in the City of Ocala in Marion County is designated as “Kenneth H. ‘Buddy’ MacKay and Jim H. Williams Bridge.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the Kenneth H. “Buddy” MacKay and Jim H. Williams Bridge as described in subsection (1).*

Section 35. *Seminole Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 417 between Interstate 4 and the Seminole County southern boundary in Seminole County is designated as “Seminole Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Seminole Way as described in subsection (1).*

Section 36. *Judge Perry Wells Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 277 between State Road 79 and U.S. Highway 90/State Road 10/Jackson Avenue in Washington County is designated as “Judge Perry Wells Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Judge Perry Wells Highway as described in subsection (1).*

Section 37. *Vernon Bridge designated; Department of Transportation to erect suitable markers.—*

(1) *Upon completion of construction, Bridge number 610147 and Bridge number 610146 on State Road 79 north of the City of Vernon in Washington County are designated as “Vernon Bridge.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Vernon Bridge as described in subsection (1).*

Section 38. *Richard Raczkoski Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 60 between 43rd Avenue in Vero Beach and Interstate 95 in Indian River County is designated as “Richard Raczkoski Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Richard Raczkoski Memorial Highway as described in subsection (1).*

Section 39. *Doctor Thomas Eliot “Doc Tommy” McBride Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of County Road 435 between Kelly Park Road and Clarcona-Ocoee Road in Orange County is designated as “Doctor Thomas Eliot ‘Doc Tommy’ McBride Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Doctor Thomas Eliot “Doc Tommy” McBride Road as described in subsection (1).*

Section 40. *Herbert Lee Simon Avenue designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.W. 27th Avenue (State Road 9) between S.W. 22nd Street and U.S. 1 in the City of Miami in Miami-Dade County is designated as “Herbert Lee Simon Avenue.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Herbert Lee Simon Avenue as described in subsection (1).*

Section 41. *Otis Beckford Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 200 between the Marion / Citrus County line and County Road 484 in Marion County is designated as “Otis Beckford Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Otis Beckford Memorial Highway as described in subsection (1).*

Section 42. *Blue Star Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 674 between U.S. Highway 301 / State Road 43 and Interstate 75 / State Road 93A in Hillsborough County is designated as “Blue Star Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Blue Star Memorial Highway as described in subsection (1).*

Section 43. *Historic Biscayne Boulevard: Gateway to Miami designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 1 (Biscayne Boulevard) between N.E. 87th Street and S.E. 3rd Street in Miami-Dade County is designated as “Historic Biscayne Boulevard: Gateway to Miami.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Historic Biscayne Boulevard: Gateway to Miami as described in subsection (1).*

Section 44. *Biscayne Park Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of Northeast 6th Avenue between Northeast 113th and 121st Street in Miami-Dade County is designated as “Biscayne Park Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Biscayne Park Way as described in subsection (1).*

Section 45. *Deputy Victor J. “Skip” MacDonald, Jr. Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 51 between U.S. Highway 19 at Tenille and the Dixie County line in Taylor County is designated as “Deputy Victor J. ‘Skip’ MacDonald, Jr. Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Deputy Victor J. “Skip” MacDonald, Jr. Memorial Highway as described in subsection (1).*

Section 46. This act shall take effect July 1, 2010.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to road, bridge, and building designations; designating Doolittle Raiders Highway in Okaloosa and Walton Counties; designating Beach Highway in Walton County; designating Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge in Pinellas County; designating Perdido Key Parkway in Escambia County; designating Andrew J. Capeletti Memorial Ramp in Miami-Dade County; designating Jose Regueiro Avenue in Miami-Dade County; designating a portion of S.W. 67th Avenue in Miami-Dade County as a state historic road; restricting use of public funds for projects related to such road; providing for construction; directing the Division of Historical Resources of the Department of State to provide for the erection of suitable markers; designating Trooper Claude Baker Memorial Highway in Sarasota County; designating Gretchen Evans Memorial Bridge in Wakulla County; designating Earl S. “Coach” Kitchings Avenue in Duval County; designating Coach Jermaine D. Hall Memorial Highway in St. Johns County; designating Veterans Memorial Highway in Gilchrist County; designating Sergeant Ricky Lord Road in Gilchrist County; designating Julia Tuttle Way in Miami-Dade County; designating Cpl. Christopher Lee Poole, Jr., Memorial Highway in Lake County; designating

Sgt. Frederico G. Borjas Memorial Highway in Lake County; designating Johnny C. Treadwell Memorial Highway in Lake County; designating Orange Bowl Way in Miami-Dade County; designating Purple Heart Highway; designating Heather Hurd Memorial Highway in Polk County; designating Michael G. Rippe Parkway in Lee County; designating Earl Roland Lewis and Eloise Allen Lewis Road in Lafayette County; designating K. Earl Durden Highway in Bay County; designating Colonel Bud Day Boulevard in Okaloosa County; designating Miss Lillie Williams Boulevard in Miami-Dade County; designating Army Sergeant Daniel L. McCall Highway in Santa Rosa County; designating Anthony J. Perez Street in Miami-Dade County; designating John Torrese Family Road in Miami-Dade County; designating Manuel Capo Way in Miami-Dade County; designating Manuel Capo Boulevard in Miami-Dade County; designating Lt. Colonel Charles Brown Memorial Highway in Miami-Dade County; amending s. 585.61, F.S.; designating the Bronson Animal Disease Diagnostic Laboratory; amending s. 17, chapter 2008-256, Laws of Florida; revising the designation of Jose A. Marques Boulevard in Miami-Dade County; designating Kenneth H. “Buddy” MacKay, Jim H. Williams Bridge, and Otis Beckford Memorial Highway in Marion County; designating Seminole Way in Seminole County; designating Judge Perry Wells Highway and Vernon Bridge in Washington County; designating Richard Raczkoski Memorial Highway in Indian River County; designating Doctor Thomas Eliot “Doc Tommy” McBride Road in Orange County; designating Herbert Lee Simon Avenue in Miami-Dade County; designating Blue Star Memorial Highway in Hillsborough County; designating Historic Biscayne Boulevard: Gateway to Miami in Miami-Dade County; designating Biscayne Park Way in Miami-Dade County; designating Deputy Victor J. “Skip” MacDonald, Jr. Memorial Highway in Taylor County; directing the Department of Transportation to erect suitable markers; providing an effective date.

Senator Dean moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (215982) (with title amendment)—Delete lines 205-213.

And the title is amended as follows:

Delete lines 447 and 448 and insert: Parkway in Lee County;

Senator Baker moved the following amendments to **Amendment 1** which were adopted:

Amendment 1B (478436) (with title amendment)—Between lines 408 and 409 insert:

Section 46. *Father Gerard Jean-Juste Street designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of N.W. 54th Street in Miami-Dade County between N.W. 2nd Avenue and N.W. 3rd Avenue in Little Haiti is designated “Father Gerard Jean-Juste Street.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Father Gerard Jean-Juste Street as described in subsection (1).*

Section 47. *Pastors Dr. Randall and Sharlene Holts Street designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of N.W. 103rd Street / State Road 932 between N.W. 17th Avenue and N.W. 27th Avenue in Miami-Dade County is designated “Pastors Dr. Randall and Sharlene Holts Street.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Pastors Dr. Randall and Sharlene Holts Street as described in subsection (1).*

And the title is amended as follows:

Delete line 477 and insert: MacDonald, Jr. Memorial Highway in Taylor County; designating Father Gerard Jean-Juste Street and Pastors Dr. Randall and Sharlene Holts Street in Miami-Dade County;

Amendment 1C (155444) (with title amendment)—In title, delete lines 428-430.

MOTION

On motion by Senator Justice, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Justice moved the following amendment to **Amendment 1** which was adopted:

Amendment 1D (692070) (with title amendment)—Between lines 408 and 409 insert:

Section 46. *Dr. Edward Cole Highway designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of Interstate 175 in Pinellas County between Interstate 275 and 4th Street is designated as “Dr. Edward Cole Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Dr. Edward Cole Highway as described in subsection (1).*

And the title is amended as follows:

Between lines 477 and 478 insert: designating Dr. Edward Cole Highway in Pinellas County;

MOTION

On motion by Senator Bullard, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bullard moved the following amendment to **Amendment 1** which was adopted:

Amendment 1E (468486) (with title amendment)—Between lines 408 and 409 insert:

Section 46. *Cuban-American Association of Civil Engineers Way designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of N.W. 107th Avenue in Miami-Dade County between Flagler Street and N.W. 7th Street is designated “Cuban-American Association of Civil Engineers Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Cuban-American Association of Civil Engineers Way as described in subsection (1).*

And the title is amended as follows:

Delete line 477 and insert: MacDonalD, Jr. Memorial Highway in Taylor County; designating Cuban-American Association of Civil Engineers Way in Miami-Dade County;

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **HB 5** as amended was placed on the calendar of Bills on Third Reading.

CS for SB 842—A bill to be entitled An act relating to motor vehicles; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration or renewal of registration to include language permitting the applicant to make a voluntary contribution to Prevent Child Sexual Abuse; amending s. 322.08, F.S.; requiring the application form for a driver's license or duplicate thereof to include language permitting the applicant to make a voluntary contribution to Prevent Child Sexual Abuse or to Prevent Blindness Florida; amending s. 322.18, F.S.; deleting certain provisions requiring the application form for renewal issuance or renewal extension of a driver's license to include language permitting the applicant to make a voluntary contribution to Prevent Blindness Florida and Family First; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 842** to **CS for HB 263**.

Pending further consideration of **CS for SB 842** as amended, on motion by Senator Negron, by two-thirds vote **CS for HB 263** was withdrawn from the Committees on Transportation; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

On motion by Senator Negron—

CS for HB 263—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to Prevent Child Sexual Abuse; amending s. 322.08, F.S.; revising provisions for required content in driver's license application forms; requiring the application form for an original, renewal, or replacement driver's license or identification card to include language permitting the applicant to make voluntary contributions for certain purposes; requiring such forms to include language permitting the applicant to make a voluntary contribution to Prevent Child Sexual Abuse and to Prevent Blindness Florida; providing for distribution of funds collected from such contributions; providing that such contributions are not considered income of a revenue nature; repealing s. 322.18(9), F.S.; removing provisions requiring the application form for renewal of a driver's license to include language permitting the applicant to make a voluntary contribution to Prevent Blindness Florida and to Family First; providing an effective date.

—a companion measure, was substituted for **CS for SB 842** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 263** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms—

CS for SB 962—A bill to be entitled An act relating to driver's licenses; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release copies of driver's licenses to the Department of Children and Family Services for certain purposes relating to public assistance; providing an effective date.

—was read the second time by title.

Senator Storms moved the following amendment which was adopted:

Amendment 1 (976686) (with title amendment)—Delete lines 30-39 and insert: protective investigations under part III of chapter 39 and chapter 415; to the Department of Children and Family Services pursuant to an interagency agreement specifying the number of employees in each of that department's regions to be granted access to the records for use as verification of identity to expedite the determination of eligibility for public assistance and for use in public assistance fraud investigations; or to the Department of Financial Services pursuant to an interagency agreement to facilitate the location of owners of unclaimed property, the validation of unclaimed property claims, and the identification of fraudulent or false claims.

And the title is amended as follows:

Delete lines 2-7 and insert: An act relating to driver license records; amending s. 322.142, F.S.; revising the authorized uses of license identification information maintained by the Department of Highway Safety and Motor Vehicles and released to the Department of Children and Family Services; authorizing use for certain adult protective services investigations; providing conditions for such information to be used for verification of identity in determination of eligibility for public assistance and for certain fraud investigations; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 962** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 792—A bill to be entitled An act relating to derelict motor vehicles and mobile homes; amending s. 319.241, F.S.; revising provisions relating to an application for the removal of a lien from the files of the Department of Highway Safety and Motor Vehicles or from the certificate of title; authorizing the department to remove the lien from its files within a specified period after receiving an application for a

derelict motor vehicle certificate and notification to the lienholder, unless a written statement protesting such removal is received; amending s. 319.30, F.S.; revising certain definitions; revising requirements for disposition of a motor vehicle, recreational vehicle, or mobile home that is sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; requiring certificates of title to conform to specified provisions; providing for the dealer or recycler to apply to the Department of Highway Safety and Motor Vehicles for a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; requiring the derelict motor vehicle certificate application to be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, or the dealer or recycler; requiring certain identification information be included with the application; revising the types of documentation that a secondary metals recycler must obtain; permitting recyclers to obtain salvage certificates of title from sellers or owners as a valid method of documentation; providing that a person engaged in the business of recovering, towing, or storing vehicles may not claim certain liens, claim that certain vehicles have remained on any premises after tenancy has terminated, or use the derelict motor vehicle certificate application to transport, sell, or dispose of a motor vehicle at a salvage motor vehicle dealer or metal recycler without otherwise obtaining title to the vehicle or a certificate of destruction; requiring that the department accept all properly endorsed and completed derelict motor vehicle certificate applications and issue such certification having an effective date that authorizes when the vehicle is eligible for dismantling or destruction; requiring that such electronic information be stored and made available to authorized persons; requiring that all licensed salvage motor vehicle dealers or registered secondary metals recyclers make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record by check or money order; providing an effective date.

—was read the second time by title.

Senator Baker moved the following amendment which was adopted:

Amendment 1 (771826)—Delete lines 105-113 and insert:

(e) "Derelict motor vehicle" means:

1. Any motor vehicle as defined in s. 320.01(1) or mobile home as defined in s. 320.01(2), with or without all parts, major parts, or major component parts, which is valued under \$1,000, is at least 10 model years old, *beginning with the model year of the vehicle as year one*, and is in such condition that its highest or primary value is for sale, transport, or delivery to a licensed salvage motor vehicle dealer or registered secondary metals recycler for dismantling its component parts or conversion to scrap metal; or

2. *Any trailer as defined in s. 320.01(1), with or without all parts, major parts, or major component parts, which is valued under \$5,000, is at least 10 model years old, beginning with the model year of the vehicle as year one, and is in such condition that its highest or primary value is for sale, transport, or delivery to a licensed salvage motor vehicle dealer or registered secondary metals recycler for conversion to scrap metal.*

Senator Baker moved the following amendment:

Amendment 2 (602148)—Delete line 218 and insert:

2. Any person who ~~knowingly and intentionally willfully and deliberately~~

On motion by Senator Baker, further consideration of **CS for CS for SB 792** as amended with pending **Amendment 2 (602148)** was deferred.

ADOPTION OF RESOLUTIONS

On motion by Senator Oelrich—

By Senator Oelrich—

SR 2836—A resolution commending the University of Florida Women's Swimming and Diving Team on its 2010 NCAA National Championship season.

WHEREAS, the University of Florida Gators have long been recognized for their tradition of excellence in all intercollegiate sports, and

WHEREAS, the University of Florida Women's Swimming and Diving Team has continued this tradition of athletic excellence, achieved and maintained through their hard work, determination, and a team-first attitude, and

WHEREAS, the University of Florida women swimmers last won the national title in 1982 at the inaugural women's NCAA championships, and

WHEREAS, on March 20, 2010, at the Boilermaker Aquatic Center in West Lafayette, Indiana, the University of Florida Women's Swimming and Diving Team scored 382 points, beating Stanford by 2.5 points in the second-closest win in the history of the competition, and

WHEREAS, 12 members of the University of Florida Women's Swimming and Diving Team earned All-American status, exceeding five Florida records and winning two national titles, and

WHEREAS, University of Florida Women's Swimming and Diving Team Head Coach Gregg Troy was named the NCAA's 2010 Women's Coach of the Year, NOW, THEREFORE,

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

That the University of Florida Women's Swimming and Diving Team is congratulated for its 2010 NCAA National Championship.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to University of Florida Women's Swimming and Diving Team Head Coach Gregg Troy as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Oelrich, **SR 2836** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Oelrich introduced the following guests who were present in the chamber: UF Women's Swimming and Diving Coach Gregg Troy, and team members Shara Stafford and Teresa Crippen.

On motion by Senator Oelrich—

By Senator Oelrich—

SR 2838—A resolution commending the University of Florida Men's Track and Field Team for its first-ever NCAA Indoor Championship.

WHEREAS, the University of Florida Gators have long been recognized for their tradition of stellar performance in all intercollegiate sports, and

WHEREAS, the University of Florida Men's Track and Field Team has continued this tradition, achieved through hard work, determination, and a winning attitude, and

WHEREAS, the team has grown and matured under the experienced and skillful guidance of Head Coach Mike Holloway, and

WHEREAS, the University of Florida Men's Track and Field Team on March 13, 2010, captured its first NCAA Indoor Championship in program history at the Randal Tyson Track Center at the University of Arkansas, scoring 57 total team points and beating Oregon and Texas A&M by 13 points, and

WHEREAS, this victory by the University of Florida Men's Track and Field Team marked the 23rd National Championship won by one of its NCAA teams, NOW, THEREFORE,

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

That the University of Florida Men's Track and Field Team is congratulated for its 2010 National Championship season.

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

—was introduced out of order and read by title. On motion by Senator Oelrich, **SR 2838** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Oelrich introduced the following guests who were present in the chamber: UF Men’s Track and Field Coach Mike Holloway and team members Calvin Smith and Christian Taylor.

THE PRESIDENT PRESIDING

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

CLAIM BILL CALENDAR

On motion by Senator Jones, by unanimous consent—

CS for SB 34—A bill to be entitled An act for the relief of Daniel and Amara Estrada; providing an appropriation to compensate Daniel and Amara Estrada, parents and guardians of Caleb Estrada, for the wrongful birth of Caleb Estrada and for damages sustained by Daniel and Amara Estrada as a result of negligence by employees of the University of South Florida Board of Trustees; providing a limitation on the payment of fees and costs; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Jones moved the following amendment which was adopted:

Amendment 1 (585380)—Delete line 112 and insert: premiums by the University of South Florida and can never be

On motion by Senator Jones, by two-thirds vote **CS for SB 34** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

Mr. President	Dockery	Negron
Alexander	Fasano	Peaden
Aronberg	Garcia	Rich
Baker	Gardiner	Richter
Bennett	Haridopolos	Ring
Bullard	Hill	Siplin
Constantine	Jones	Smith
Crist	Joyner	Sobel
Detert	Justice	Storms
Diaz de la Portilla	Lynn	Wilson

Nays—4

Gaetz	Oelrich	Thrasher
Wise		

Vote after roll call:

Yea—Dean, Lawson

DISCLOSURE

Due to my employment in the private sector, I potentially have a conflict of interest involving **CS for SB 34** and **CS for SB 46** which are on today’s Special Order Calendar. For that reason, I am notifying you that I will not participate in voting on these two bills.

I will notify Secretary Twogood of this potential conflict.

Thank you for your consideration in this matter.

Senator J. Alex Villalobos, 38th District

DISCLOSURE

I have been advised that due to my employment in the private sector, I potentially have a conflict of interest involving **CS for SB 34** and **CS for SB 46** which are on today’s Special Order Calendar. For that reason, I am notifying you that I will not participate in voting on these two bills.

I will notify Secretary Twogood of this potential conflict.

Thank you for your consideration in this matter.

Senator Dan Gelber, 35th District

SB 12—A bill to be entitled An act for the relief of Stephen Hall; providing an appropriation to compensate Stephen Hall for injuries sustained as a result of the negligence of an employee of the Department of Transportation; providing a limitation of the payment of fees and costs; providing an effective date.

—was read the second time by title. On motion by Senator Haridopolos, by two-thirds vote **SB 12** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Dockery	Negron
Alexander	Fasano	Peaden
Aronberg	Gardiner	Rich
Baker	Gelber	Richter
Bennett	Haridopolos	Ring
Bullard	Hill	Siplin
Constantine	Jones	Smith
Crist	Joyner	Sobel
Dean	Justice	Storms
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson

Nays—5

Gaetz	Oelrich	Wise
Garcia	Thrasher	

CS for SB 30—A bill to be entitled An act for the relief of Lois H. Lacava by the Munroe Regional Health System, Inc.; providing for an appropriation to compensate her for injuries sustained as a result of the negligence of the Munroe Regional Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title. On motion by Senator Dean, by two-thirds vote **CS for SB 30** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Dockery	Peaden
Alexander	Fasano	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Hill	Siplin
Bullard	Jones	Smith
Constantine	Joyner	Sobel
Crist	Justice	Storms
Dean	Lynn	Wilson
Detert	Negron	
Diaz de la Portilla	Oelrich	

Nays—4

Gaetz	Garcia	Thrasher
Wise		

Vote after roll call:

Yea—Lawson

SB 54—A bill to be entitled An act for the relief of Erskin Bell, II, by the City of Altamonte Springs; providing an appropriation to compensate him for injuries and damages sustained as the result of negligence by the City of Altamonte Springs; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

SENATOR VILLALOBOS PRESIDING

On motion by Senator Gardiner, by two-thirds vote **SB 54** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Alexander	Fasano	Peaden
Aronberg	Gardiner	Rich
Baker	Gelber	Richter
Bennett	Hill	Ring
Bullard	Jones	Siplin
Constantine	Joyner	Smith
Crist	Justice	Sobel
Dean	Lawson	Storms
Detert	Lynn	Villalobos
Diaz de la Portilla	Negron	Wilson
Dockery	Oelrich	

Nays—4

Gaetz	Garcia	Thrasher
Wise		

THE PRESIDENT PRESIDING

CS for SB 60—A bill to be entitled An act for the relief of Pierreisna Archille; providing an appropriation to compensate Pierreisna Archille, a mentally disabled person, by and through Darlene Achille, Limited Guardian of Property for Pierreisna Archille, for injuries and damages sustained as a result of the negligence of employees of the Department of Children and Family Services; providing for reversion of funds; providing a limitation on the payment of attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was read the second time by title.

SENATOR VILLALOBOS PRESIDING

On motion by Senator Storms, by two-thirds vote **CS for SB 60** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Peaden
Alexander	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	
Dockery	Negron	

Nays—4

Gaetz	Oelrich	Thrasher
Wise		

On motion by Senator Rich, by unanimous consent—

CS for SB 50—A bill to be entitled An act for the relief of Madonna Castillo by the City of Hialeah; providing for an appropriation to compensate her for injuries and damages that she sustained as a result of the negligence of the City of Hialeah; providing a limitation on the payment of fees and costs; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Rich, by two-thirds vote **CS for SB 50** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fasano	Rich
Alexander	Garcia	Richter
Aronberg	Gardiner	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Bullard	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	Lawson	Wilson
Detert	Negron	
Dockery	Peaden	

Nays—5

Gaetz	Oelrich	Wise
Lynn	Thrasher	

Vote after roll call:

Yea—Gelber

THE PRESIDENT PRESIDING

CS for SB 46—A bill to be entitled An act for the relief of Edwidge Valmyr Gabriel, as parent and natural guardian of her son, Stanley Valmyr, a minor, and as personal representative of the Estate of Stanley Valmyr, deceased, by the City of North Miami; providing for an appropriation to compensate her for the wrongful death of her son, Stanley Valmyr, as a result of the negligence of the City of North Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **CS for SB 46** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Dockery	Peaden
Alexander	Fasano	Rich
Aronberg	Gardiner	Richter
Baker	Haridopolos	Ring
Bennett	Hill	Siplin
Bullard	Jones	Smith
Constantine	Joyner	Sobel
Crist	Justice	Storms
Dean	Lawson	Wilson
Detert	Lynn	
Diaz de la Portilla	Negron	

Nays—5

Gaetz	Oelrich	Wise
Garcia	Thrasher	

DISCLOSURE

Due to my employment in the private sector, I potentially have a conflict of interest involving **CS for SB 34** and **CS for SB 46** which are on today's Special Order Calendar. For that reason, I am notifying you that I will not participate in voting on these two bills.

I will notify Secretary Twogood of this potential conflict.

Thank you for your consideration in this matter.

Senator J. Alex Villalobos, 38th District

DISCLOSURE

I have been advised that due to my employment in the private sector, I potentially have a conflict of interest involving **CS for SB 34** and **CS for SB 46** which are on today's Special Order Calendar. For that reason, I am notifying you that I will not participate in voting on these two bills.

I will notify Secretary Twogood of this potential conflict.

Thank you for your consideration in this matter.

Senator Dan Gelber, 35th District

SPECIAL GUESTS

Senator Bennett introduced former Senate President John McKay who was present in the chamber.

SENATOR PEADEN PRESIDING

SPECIAL ORDER CALENDAR, continued

On motion by Senator Fasano, by two-thirds vote **CS for CS for HB 399** was withdrawn from the Committees on Transportation; and Education Pre-K - 12.

On motion by Senator Fasano—

CS for CS for HB 399—A bill to be entitled An act relating to motor vehicles; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration or renewal of registration to include language permitting the applicant to make a voluntary contribution to Blind Babies and Blind Youth Services, for services for persons with developmental disabilities, and to the Ronald McDonald House; amending s. 322.08, F.S.; requiring the application form for a driver's license or duplicate thereof to include language permitting the applicant to make a voluntary contribution to Senior Vision Services, for services for persons with developmental disabilities, and to the Ronald McDonald House; providing for distribution of funds collected from voluntary contributions; providing that such contributions are not considered income of a revenue nature; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1138** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 399** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 316** was deferred.

CS for SB 1026—A bill to be entitled An act relating to road and bridge designations; designating Veterans Memorial Highway and Sergeant Ricky Lord Road in Gilchrist County; designating Anthony J. Perez Street in Miami-Dade County; designating the Kenneth H. "Buddy" MacKay and Jim H. Williams Memorial Bridge in Ocala; di-

recting the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1026** to **CS for HB 321**.

Pending further consideration of **CS for SB 1026** as amended, on motion by Senator Oelrich, by two-thirds vote **CS for HB 321** was withdrawn from the Committee on Transportation.

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

CS for HB 321—A bill to be entitled An act relating to road designations; designating Veterans Memorial Highway and Sergeant Ricky Lord Road in Gilchrist County; designating Anthony J. Perez Street, Orange Bowl Way, John Torrese Family Road, Manuel Capo Way, Manuel Capo Boulevard, and Lt. Colonel Charles Brown Memorial Highway in Miami-Dade County; amending s. 17, ch. 2008-256, Laws of Florida; revising the designation of Jose A. Marques Boulevard in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **CS for SB 1026** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 321** was placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for CS for CS for SB 840—A bill to be entitled An act relating to community associations; amending s. 718.103, F.S.; redefining the term "developer"; amending s. 718.501, F.S.; specifying that the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation has jurisdiction with respect to bulk assignees and bulk buyers; creating part VII of ch. 718, F.S.; creating the "Distressed Condominium Relief Act"; providing legislative findings and intent; defining the terms "bulk assignee" and "bulk buyer"; providing for the assignment of developer rights by a bulk assignee; specifying liabilities of bulk assignees and bulk buyers; providing exceptions; providing additional responsibilities of bulk assignees and bulk buyers; authorizing certain entities to assign developer rights to a bulk assignee; limiting the number of bulk assignees at any given time; providing for the transfer of control of a board of administration to unit owners; providing effects of such transfer on parcels acquired by a bulk assignee; providing obligations of a bulk assignee upon the transfer of control of a board of administration; requiring that a bulk assignee certify certain information in writing; providing for the resolution of a conflict between specified provisions of state law; providing that the failure of a bulk assignee or bulk buyer to comply with specified provisions of state law results in the loss of certain protections and exemptions; requiring that a bulk assignee or bulk buyer file certain information with the Division of Florida Condominiums, Timeshares, and Mobile Homes before offering any units for sale or lease in excess of a specified term; requiring that a copy of such information be provided to a prospective purchaser or tenant; requiring that certain contracts and disclosure statements contain specified statements; requiring that a bulk assignee or bulk buyer comply with certain disclosure requirements; prohibiting a bulk assignee from authorizing certain actions on behalf of an association while the bulk assignee is in control of the board of administration of the association; requiring that a bulk assignee or bulk buyer comply with certain laws with respect to contracts entered into by the association while the bulk assignee or bulk buyer was in control of the board of administration; providing parcel owners with specified protections regarding certain contracts; requiring that a bulk buyer comply with certain requirements regarding the transfer of a parcel; prohibiting a person from being classified as a bulk assignee or bulk buyer unless condominium parcels were acquired before a specified date; providing that the assignment of developer rights to a bulk assignee does not release a developer from certain liabilities; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Sobel, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Sobel moved the following amendment which was adopted:

Amendment 1 (290422)—Delete lines 685-694 and insert: *in this part. This part does not waive, release, compromise, or limit liability established under chapter 718 except as specifically waived, released, compromised, or limited in this part.*

Pursuant to Rule 4.19, **CS for CS for CS for SB 840** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for CS for SB 366—A bill to be entitled An act relating to retail sales of smoking pipes and smoking devices; creating s. 569.0073, F.S.; prohibiting retail sales of certain smoking pipes and smoking devices under certain circumstances; specifying criteria for the lawful sales of such items; providing a criminal penalty for unlawful sales of such items; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (374054)—Delete lines 22-28 and insert:

(2); and

(b)1. *Derives at least 75 percent of its annual gross revenues from the retail sale of cigarettes, cigars, and other tobacco products; or*

2. *Derives no more than 25 percent of its annual gross revenues from the retail sale of the items listed in subsection (2).*

Pursuant to Rule 4.19, **CS for CS for SB 366** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

SB 2284—A bill to be entitled An act relating to the Legislature; fixing the date for convening the regular session of the Legislature in the year 2012; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2284** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, the Senate resumed consideration of—

CS for CS for SB 792—A bill to be entitled An act relating to derelict motor vehicles and mobile homes; amending s. 319.241, F.S.; revising provisions relating to an application for the removal of a lien from the files of the Department of Highway Safety and Motor Vehicles or from the certificate of title; authorizing the department to remove the lien from its files within a specified period after receiving an application for a derelict motor vehicle certificate and notification to the lienholder, unless a written statement protesting such removal is received; amending s. 319.30, F.S.; revising certain definitions; revising requirements for disposition of a motor vehicle, recreational vehicle, or mobile home that is sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; requiring certificates of title to conform to specified provisions; providing for the dealer or recycler to apply to the Department of Highway Safety and Motor Vehicles for a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; requiring the derelict motor vehicle certificate application to be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, or the dealer or recycler; requiring certain identification information be included with the application; revising the types of documentation that a secondary metals recycler must obtain; permitting

recyclers to obtain salvage certificates of title from sellers or owners as a valid method of documentation; providing that a person engaged in the business of recovering, towing, or storing vehicles may not claim certain liens, claim that certain vehicles have remained on any premises after tenancy has terminated, or use the derelict motor vehicle certificate application to transport, sell, or dispose of a motor vehicle at a salvage motor vehicle dealer or metal recycler without otherwise obtaining title to the vehicle or a certificate of destruction; requiring that the department accept all properly endorsed and completed derelict motor vehicle certificate applications and issue such certification having an effective date that authorizes when the vehicle is eligible for dismantling or destruction; requiring that such electronic information be stored and made available to authorized persons; requiring that all licensed salvage motor vehicle dealers or registered secondary metals recyclers make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record by check or money order; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (602148)** by Senator Baker was withdrawn.

Senator Baker moved the following amendment which was adopted:

Amendment 3 (255214)—Delete lines 525-530 and insert: since being notified of the hold.

Pursuant to Rule 4.19, **CS for CS for SB 792** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

SB 618—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 943.0314(3), F.S., relating to an exemption from public-records and public-meetings requirements for those portions of meetings of the Domestic Security Oversight Council, including records thereof, at which active criminal investigative or intelligence information is discussed; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 618** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

CS for CS for SB 1404—A bill to be entitled An act relating to veterans' suicide prevention; directing the Department of Veterans' Affairs, in partnership with the Statewide Office for Suicide Prevention and the Department of Children and Family Services, to seek federal funding for a grants program that addresses veterans' outreach and suicide prevention; amending s. 14.20195, F.S.; revising the membership of the Suicide Prevention Coordinating Council to include a representative of the Florida Psychological Association and veterans appointed by the Governor; providing an effective date.

—was read the second time by title.

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (872480) (with title amendment)—Delete lines 40-59 and insert: shall consist of ~~32~~ ³² voting members.

(a) ~~Sixteen~~ ^{Fourteen} members shall be appointed by the director of the Office of Drug Control and shall represent the following organizations:

1. The Substance Abuse and Mental Health Corporation described in s. 394.655.
2. The Florida Association of School Psychologists.
3. The Florida Sheriffs Association.

4. The Suicide Prevention Action Network USA.
5. The Florida Initiative of Suicide Prevention.
6. The Florida Suicide Prevention Coalition.
7. The Alzheimer's Association.
8. The Florida School Board Association.
9. Volunteer Florida.
10. The state chapter of AARP.
11. The Florida Alcohol and Drug Abuse Association.
12. The Florida Council for Community Mental Health.
13. The Florida Counseling Association.
14. NAMI Florida.
15. *The Florida Psychological Association.*
16. *The Florida Psychiatric Society.*

And the title is amended as follows:

Delete line 11 and insert: Psychological Association, the Florida Psychiatric Society, and veterans appointed by

Pursuant to Rule 4.19, **CS for CS for SB 1404** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos—

CS for CS for SB 1412—A bill to be entitled An act relating to obsolete or outdated agency plans, reports, and programs; repealing s. 13.01, F.S., which establishes the Florida Commission on Interstate Cooperation; repealing s. 13.02, F.S., which establishes the Senate Committee on Interstate Cooperation; repealing s. 13.03, F.S., which establishes the House of Representatives Committee on Interstate Cooperation; repealing s. 13.04, F.S., which provides terms and functions of both House and Senate standing committees; repealing s. 13.05, F.S., which establishes the Governor's Committee on Interstate Cooperation; repealing s. 13.06, F.S., which designates informal names of the committees and the Commission; repealing s. 13.07, F.S., which provides the functions of the commission; repealing s. 13.08, F.S., which establishes the powers and duties of the commission; repealing s. 13.09, F.S., which declares the Council of State Government to be a joint governmental agency of Florida and other states; transferring and renumbering s. 13.10, F.S., relating to the appointment of Commissioners to the National Conference of Commissioners on Uniform State Laws; repealing s. 13.90, F.S., which establishes the Florida Legislative Law Revision Council; repealing s. 13.91, F.S., which establishes the membership of the council; repealing s. 13.92, F.S., which establishes the term limits for members appointed to the council; repealing s. 13.93, F.S., which declares all serving members of the council eligible for reappointment; repealing s. 13.94, F.S., which designates the chair and vice chair of the council; repealing s. 13.95, F.S., which declares that the members of the council shall serve without compensation; repealing s. 13.96, F.S., which provides the functions of the council; repealing s. 13.97, F.S., which provides that the council shall be the recipient of proposed changes and may make recommendations on such proposals; repealing s. 13.98, F.S., which provides that the council submit a report of all actions taken at each regular session of the Legislature; repealing s. 13.99, F.S., regarding personnel of the council; repealing s. 13.992, F.S., which defines the powers of the council; repealing s. 13.993, F.S., which authorizes the council to procure information from state, municipal corporations, or governmental department agencies; repealing s. 13.994, F.S., which authorizes the council to create rules and regulations for the conduct of business; repealing s. 13.995, F.S., which requires appropriations to carry out the purposes of the council; repealing s. 13.996, F.S., which provides that the first duty of the council shall be to complete revision of the criminal laws of the state of Florida; repealing s. 14.25, F.S., relating to the Florida State Commission on Hispanic Affairs; amending s. 14.26, F.S.; revising reporting requirements of the Citizen's Assistance Office;

repealing s. 14.27, F.S., relating to the Florida Commission on African-American Affairs; repealing s. 16.58, F.S., relating to the Florida Legal Resource Center; amending s. 17.32, F.S.; revising the recipients of the annual report of trust funds by the Chief Financial Officer; amending s. 17.325, F.S.; deleting a reporting requirement relating to the governmental efficiency hotline; amending s. 20.057, F.S.; deleting a reporting requirement of the Governor relating to interagency agreements to delete duplication of inspections; repealing s. 20.316(4)(e), (f), and (g), F.S., relating to information systems of the Department of Juvenile Justice; amending s. 20.43, F.S.; revising provisions relating to planning by the Department of Health; amending s. 39.4086, F.S.; deleting provisions relating to a report by the State Courts Administrator on a guardian ad litem program for dependent children; amending s. 98.255, F.S.; deleting provisions relating to a report on the effectiveness of voter education programs; amending s. 110.1227, F.S.; revising provisions relating to a report by the board of directors of the Florida Long-Term-Care Plan; amending s. 120.542, F.S.; deleting provisions relating to reports of petitions filed for variances to agency rules; repealing s. 153.952, F.S., relating to legislative findings and intent concerning privately owned wastewater systems and facilities; amending s. 161.053, F.S.; deleting a provision relating to a report on the coastal construction control line; amending s. 161.161, F.S.; deleting a provision requiring a report on funding for beach erosion control; repealing s. 163.2526, F.S., relating to the review and evaluation of urban infill; amending s. 163.3167, F.S.; deleting provisions relating to local government comprehensive plans; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; amending s. 163.3178, F.S.; deleting a duty of the Coastal Resources Interagency Management Committee to submit certain recommendations; repealing s. 163.519(12), F.S., relating to the requirement for a report on neighborhood improvement districts by the Department of Legal Affairs; repealing s. 186.007(9), F.S.; deleting provisions relating to a committee to recommend to the Governor changes in the state comprehensive plan; amending ss. 189.4035 and 189.412, F.S.; revising requirements relating to dissemination of the official list of special districts; amending s. 206.606, F.S.; revising provisions relating to a report on the Florida Boating Improvement Program; amending s. 212.054, F.S.; deleting the requirement for a report on costs of administering the discretionary sales surtax; amending s. 212.08, F.S.; deleting a requirement for a report on the sales tax exemption for machinery and equipment used in semiconductor, defense, or space technology production and research and development; repealing s. 213.0452, F.S., relating to a report on the structure of the Department of Revenue; repealing s. 213.054, F.S., relating to monitoring and reporting regarding persons claiming tax exemptions; amending s. 215.70, F.S.; requiring the State Board of Administration to report to the Governor when funds need to be appropriated to honor the full faith and credit of the state; amending s. 216.011, F.S.; redefining the term "long-range program plan"; repealing s. 216.181(10)(c), F.S., relating to reports of filled and vacant positions and salaries; amending s. 252.55, F.S.; revising certain reporting requirements relating to the Civil Air Patrol; amending s. 253.7825, F.S.; deleting provisions relating to the plan for the Cross Florida Greenways State Recreation and Conservation Area; repealing s. 253.7826, F.S., relating to structures of the Cross Florida Barge Canal; repealing s. 253.7829, F.S., relating to a management plan for retention or disposition of lands of the Cross Florida Barge Canal; amending s. 259.037, F.S.; revising provisions relating to a report of the Land Management Uniform Accounting Council; repealing s. 267.074(4), F.S., relating to a plan for the State Historical Marker Program; repealing s. 284.50(3), F.S., relating to a requirement for a report by the Interagency Advisory Council on Loss Prevention and certain department heads; repealing s. 287.045(11), F.S., relating to a requirement for reports on use of recycled products; repealing s. 288.108(7), F.S., relating to a requirement for a report by the Office of Tourism, Trade, and Economic Development on high-impact businesses; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; amending s. 288.1229, F.S.; revising duties of the direct-support organization to support sports-related industries and amateur athletics; repealing s. 288.7015(4), F.S., relating to a requirement for a report by the rules ombudsman in the Executive Office of the Governor; amending s. 288.7771, F.S.; revising a reporting requirement of the Florida Export Finance Corporation; repealing s. 288.8175(8), (10), and (11), F.S., relating to certain responsibilities of the Department of Education with respect to linkage institutes between postsecondary institutions in this state and foreign countries; repealing s. 288.853(5), F.S., relating to the requirement for a report on assistance to and commerce with Cuba; amending s. 288.904, F.S.; deleting an obsolete provision requiring the creation of advisory committees on international and small business

issues; amending s. 288.95155, F.S.; revising requirements for a report by Enterprise Florida, Inc., on the Florida Small Business Technology Growth Program; amending s. 288.9604, F.S.; deleting a requirement for a report by the Florida Development Finance Corporation; amending s. 288.9610, F.S.; revising provisions relating to annual reporting by the corporation; amending s. 292.05, F.S.; revising requirements relating to a report by the Department of Veterans' Affairs; repealing ss. 296.16 and 296.39, F.S., relating to reports by the executive director of the Department of Veterans' Affairs; repealing s. 315.03(12)(c), F.S., relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 319.324, F.S.; deleting provisions relating to funding a report on odometer fraud prevention and detection; repealing s. 322.181, F.S., relating to a study by the Department of Highway Safety and Motor Vehicles on driving by the elderly; repealing s. 322.251(7)(c), F.S., relating to a plan to indemnify persons wanted for passing worthless bank checks; amending s. 373.0391, F.S.; deleting provisions relating to provision of certain information by water management districts; amending s. 373.046, F.S.; deleting an obsolete provision requiring a report by the Secretary of Environmental Protection; repealing s. 376.121(14), F.S., relating to a report by the Department of Environmental Protection on damage to natural resources; repealing s. 376.17, F.S., relating to reports of the department to the Legislature; repealing s. 376.30713(5), F.S., relating to a report on preapproved advanced cleanup; amending s. 379.2211, F.S.; revising provisions relating to a report by the Fish and Wildlife Conservation Commission on waterfowl permit revenues; amending s. 379.2212, F.S.; revising provisions relating to a report by the commission on wild turkey permit revenues; repealing s. 379.2523(8), F.S., relating to duties of the Fish and Wildlife Conservation Commission concerning an aquaculture plan; amending s. 380.06, F.S.; deleting provisions on transmission of revisions relating to statewide guidelines and standards for developments of regional impact; repealing s. 380.0677(3), F.S., relating to powers of the Green Swamp Land Authority; repealing s. 381.0011(3), F.S., relating to an inclusion in the Department of Health's strategic plan; repealing s. 381.0036, F.S., relating to planning for implementation of educational requirements concerning HIV and AIDS; repealing s. 381.731, F.S., relating to strategic planning of the Department of Health; amending s. 381.795, F.S.; deleting provisions relating to studies by the Department of Health on long-term, community-based supports; amending s. 381.931, F.S.; deleting provisions relating to the duty of the Department of Health to develop a report on Medicaid expenditures; amending s. 383.19, F.S.; revising provisions relating to reports by hospitals contracting to provide perinatal intensive care services; repealing s. 383.21, F.S., relating to reviews of perinatal intensive care service programs; amending s. 383.2161, F.S.; revising requirements relating to a report by the Department of Health on maternal and child health; repealing s. 394.4573(4), F.S., relating to the requirement for a report by the Department of Children and Family Services on staffing state mental health facilities; amending s. 394.4985, F.S.; deleting provisions relating to plans by department districts; repealing s. 394.82, F.S., relating to the funding of expanded community mental health services; repealing s. 394.9082(9), F.S., relating to reports on contracting with behavioral health management entities; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 395.807(2)(c), F.S., relating to requirements for a report on the retention of family practice residents; repealing s. 397.332(3), F.S., relating to the requirement for a report by the director of the Office of Drug Control; repealing s. 397.94(1), F.S., relating to children's substance abuse services plans by service districts of the Department of Children and Family Services; repealing s. 400.148(2), F.S., relating to a pilot program of the Agency for Health Care Administration for a quality-of-care contract management program; amending s. 400.967, F.S.; deleting provisions relating to a report by the Agency for Health Care Administration on intermediate care facilities for developmentally disabled persons; repealing s. 402.3016(3), F.S., relating to the requirement for a report by the agency on Early Head Start collaboration grants; repealing s. 402.40(9), F.S., relating to submission to the Legislature of certain information related to child welfare training; amending s. 403.4131, F.S.; deleting provisions relating to a report on the adopt-a-highway program; repealing s. 403.706(2)(d), F.S., relating to local government solid waste responsibilities; repealing s. 406.02(4)(a), F.S., relating to the requirement for a report by the Medical Examiners Commission; amending s. 408.033, F.S.; revising provisions relating to reports by local health councils; repealing s. 408.914(4), F.S., relating to the requirement of the Agency for Health Care Administration to submit to the Governor a plan on the comprehensive health and human services eligibility access system; repealing s. 408.915(3)(i), F.S.,

relating to the requirement for periodic reports on the pilot program for such access; repealing s. 408.917, F.S., relating to an evaluation of the pilot project; amending s. 409.1451, F.S.; revising requirements relating to reports on independent living transition services; repealing s. 409.152, F.S., relating to service integration and family preservation; repealing s. 409.1679(1) and (2), F.S., relating to reports concerning residential group care services; amending s. 409.1685, F.S.; revising provisions relating to reports by the Department of Children and Family Services on children in foster care; repealing s. 409.221(4)(k), F.S., relating to reports on consumer-directed care; amending s. 409.25575, F.S.; deleting provisions relating to a report by the Department of Revenue regarding a quality assurance program for privatization of services; amending s. 409.2558, F.S.; deleting provisions relating to the Department of Revenue's solicitation of recommendations related to a rule on undistributable collections; repealing s. 409.441(3), F.S., relating to the state plan for the handling of runaway youths; amending s. 409.906, F.S.; deleting a requirement for reports of child-welfare-targeted case management projects; amending s. 409.912, F.S.; revising provisions relating to duties of the agency with respect to cost-effective purchasing of health care; repealing s. 410.0245, F.S., relating to a study of service needs of the disabled adult population; repealing s. 410.604(10), F.S., relating to a requirement for the Department of Children and Family Services to evaluate the community care for disabled adults program; amending s. 411.0102, F.S.; deleting provisions relating to use of child care purchasing pool funds; repealing s. 411.221, F.S., relating to prevention and early assistance; repealing s. 411.242, F.S., relating to the Florida Education Now and Babies Later program; amending s. 414.14, F.S.; deleting a provision relating to a report by the Secretary of Children and Family Services on public assistance policy simplification; repealing s. 414.36(1), F.S., relating to a plan for privatization of recovery of public assistance overpayment claims; repealing s. 414.391(3), F.S., relating to a plan for automated fingerprint imaging; amending s. 415.1045, F.S.; deleting a requirement for a study by the Office of Program Policy Analysis and Government Accountability on documentation of exploitation, abuse, or neglect; amending s. 420.622, F.S.; revising requirements relating to a report by the State Council on Homelessness; repealing s. 420.623(4), F.S., relating to the requirement of a report by the Department of Community Affairs on homelessness; amending s. 427.704, F.S.; revising requirements relating to a report by the Public Service Commission on a telecommunications access system; amending s. 427.706, F.S.; revising requirements relating to a report by the advisory committee on telecommunications access; amending s. 429.07, F.S.; deleting provisions relating to a report by the Department of Elderly Affairs on extended congregate care facilities; amending s. 429.41, F.S.; deleting provisions relating to a report concerning standards for assisted living facilities; amending s. 430.04, F.S.; revising duties of the Department of Elderly Affairs with respect to certain reports and recommendations; amending s. 430.502, F.S.; revising requirements with respect to reports by the Alzheimer's Disease Advisory Committee; amending s. 445.006, F.S.; deleting provisions relating to a strategic plan for workforce development; repealing s. 455.2226(8), F.S., relating to the requirement of a report by the Board of Funeral Directors and Embalmers; repealing s. 455.2228(6), F.S., relating to the requirement of reports by the Barbers' Board and the Board of Cosmetology; amending s. 456.005, F.S.; revising requirements relating to long-range planning by professional boards; amending s. 456.025, F.S.; revising requirements relating to a report to professional boards by the Department of Health; repealing s. 456.034(6), F.S., relating to reports by professional boards about HIV and AIDS; amending s. 517.302, F.S.; deleting a requirement for a report by the Office of Financial Regulation on deposits into the Anti-Fraud Trust Fund; repealing s. 531.415(3), F.S., relating to the requirement of a report by the Department of Agriculture and Consumer Services on fees; repealing s. 570.0705(3), F.S., relating to the requirement of a report by the Commissioner of Agriculture concerning advisory committees; amending s. 570.0725, F.S.; requiring that the Department of Agriculture and Consumer Services submit an electronic report to the Legislature concerning support for food recovery programs; repealing s. 570.543(3), F.S., relating to legislative recommendations of the Florida Consumers' Council; amending s. 590.33, F.S.; deleting a reference to the Florida Commission on Interstate Cooperation to conform to changes made by the act; amending s. 603.204, F.S.; revising requirements relating to the South Florida Tropical Fruit Plan; amending s. 627.64872, F.S.; deleting provisions relating to an interim report by the board of directors of the Florida Health Insurance Plan; prohibiting the board from acting to implement the plan until certain funds are appropriated; amending s. 744.708, F.S.; revising provisions relating to audits of public guardian offices and to reports concerning those offices; amending s.

768.295, F.S.; revising duties of the Attorney General relating to reports concerning "SLAPP" lawsuits; amending s. 790.22, F.S.; deleting provisions relating to reports by the Department of Juvenile Justice concerning certain juvenile offenses that involve weapons; amending s. 943.125, F.S.; deleting provisions relating to reports by the Florida Sheriffs Association and the Florida Police Chiefs Association concerning law enforcement agency accreditation; amending s. 943.68, F.S.; revising requirements relating to reports by the Department of Law Enforcement concerning transportation and protective services; amending s. 944.801, F.S.; deleting a requirement to deliver to specified officials copies of certain reports concerning education of state prisoners; repealing s. 945.35(10), F.S., relating to the requirement of a report by the Department of Corrections concerning HIV and AIDS education; repealing s. 958.045(9), F.S., relating to a report by the department concerning youthful offenders; amending s. 960.045, F.S.; revising requirements relating to reports by the Department of Legal Affairs with respect to victims of crimes; repealing s. 985.02(8)(c), F.S., relating to the requirement of a study by the Office of Program Policy Analysis and Government Accountability on programs for young females within the Department of Juvenile Justice; amending s. 985.047, F.S.; deleting provisions relating to a plan by a multiagency task force on information systems related to delinquency; amending s. 985.47, F.S.; deleting provisions relating to a report on serious or habitual juvenile offenders; amending s. 985.483, F.S.; deleting provisions relating to a report on intensive residential treatment for offenders younger than 13 years of age; repealing s. 985.61(5), F.S., relating to a report by the Department of Juvenile Justice on early delinquency intervention; amending s. 985.622, F.S.; deleting provisions relating to submission of the multiagency plan for vocational education; repealing s. 985.632(7), F.S., relating to a report by the Department of Juvenile Justice on funding incentives and disincentives; repealing s. 1002.34(19), F.S., relating to an evaluation and report by the Commissioner of Education concerning charter technical career centers; repealing s. 1003.61(4), F.S., relating to evaluation of a pilot attendance project in Manatee County; amending s. 1004.22, F.S.; deleting provisions relating to university reports concerning sponsored research; repealing s. 1004.50(6), F.S., relating to the requirement of a report by the Governor concerning unmet needs in urban communities; repealing s. 1004.94(2) and (4), F.S., relating to guidelines for and a report on plans for a state adult literacy program; amending s. 1004.95, F.S.; revising requirements relating to implementing provisions for adult literacy centers; repealing s. 1006.0605, F.S., relating to students' summer nutrition; repealing s. 1006.67, F.S., relating to a report of campus crime statistics; amending s. 1009.70, F.S.; deleting provisions relating to a report on a minority law school scholarship program; amending s. 1011.32, F.S.; requiring the Governor to be given a copy of a report related to the Community College Facility Enhancement Challenge Grant Program; amending s. 1011.62, F.S.; deleting provisions relating to recommendations for implementing the extended-school-year program; repealing s. 1012.05(2)(l), F.S., relating to a plan concerning teacher recruitment and retention; amending s. 1012.42, F.S.; deleting provisions relating to a plan of assistance for teachers teaching out-of-field; amending s. 1013.11, F.S.; deleting provisions relating to transmittal of a report on physical plant safety; amending ss. 161.142, 163.065, 163.2511, 163.2514, 163.3202, 259.041, 259.101, 369.305, 379.2431, 381.732, 381.733, 411.01, 411.232, and 445.006, F.S., conforming cross-references to changes made by the act; amending s. 1001.42, F.S.; deleting provisions that require each district school board to reduce paperwork and data collection and report its findings and potential solutions on reducing burdens associated with such collection; amending s. 1008.31, F.S.; requiring that the Commissioner of Education monitor and review the collection of paperwork, data, and reports by school districts; requiring that the commissioner complete an annual review of such collection by a specified date each year; requiring that the commissioner prepare a report, by a specified date each year, assisting the school districts with eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1412** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 1282—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding a public-records exemption

for specified personal information of the spouses and children of active and former law enforcement and investigatory personnel; expanding a public-records exemption for specified personal information of firefighters and for their spouses and children; 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 read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1282** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lawson—

CS for SB 1612—A bill to be entitled An act relating to the Office of Supplier Diversity of the Department of Management Services; amending s. 287.09451, F.S.; deleting the requirement for affidavits in certifications of minority business enterprises; providing that certifications may be signed electronically; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1612** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 2188** and **CS for SB 704** was deferred.

On motion by Senator Ring—

SB 150—A bill to be entitled An act relating to criminal history record checks; defining the terms "independent youth athletic team," "sanctioning authority," and "sports coach"; requiring the sanctioning authority of an independent youth athletic team to screen an applicant for sports coach through designated public websites maintained by the Department of Law Enforcement and the United States Department of Justice; requiring the sanctioning authority to disqualify any applicant from acting as a sports coach if that applicant appears on either registry; requiring that the sanctioning authority notify the applicant of his or her right to obtain a copy of the screening report; providing that an applicant who is disqualified from acting as a sports coach based on the screening may appeal to the sanctioning authority the accuracy and completeness of the screening report; providing that the sanctioning authority may place an applicant appealing his or her disqualification as a sports coach on probationary status pending resolution of the appeal; providing that a background screening in compliance with the federal Fair Credit Reporting Act satisfies screening provisions; requiring each sanctioning authority to sign an affidavit annually, under penalty of perjury, stating that all persons who have applied for a position as a sports coach of an independent youth athletic team under its jurisdiction have been screened; requiring a sanctioning authority to maintain the affidavit in its files and provide a copy of the affidavit to anyone upon request; creating rebuttable presumptions in a civil action brought against a sanctioning authority in which it is alleged that the sanctioning authority was negligent in the hiring of a sports coach because of sexual misconduct committed by the sports coach; providing legislative intent encouraging sanctioning authorities for youth athletic teams to participate in the Volunteer and Employee Criminal History System as authorized by the National Child Protection Act and the laws of this state; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 150** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hill—

CS for SB 206—A bill to be entitled An act relating to district school board policies and procedures; amending s. 1001.43, F.S.; providing legislative intent to recognize student academic achievement; encouraging each district school board to adopt policies and procedures that

provide for an annual “Academic Scholarship Signing Day”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 206** was placed on the calendar of Bills on Third Reading.

On motion by Senator Jones—

CS for SB 312—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating a public-records exemption for specified personal information of current and former public defenders and criminal conflict and civil regional counsel, as well as their spouses and children; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 312** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

SB 1424—A bill to be entitled An act relating to epidemiological monitoring systems; amending s. 395.3025, F.S.; authorizing the Department of Health to collaborate with and disclose certain information to the United States Centers for Disease Control and Prevention for specified purposes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1424** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

SB 502—A bill to be entitled An act relating to special organized crime investigators; amending s. 27.251, F.S.; specifying matters that may be investigated by special organized crime investigators; providing an effective date.

—was read the second time by title.

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (634574) (with title amendment)—Delete lines 11-20 and insert: 27.251 Special ~~organized crime~~ investigators.—The state attorney of each judicial circuit is authorized to employ any municipal or county police officer or sheriff’s deputy ~~on a full-time basis~~ as an investigator for the state attorney’s office with full powers of arrest throughout the judicial circuit provided such investigator serves on a special task force to investigate matters involving *criminal activity the detection of which might benefit from a special task force* ~~organized crime~~, and; provided further; that the salary of such municipal or

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to special investigators; amending s. 27.251, F.S.; deleting a requirement that investigators be employed on a full-time basis; specifying matters that may be investigated by special investigators; providing an effective date.

Pursuant to Rule 4.19, **SB 502** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Storms—

SB 882—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 3, ch. 2005-279, Laws of Florida, relating to an exemption from public-records requirements for information in the Address Confidentiality Program for Victims of Domestic Violence under s. 741.465, F.S.; saving the exemption from repeal

under the Open Government Sunset Review Act; deleting provisions providing for repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 882** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Villalobos, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, April 16.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Villalobos, by two-thirds vote **CS for SJR 72, SB 304, CS for SB 688, SB 884, CS for SB 1114, CS for SB 1198, CS for SB 1200, CS for SB 2170**, and **CS for SB 2230** were withdrawn from the Committee on Rules.

REPORTS OF COMMITTEES

The Policy and Steering Committee on Commerce and Industry submits the following bills to be placed on the Special Order Calendar for Thursday, April 15, 2010: CS for CS for SB 8, CS for SB 844, CS for CS for CS for SB’s 1196 and 1222, CS for CS for SB 1964, CS for SB 2548, CS for SB 492, CS for SB 520, CS for SB 842, CS for SB 962, CS for CS for SB 792, CS for CS for SB 1138, CS for CS for SB 316, CS for SB 1026, CS for CS for CS for SB 840, CS for CS for SB 366.

Respectfully submitted,
Michael S. “Mike” Bennett,
Chair

The Policy and Steering Committee on Governmental Operations submits the following bills to be placed on the Special Order Calendar for Thursday, April 15, 2010: SB 2284, SB 618, CS for CS for SB 1404, CS for CS for SB 1412, CS for SB 1282, CS for SB 1612, CS for CS for SB 2188.

Respectfully submitted,
Dennis L. Jones, D.C., Chair

The Policy and Steering Committee on Social Responsibility submits the following bills to be placed on the Special Order Calendar for Thursday, April 15, 2010: CS for SB 704, SB 150, CS for SB 206, CS for SB 312, SB 1424, SB 502, SB 882, SB 1006, CS for CS for SB 1058, CS for SB 1096, CS for SB 886, SB 1446, SB 1816, SB 2252, CS for SB 888, CS for CS for CS for SB 742.

Respectfully submitted,
Don Gaetz, Chair

The Policy and Steering Committee on Ways and Means submits the following bill to be placed on the Special Order Calendar for Thursday, April 15, 2010: CS for SB 1706.

Respectfully submitted,
JD Alexander, Chair

The Policy and Steering Committee on Energy, Environment, and Land Use submits the following bills to be placed on the Special Order Calendar for Thursday, April 15, 2010: CS for CS for CS for SB 218, CS for SB 602, CS for CS for SB 1004, SB 1136, SB 1166, SB 1518, CS for CS for SB 2452, SB 126.

Respectfully submitted,
Mike Haridopolos, Chair

The Policy and Steering Committee on Ways and Means submits the following bill to be placed on the Claim Bill Calendar for Thursday, April 15, 2010: SB 12.

Respectfully submitted,
JD Alexander, Chair

The Policy and Steering Committee on Social Responsibility submits the following bills to be placed on the Claim Bill Calendar for Thursday, April 15, 2010: CS for SB 30, CS for SB 34, SB 54, CS for SB 60.

Respectfully submitted,
Don Gaetz, Chair

The Policy and Steering Committee on Energy, Environment, and Land Use submits the following bills to be placed on the Claim Bill Calendar for Thursday, April 15, 2010: CS for SB 46 and CS for SB 50.

Respectfully submitted,
Mike Haridopolos, Chair

The Committee on Military Affairs and Domestic Security recommends the following pass: CS for SB 2516

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 2356

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Education Pre-K - 12 recommends the following pass: SB 2320

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 1548

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

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 1754; CS for CS for SB 1856

The bills were referred to the Policy and Steering Committee on Ways and Means under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends the following pass: CS for SB 448

The bill was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Transportation and Economic Development Appropriations recommends the following pass: SB 2226; SB 2470

The bills were placed on the Calendar.

The Committee on Health Regulation recommends a committee substitute for the following: SB 2434

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 302; SB 1232

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2746

The Committee on Transportation recommends a committee substitute for the following: SB 2410

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

The Committee on Judiciary recommends committee substitutes for the following: CS for CS for SB 960; SB 2418

The bills with committee substitute attached were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2262

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 1128

The Committee on Community Affairs recommends committee substitutes for the following: SB 1070; SB 2018; SB 2450; SB 2540

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for CS for SB 354

The Committee on Regulated Industries recommends a committee substitute for the following: SB 640

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2108

The Committee on Commerce recommends a committee substitute for the following: CS for SB 2086

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 570; CS for SB 2354; SB 2592

The Committee on Finance and Tax recommends a committee substitute for the following: SB 1866

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

The Committee on Finance and Tax recommends a committee substitute for the following: SB 1036

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2718

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 1208

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

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 382

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1074

The Committee on Transportation recommends a committee substitute for the following: SB 2638

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2030

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 212

The Committee on Community Affairs recommends a committee substitute for the following: SB 2166

The Committee on Finance and Tax recommends committee substitutes for the following: SB 220; CS for SB 346; SB 1408

The Committee on General Government Appropriations recommends a committee substitute for the following: SB 2578

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 482; SB 1314

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 2000; CS for CS for SB 2014

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

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1842

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 1430; SB 2036; CS for SB 2400

The bills with committee substitute 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 committee substitutes for the following: SB 606; CS for CS for SB 846

The Committee on Community Affairs recommends committee substitutes for the following: SB 2754; SB 2776

The Committee on General Government Appropriations recommends committee substitutes for the following: SB 318 and CS for SB 572; CS for SB 320; CS for CS for SB 694; CS for CS for SB 2182; CS for SB 2232

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: CS for CS for SB 724; CS for CS for SB 752; CS for CS for SB 958; CS for SB 1234; CS for SB 1382; CS for CS for SB 1520; SB 2530

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2264

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 282; CS for SB 1182; CS for CS for SB 2330

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Communications, Energy, and Public Utilities recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

*For Term
Ending*

Florida Public Service Commission

Appointees: Klement, David E.	01/01/2014
Stevens, Ben A. III	01/01/2014

The Committee on Education Pre-K - 12 recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

*For Term
Ending*

State Board of Education

Appointees: Kaplan, Mark	12/31/2013
Shanahan, Kathleen	12/31/2013
Story, Susan N.	12/31/2013

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Banking and Insurance; and Criminal Justice; and Senator Oelrich—

CS for CS for SB 212—A bill to be entitled An act relating to claims by law enforcement and correctional officers; amending s. 30.2905, F.S.; providing for interpretation of provisions relating to workers' compensation benefits for certain services performed by off-duty deputy sheriffs; providing for recovery by sheriffs of increased workers' compensation expenses due to off-duty employment of deputy sheriffs; amending s. 112.18, F.S.; providing conditions under which a law enforcement officer, correctional officer, or correctional probation officer who suffers from a specified medical condition and has materially departed from the prescribed treatment for that condition shall lose a specified presumption for workers' compensation claims made on or after a specified date; defining the term "prescribed course of treatment"; providing for independent medical examinations in certain situations; providing that only claims made before leaving employment are eligible for a specified presumption; providing an effective date.

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

CS for SB 220—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; deleting a requirement that a specified penalty is mandatory and may not be waived by the Department of Revenue; deleting authorization to return certain aircraft to the state for repairs without liability for taxes and penalties under certain circumstances; amending s. 212.08, F.S.; exempting from the use tax aircraft that are owned by nonresidents and that enter and remain in the state for certain purposes under certain circumstances; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; and Community Affairs; and Senators Bennett and Crist—

CS for CS for SB 282—A bill to be entitled An act relating to a review of the Department of Community Affairs and the Florida Housing Finance Corporation under the Florida Government Accountability Act; reenacting s. 20.18, F.S., relating to the establishment of the Department of Community Affairs; reenacting s. 420.504, F.S., relating to the establishment of the Florida Housing Finance Corporation; repealing s. 14.31(8), F.S., relating to the repeal of the Florida Faith-based and Community-based Advisory Council; providing an effective date.

By the Committee on Banking and Insurance; and Senators Jones, Gaetz, and Sobel—

CS for SB 302—A bill to be entitled An act relating to dentists; amending s. 627.6474, F.S.; prohibiting contracts between health insurers and dentists from containing certain fee requirements set by the insurer under certain circumstances; providing a definition; providing application; amending s. 636.035, F.S.; prohibiting contracts between prepaid limited health service organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; providing application; amending s. 641.315, F.S.; prohibiting contracts between health maintenance organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; providing application; providing an effective date.

By the Committees on General Government Appropriations; and Environmental Preservation and Conservation; and Senators Sobel, Constantine, and Lynn—

CS for SB 318 and CS for SB 572—A bill to be entitled An act relating to wildlife regulation; amending s. 379.231, F.S.; prohibiting the import or release of nonnative animals in this state unless authorized by the Fish and Wildlife Commission; conforming a cross-reference to changes made by the act; amending s. 379.372, F.S.; prohibiting persons or entities from keeping, possessing, importing, selling, bartering, trading, or breeding certain reptiles in this state; providing exceptions; providing that such prohibitions do not apply to specified zoological facilities; amending s. 379.374, F.S.; providing bonding requirements for the possession of certain wildlife; amending s. 379.3761, F.S.; requiring that any person or entity wishing to keep wildlife in captivity or sell specified species of wildlife obtain a permit from the commission; amending s. 379.401, F.S.; removing a provision classifying the importation of nonindigenous species a Level Three violation; amending s. 479.4015, F.S.; classifying violations relating to the importation, sale, introduction, and release of certain types of nonnative wildlife into this state; requiring the imposition of minimum fines for certain violations; authorizing the commission to impose specified civil penalties for certain violations of state law; limiting the amount of such penalties; authorizing the commission to consider certain factors when determining the amount of such penalty; requiring that the proceeds from the payment of such penalties be deposited into the State Game Trust Fund and used for specified purposes; requiring that the commission submit a report containing certain information to the President of the Senate and the Speaker of the House of Representatives on or before a specified deadline; requiring that the commission annually evaluate the placement of additional species on the list of reptiles of concern beginning by a specified date; amending ss. 379.101, 379.244, 379.26, 379.304, 379.361, 379.363, and 379.3762, F.S.; revising terminology to conform to changes made by the act; providing an effective date.

By the Committees on General Government Appropriations; and Commerce; and Senator Garcia—

CS for CS for SB 320—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term “storage”; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or

registration and pay the state registration fee; amending s. 507.04, F.S.; authorizing a mover to exclude liability for household goods packed by the shipper under certain circumstances; amending s. 507.06, F.S.; authorizing a mover to refuse to transport or ship household goods under certain circumstances; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing an effective date.

By the Committees on Finance and Tax; and Community Affairs; and Senators Dean, Gaetz, Lynn, Smith, Aronberg, Rich, Storms, and Sobel—

CS for CS for SB 346—A bill to be entitled An act relating to working waterfront property; creating s. 193.704, F.S.; providing definitions; specifying properties that are eligible for classification as working waterfront property; requiring the assessment of working waterfront property based on current use; specifying a methodology for determining assessed value; requiring property appraisers to consider specified factors in assessing certain property; providing for assessment of a portion of property within a working waterfront property which is not used as working waterfront property; requiring an application for classification of property as working waterfront property; specifying application requirements; authorizing a property appraiser to approve an application not filed by a certain deadline due to extenuating circumstances; providing for waiver of annual application requirements; providing for loss of classification upon a change of ownership or use; requiring property owners to notify the property appraiser of changes in use or ownership of property; imposing a penalty for failure to notify the property appraiser of an event resulting in the unlawful or improper classification of property as working waterfront property; requiring imposition of tax liens to recover penalties and interest; requiring property appraisers to make a list relating to applications to certify property as working waterfront property; providing an appeal process for applications that have been denied; amending s. 195.073, F.S.; providing for the classification of land as working waterfront property on an assessment roll; providing emergency rulemaking authority; providing for retroactive application; providing an alternate application date for 2010; providing an effective date.

By the Committees on Health and Human Services Appropriations; Community Affairs; and Health Regulation; and Senator Dean—

CS for CS for CS for SB 354—A bill to be entitled An act relating to mobile home and recreational vehicle parks; amending s. 513.01, F.S.; providing and revising definitions; amending s. 513.012, F.S.; providing laws and rules to be enforced by the Department of Health; providing for the adoption of rules; amending s. 513.014, F.S.; revising applicability of recreational vehicle park requirements to mobile home parks; amending s. 513.02, F.S.; revising permit requirements; providing requirements for construction review and approval for private parks and camps; requiring the department to adopt rules; amending s. 513.03, F.S.; revising requirements for permit applications; amending s. 513.045, F.S.; revising fees charged to operators of certain parks or camps; authorizing persons to request from the department a review of plans for a proposed park or camp; requiring certain construction and renovation plans to be submitted to the department for review and approval; amending s. 513.05, F.S.; providing the department with additional rulemaking authority; amending s. 513.054, F.S.; providing that an operator of a mobile home or recreational vehicle park or camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park commits a misdemeanor of the second degree; amending s. 513.055, F.S.; conforming permit terminology; amending s. 513.10, F.S.; providing that a person who operates a mobile home, lodging, or recreational vehicle park without a permit commits a misdemeanor of the second degree; repealing s. 513.111, F.S., relating to the posting and advertising of certain site rates; creating s. 513.115, F.S.; providing requirements for the establishment of separation and setback distances; amending s. 513.112, F.S.; deleting a provision requiring guest registers to be made available for inspection by the department at any time; amending s. 513.115, F.S.; revising requirements

for the handling of unclaimed property; amending s. 513.13, F.S.; providing a penalty for failure to depart from a park under certain circumstances; barring an operator from certain liability; providing an effective date.

By the Committees on Community Affairs; and Agriculture; and Senator Dean—

CS for CS for SB 382—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 373.1391, F.S.; requiring that the agricultural use of land present at the time of fee simple acquisition be given priority regarding the management of the land; amending s. 403.9336, F.S.; revising a reference to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; amending s. 403.9337, F.S.; providing criteria for the amendment of the model ordinance; authorizing the Department of Environmental Protection to adopt rules updating the model ordinance; revising the criteria for a local government's adoption of additional or more stringent standards; exempting lands used for certain research from provisions regulating fertilizer use on urban landscapes; amending s. 493.6102, F.S.; specifying that provisions regulating security officers do not apply to certain law enforcement, correctional, and probation officers performing off-duty activities; amending s. 493.6105, F.S.; revising the application requirements and procedures for certain private investigative, private security, recovery agent, and firearm licenses; specifying application requirements for firearms instructor licenses; amending s. 493.6106, F.S.; revising citizenship requirements and documentation for certain private investigative, private security, and recovery agent licenses; prohibiting the licensure of applicants for a statewide firearm license or firearms instructor license who are prohibited from purchasing or possessing firearms; requiring that private investigative, security, and recovery agencies notify the Department of Agriculture and Consumer Services of changes to their branch office locations; amending s. 493.6107, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6108, F.S.; revising requirements for criminal history checks of license applicants whose fingerprints are not legible; requiring the investigation of the mental and emotional fitness of applicants for firearms instructor licenses; amending s. 493.6111, F.S.; requiring a security officer school or recovery agent school to obtain the department's approval for use of a fictitious name; specifying that a licensee may not conduct business under more than one fictitious name; amending s. 493.6113, F.S.; revising application renewal procedures and requirements; amending s. 493.6115, F.S.; conforming cross-references; amending s. 493.6118, F.S.; authorizing disciplinary action against statewide firearm licensees and firearms instructor licensees who are prohibited from purchasing or possessing firearms; amending s. 493.6121, F.S.; deleting provisions for the department's access to certain criminal history records provided to licensed gun dealers, manufacturers, and exporters; amending s. 493.6202, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6203, F.S.; prohibiting bodyguard services from being credited toward certain license requirements; revising the training requirements for private investigator intern license applicants; requiring the automatic suspension of an intern's license under certain circumstances; providing an exception; amending s. 493.6302, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6303, F.S.; revising the training requirements for security officer license applicants; amending s. 493.6304, F.S.; revising application requirements and procedures for security officer school licenses; amending s. 493.6401, F.S.; revising terminology for recovery agent schools and training facilities; amending s. 493.6402, F.S.; revising terminology for recovery agent schools and training facilities; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6406, F.S.; revising terminology; requiring recovery agent school and instructor licenses; providing license application requirements and procedures; amending s. 500.033, F.S.; revising the membership of the Florida Food Safety and Food Defense Advisory Council; amending ss. 501.605 and 501.607, F.S.; revising application requirements for commercial telephone seller and salesperson licenses; amending s. 501.913, F.S.; specifying the sample size required for antifreeze registration application; amending s. 525.01, F.S.; revising requirements for petroleum fuel affidavits; amending s. 525.09, F.S.; imposing an inspection fee on certain alternative fuels containing alcohol; amending s. 526.50, F.S.; defining terms applicable to regulation of the sale of brake fluid; amending s. 526.51, F.S.; revising application requirements for brake fluid permits; amending s. 526.52,

F.S.; revising requirements for printed statements on brake fluid containers; amending s. 526.53, F.S.; revising requirements and procedures for brake fluid stop-sale orders; authorizing businesses to dispose of unregistered brake fluid under certain circumstances; amending s. 527.0201, F.S.; revising requirements for liquefied petroleum gas qualifying examinations; increasing continuing education requirements for certain liquefied petroleum gas qualifiers; amending s. 527.12, F.S.; providing for the issuance of certain stop orders; amending ss. 559.805 and 559.928, F.S.; deleting social security numbers as a listing requirement on registration affidavits for independent agents of sellers of business opportunities; amending s. 570.0725, F.S.; revising provisions for public information about food banks and similar food recovery programs; authorizing the department to adopt rules; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 570.55, F.S.; revising requirements for identifying sellers or handlers of tropical or subtropical fruit or vegetables; amending s. 570.902, F.S.; conforming terminology to the repeal by the act of provisions establishing the Florida Agricultural Museum; amending s. 570.903, F.S.; revising provisions for direct-support organizations for certain agricultural programs to conform to the repeal by the act of provisions establishing the Florida Agricultural Museum; deleting provisions for a direct-support organization for the Florida State Collection of Arthropods; amending s. 573.118, F.S.; requiring the department to maintain records of marketing orders; requiring an audit at the request of an advisory council; requiring that the advisory council receive a copy of the audit within a specified time; amending s. 581.011, F.S.; deleting terminology relating to the Florida State Collection of Arthropods; revising the term "nursery" for purposes of plant industry regulations; amending s. 581.211, F.S.; increasing the maximum fine for violations of plant industry regulations; amending s. 583.13, F.S.; deleting a prohibition on the sale of poultry without displaying the poultry grade; amending s. 585.61, F.S.; designating the animal disease diagnostic laboratory complex in Osceola County; amending s. 590.125, F.S.; revising terminology for open burning authorizations; specifying purposes of certified prescribed burning; requiring the authorization of the Division of Forestry for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing for the certification of pile burners; providing penalties for violations by certified pile burners; requiring rules; authorizing the division to adopt rules regulating certified pile burning; revising notice requirements for wild-fire hazard reduction treatments; providing for approval of local government open burning authorization programs; providing program requirements; authorizing the division to close local government programs under certain circumstances; providing penalties for violations of local government open burning requirements; amending s. 590.14, F.S.; authorizing fines for violations of any division rule; providing penalties for certain violations; providing legislative intent; amending s. 599.004, F.S.; revising standards that a winery must meet to qualify as a certified Florida Farm Winery; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; defining the term "responsible position"; amending s. 604.19, F.S.; revising requirements for late fees on agricultural products dealer applications; amending s. 604.25, F.S.; revising conditions under which the department may deny, refuse to renew, suspend, or revoke agricultural products dealer licenses; deleting a provision prohibiting certain persons from holding a responsible position with a licensee; amending s. 616.242, F.S.; authorizing the issuance of stop-operation orders for amusement rides under certain circumstances; amending s. 686.201, F.S.; exempting contracts to which a seller of travel is a party from provisions governing certain contracts involving commissions; amending s. 790.06, F.S.; authorizing a concealed firearm license applicant to submit fingerprints administered by the Division of Licensing; repealing ss. 570.071 and 570.901, F.S., relating to the Florida Agricultural Exposition and the Florida Agricultural Museum; creating s. 828.126, F.S.; providing a definition for the term "sexual activities" as it involves animals; prohibiting persons from engaging in sexual activities with animals; providing penalties; providing that such prohibition does not apply to normal and ordinary animal husbandry practices, conformation judging practices, or accepted veterinary medical practices; requiring that the department and representatives of the state pest control industry prepare a report for the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of specified legislative committees by a certain date; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the

report may also address additional issues of concern to members of the industry; providing an effective date.

By the Committees on Judiciary; and Health Regulation; and Senator Bennett—

CS for CS for SB 482—A bill to be entitled An act relating to transportation; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 318.1451, F.S.; requiring driver improvement schools to collect a fee from certain persons taking a basic driver improvement course; providing for such fees to be used to provide signage and educational materials relating to the act; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; amending s. 320.697, F.S.; authorizing actions for civil damages against motor vehicle dealers; amending s. 322.05, F.S.; requiring certain persons under 19 years of age to complete a basic driver improvement course before being issued a driver’s license; providing an exception; creating s. 335.199, F.S.; directing the Department of Transportation to notify certain property owners and local governmental entities of certain proposed projects before finalizing the design of certain transportation projects; providing a timeframe for notification; requiring the department to hold a public hearing and receive public input regarding the effects of the project on local businesses; directing the department to consider the comments in the final design of the project; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senators Constantine and Crist—

CS for CS for SB 570—A bill to be entitled An act relating to environmental protection; amending s. 403.44, F.S.; revising the greenhouse gas reporting requirement for major emitters; deleting a requirement for the Department of Environmental Protection to take certain actions related to the reporting requirement; amending s. 403.7032, F.S.; requiring all public entities and those entities occupying buildings managed by the Department of Management Services to report recycling data to the county using the format designated by the Department of Environmental Protection; providing an exemption; encouraging certain private entities to report the disposal of recyclable materials; requiring the Department of Management Services to report on green and recycled products purchased through its procurement system; directing the Department of Environmental Protection to create the Recycling Business Assistance Center; providing requirements for the center; amending s. 288.9015, F.S.; requiring Enterprise Florida, Inc., to provide technical assistance to the Department of Environmental Protection in the creation of the Recycling Business Assistance Center; amending s. 403.7046, F.S.; deleting a requirement that the Department of Environmental Protection appoint a technical advisory committee; clarifying reporting requirements; amending s. 403.705, F.S.; conforming a cross-reference; requiring that the department report biennially to the Legislature on the state’s success in meeting solid waste reduction goals; amending s. 403.706, F.S.; revising requirements for the implementation of recyclable materials recycling programs by counties; providing legislative intent; providing authority for the Department of Environmental Protection to require a plan under certain conditions; requiring a report to the Legislature by the Department of Environmental Protection if recycling benchmarks are not met; requiring the department to adopt rules; eliminating a requirement that counties develop composting goals; encouraging counties to develop composting plans; providing deadlines for the reporting of recycling data; revising requirements for the enactment of ordinances by local governments relating to programs for the

separation of recyclable materials; amending s. 403.7061, F.S.; revising requirements for review of new waste-to-energy facility capacity by the Department of Environmental Protection; clarifying an exemption; amending s. 403.707, F.S.; requiring liners for new construction and demolition debris landfills; providing reporting requirements for certain construction and demolition debris; requiring the department to adopt rules; providing rule requirements; providing an exemption; amending s. 403.7095, F.S.; deleting application requirements for the solid waste management program; deleting a requirement for the Department of Environmental Protection to evaluate and prioritize proposals for inclusion in its annual budget request; amending s. 403.7145, F.S.; revising recycling requirements for state buildings; providing for a pilot project; requiring each public airport in the state to collect aluminum beverage cans and recyclable plastic and glass from the entities doing business at the airport and to offer such materials for recycling; amending s. 553.77, F.S.; authorizing the Florida Building Commission to develop recommendations for recycling and composting; amending s. 403.7049, F.S.; conforming a cross-reference; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; providing an effective date.

By the Committee on Banking and Insurance; and Senators Gelber and Joyner—

CS for SB 606—A bill to be entitled An act relating to the termination of rental agreements; amending s. 83.49, F.S.; requiring the landlord or mortgagor or its agent to tender to the registry of the court or to the foreclosing entity all funds held for advance rent or security deposits at the time of foreclosure; directing that such funds continue to be held for the use and benefit of the tenants of the foreclosed property; providing that a landlord or mortgagor or its agent commits a theft if the landlord or mortgagor or its agent do not comply with certain specified provisions of law; creating s. 83.683, F.S.; providing that a purchaser of residential property in foreclosure may terminate a tenant’s residential rental agreement under certain circumstances; providing an exception for an immediate purchaser intending to sell the property to a buyer who intends to occupy the foreclosure premises as his or her primary residence; setting forth the content to be included in the termination notice to be given to the tenant; providing certain exceptions to application of the act; requiring the immediate purchaser named in the certificate of title to credit the tenant’s account for any deposit money paid by the tenant and for any advance rent for the unexpired rental period; providing for future expiration; amending s. 83.803, F.S.; redefining the term “last known address” as it relates to the Self-storage Facility Act; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 640—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.022, F.S.; redefining the term “full schedule of live racing or games” as it relates to certain jai alai permitholders who do not operate slot machines in their pari-mutuel facilities; amending s. 550.0951, F.S.; exempting pari-mutuel wagers at pari-mutuel facilities that do not operate slot machines from the tax on handle; imposing a surcharge on pari-mutuel licensees that do not operate slot machines if the taxes on slot machine revenue are less than a certain amount; specifying the maximum amount of the surcharge; providing for the calculation of the pro rata share of the surcharge for each pari-mutuel licensee that does not operate slot machines; specifying an exemption that may apply to the surcharge; providing for rules to set cost of regulation; amending s. 551.104, F.S.; revising slot machine license requirements; requiring a written agreement as a condition of license issuance or renewal; amending s. 849.086, F.S.; exempting a pari-mutuel facility that operates a cardroom but does not operate slot machines from the tax on the gross receipts of the cardroom operations; revising the amounts that greyhound and jai alai permitholders that operate cardrooms must use to supplement greyhound purses or jai alai prize money; providing an effective date.

By the Committees on General Government Appropriations; Judiciary; and Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for CS for SB 694—A bill to be entitled An act relating to child support; amending s. 61.13, F.S.; deleting a reference to health

insurance in the process for determining a parent's share of an obligation to pay medical support only; providing that an obligor may make child support payments directly to the obligee under certain circumstances; clarifying when income deduction payments are required to be paid to the State Disbursement Unit; amending s. 61.30, F.S.; authorizing the Department of Revenue to submit to the court a written declaration signed under penalty of perjury for the purpose of establishing an obligation for child support; amending s. 382.015, F.S.; requiring the Office of Vital Statistics in the Department of Health to prepare and file a new birth certificate that includes the name of the legal father when a final judgment of dissolution of marriage requires the former husband to pay child support for the child; amending s. 382.016, F.S.; requiring the Office of Vital Statistics to amend a child's birth certificate to include the name of the legal father upon receipt of a marriage license that identifies the child as a child of the marriage; amending s. 409.2558, F.S.; requiring the Department of Revenue to process collected funds that are determined to be undistributable in a specified manner; requiring the department to retain as program income de minimis child support collections under \$1; amending s. 409.256, F.S.; changing the term "custodian" to "caregiver" and defining the role of the caregiver; amending s. 409.2563, F.S.; replacing "caretaker relative" with "caregiver" and defining the term; requiring the notice of a proceeding to establish an administrative support order to inform parents that the Department of Revenue may refer the child support proceeding to the Division of Administrative Hearings for determination of the support obligation; authorizing the Department of Revenue to refer a proceeding to the Division of Administrative Hearings for an evidentiary hearing to determine the support obligation; replacing the term "hearing request" with "proceeding"; amending s. 409.25635, F.S.; authorizing the Department of Revenue to collect noncovered medical expenses in installments by issuing an income deduction notice; amending s. 409.2564, F.S.; removing a provision that encouraged parties to enter into a settlement agreement; requiring the department to review child support orders in IV-D cases at least once every 3 years; requiring that the department file a petition to modify support if the review of a support order indicates that the order should be modified; amending s. 409.2567, F.S.; authorizing the Department of Revenue to seek a specified waiver from the United States Department of Health and Human Services if the estimated increase in federal funding to the state derived from the waiver would exceed any additional cost to the state; amending s. 409.259, F.S.; extending the deadline for implementing electronic filing of pleadings and other documents with the clerks of court in Title IV-D cases until completion of the Child Support Automated Management System II; amending s. 409.910, F.S.; requiring the Agency for Health Care Administration to obtain health insurance information from insurers and provide it to the Department of Revenue for use in Title IV-D child support cases; requiring both agencies to enter into a cooperative agreement to implement the requirement; amending s. 414.095, F.S.; conforming a provision to a change made by the act; amending s. 741.01, F.S.; requiring an application for a marriage license to allow both parties to the marriage to state under oath in writing if they are the parents of a child born in this state and to identify any such child they have in common; reenacting ss. 61.14(1)(c) and 61.30(1)(c), F.S., relating to the enforcement and modification of support, maintenance, or alimony agreements or orders and the child support guidelines, respectively, to incorporate the amendments made to s. 409.2564, F.S., in references thereto; providing effective dates.

By the Committees on Health and Human Services Appropriations; Governmental Oversight and Accountability; and Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for CS for SB 724—A bill to be entitled An act relating to a review of the Department of Children and Family Services under the Florida Government Accountability Act; reenacting and amending s. 20.19, F.S., relating to the establishment of the department; changing the name of the Department of Children and Family Services to the Department of Children and Families; revising provisions relating to the establishment and structure of, and services provided by, the department; providing for operating units called circuits that conform to the geographic boundaries of judicial circuits; providing for the establishment of and requirements for membership and participation in community alliances and community partnerships; amending s. 20.04, F.S.; authorizing the department to establish circuits or regions headed by circuit administrators or region directors and deleting a requirement for statutory enactment for additional divisions or offices in the department;

amending s. 20.43, F.S.; revising provisions relating to service area boundaries; amending s. 394.47865, F.S.; deleting obsolete provisions relating to the privatization of South Florida State Hospital; amending s. 394.78, F.S.; deleting an obsolete provision relating to dispute resolution; amending s. 394.9135, F.S.; requiring the transfer of certain sexually violent offenders to the custody of the United States Immigration and Customs Enforcement; requiring that the department put into place a memorandum of understanding for retaining custody of such an offender under certain circumstances; amending s. 402.313, F.S.; revising licensure requirements for family day care homes; amending s. 402.315, F.S.; requiring the county, rather than the department, to bear the costs of licensing family day care homes, under certain circumstances; amending s. 402.40, F.S.; defining the terms "child welfare certification" and "core competency"; requiring that professionals providing child welfare services demonstrate core competency; requiring that the department recognize certain certifications; requiring that certain persons hold active certification; amending s. 409.1671, F.S.; revising provisions relating to lead agencies; requiring the department to annually evaluate each agency; conforming provision to changes made by the act; amending s. 409.1755, F.S.; decreasing the membership of the One Church, One Child of Florida Corporation, to conform to changes made by the act; amending s. 420.621, F.S.; revising the definition of the term "district" to conform to changes made by the act; amending s. 420.622, F.S.; deleting a requirement for the Governor to appoint the executive director of the State Office of Homelessness; conforming a provision; amending ss. 20.195, 39.01, 39.0121, 39.301, 39.302, 39.303, 39.806, 39.828, 49.011, 381.0072, 394.493, 394.4985, 394.67, 394.73, 394.74, 394.75, 394.76, 394.82, 394.9084, 397.821, 402.49, 409.152, 409.1685, 410.0245, 410.603, 410.604, 411.224, 414.24, 415.1113, 420.623, 420.625, 429.35, and 1002.67, F.S.; revising provisions to conform to changes made by the act; correcting cross-references; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 402.35, F.S., which provides for department employees to be governed by Department of Management Services rules; directing the Division of Statutory Revision to prepare a reviser's bill; requiring the Agency for Persons with Disabilities to prepare a plan to perform its own administrative and operational functions separate from the department; directing the department to define legal services associated with dependency proceeding and modify lead agency funding; directing the department to establish a procedure for assisting certain undocumented aliens in returning to their country of origin; directing the department to institute a program for identifying undocumented aliens in mental health institutions who may be appropriate candidates for removal; providing an effective date.

By the Committees on Health and Human Services Appropriations; Criminal Justice; and Health Regulation; and Senator Gaetz—

CS for CS for CS for SB 752—A bill to be entitled An act relating to health care; amending s. 400.471, F.S.; prohibiting the Agency for Health Care Administration from issuing an initial license to a home health agency for the purpose of opening a new home health agency under certain conditions until a specified date; prohibiting the agency from issuing a change-of-ownership license to a home health agency under certain conditions until a specified date; providing an exception; amending s. 400.474, F.S.; authorizing the agency to revoke a home health agency license if the applicant or any controlling interest has been sanctioned for acts specified under s. 400.471(10), F.S.; amending s. 408.815, F.S.; revising the grounds upon which the agency may deny or revoke an application for an initial license, a change-of-ownership license, or a licensure renewal for certain health care entities listed in s. 408.802, F.S.; amending s. 408.910, F.S.; revising the list of employers who are eligible to enroll in the Florida Health Choices Program; revising the membership of the board of directors of the Florida Health Choices, Inc.; requiring the President of the Senate and the Speaker of the House of Representatives to initially appoint members to the board of directors for staggered terms; requiring that the members of the board appoint new members to the board of directors after a specified date, subject to Senate confirmation; deleting a provision that prohibits board members from serving for more than a certain number of consecutive years; amending s. 409.907, F.S.; extending the number of years that Medicaid providers must retain Medicaid recipient records; adding additional requirements to the Medicaid provider agreement; revising applicability of screening requirements; revising conditions under which

the agency is authorized to deny a Medicaid provider application; amending s. 409.912, F.S.; revising requirements for Medicaid prepaid, fixed-sum, and managed care contracts; revising requirements for Medicaid durable medical equipment providers; repealing s. 409.9122(13), F.S., relating to the enrollee assignment process of Medicaid managed prepaid health plans for those Medicaid managed prepaid health plans operating in Miami-Dade County; amending s. 409.913, F.S.; removing a required element from the joint Medicaid fraud and abuse report submitted by the agency and the Medicaid Fraud Control Unit of the Department of Legal Affairs; extending the number of years that Medicaid providers must retain Medicaid recipient records; authorizing the Medicaid program integrity staff to immediately suspend or terminate a Medicaid provider for engaging in specified conduct; removing a requirement for the agency to hold suspended Medicaid payments in a separate account; authorizing the agency to deny payment or require repayment to Medicaid providers convicted of certain crimes; authorizing the agency to terminate a Medicaid provider if the provider fails to reimburse a fine determined by a final order; authorizing the agency to withhold Medicaid reimbursement to a Medicaid provider that fails to pay a fine determined by a final order, fails to enter into a repayment plan, or fails to comply with a repayment plan or settlement agreement; requiring the biennial review of Medicaid fraud and abuse by the Office of Program Policy Analysis and Government Accountability to include a report on the Medicaid Fraud Control Unit within the Department of Legal Affairs; amending s. 409.9203, F.S.; providing that certain state employees are ineligible from receiving a reward for reporting Medicaid fraud; amending s. 456.001, F.S.; defining the term "affiliate" or "affiliated person" as it relates to health professions and occupations; amending s. 456.041, F.S.; requiring the Department of Health to include administrative complaints and any conviction information relating to the practitioner's profile; providing a disclaimer; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.072, F.S.; clarifying a ground under which disciplinary actions may be taken; amending s. 456.073, F.S.; revising applicability of investigations and administrative complaints to include Medicaid fraud; amending s. 456.074, F.S.; authorizing the Department of Health to issue an emergency order suspending the license of any person licensed under ch. 456, F.S., who engages in specified criminal conduct; amending s. 499.01, F.S.; exempting certain persons from requirements for medical device manufacturer permits; providing an effective date.

By the Committees on Banking and Insurance; Community Affairs; and Regulated Industries; and Senators Bennett and Lynn—

CS for CS for CS for SB 846—A bill to be entitled An act relating to residential fire sprinkler requirements; amending s. 553.73, F.S.; prohibiting incorporation into the Florida Building Code certain mandatory residential fire sprinkler provisions of the International Residential Code; providing an exception; amending s. 633.025, F.S.; prohibiting the requirement of property owners to install fire sprinklers in residential properties based on the use of that property as a rental property or any change in or reclassification of the property's primary use to a rental property; providing an effective date.

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

CS for CS for CS for SB 958—A bill to be entitled An act relating to electronic health information; amending s. 408.05, F.S.; revising provisions relating to the duties and responsibilities of the State Consumer Health Information and Policy Advisory Council; amending s. 408.051, F.S.; defining the terms "agency," "health care practitioner," and "health information exchange participation agreement"; creating s. 408.0513, F.S.; requiring the agency to develop uniform elements of a Florida Health Information Exchange Participation Agreement for use by health care providers; requiring the agency to post the agreement on the agency's Internet website; providing for immunity from civil liability for accessing or releasing certain health records; providing that health care providers are not required to incorporate the uniform elements of the agreement; creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic health

records; authorizing the agency to establish guidelines for center services and state Medicaid participation and use of such services; amending s. 408.061, F.S.; deleting a reference to an administrative rule relating to certain data reported by health care facilities; amending s. 408.0611, F.S.; revising provisions relating to a clearinghouse on information on electronic prescribing; requiring the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic prescribing and other health information technology stakeholders to participate in quarterly meetings on the implementation of electronic prescribing; requiring the agency to provide a report on the agency's Internet website; amending s. 408.062, F.S.; requiring the agency to post certain information on health care expenditures on the agency's Internet website; directing the agency to contract for the development of a single statewide infrastructure for exchanging health information; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

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

CS for CS for CS for SB 960—A bill to be entitled An act relating to corrections; amending s. 384.34, F.S.; revising criminal penalties pertaining to sexually transmissible diseases; amending s. 775.0877, F.S.; removing a provision authorizing a court to require an offender convicted of criminal transmission of HIV to serve a term of criminal quarantine community control; amending s. 796.08, F.S., relating to criminal transmission of HIV; conforming a cross-reference; creating s. 800.09, F.S.; defining terms; providing that a person who is detained in a state or private correctional facility may not commit any lewd or lascivious behavior or other sexual act in the presence of an employee whom the detainee knows or reasonably should know is an employee; providing that a violation is a felony of the third degree; providing criminal penalties; amending s. 907.043, F.S.; updating monthly instead of weekly the register prepared by a pretrial release program that is readily available to the public at the office of the clerk of the circuit court; amending s. 921.187, F.S.; removing a reference to criminal quarantine community control to conform to changes made by the act; amending s. 940.061, F.S.; requiring that the Department of Corrections send to the Parole Commission a monthly electronic list containing the names of inmates released from incarceration and offenders terminated from supervision and who may be eligible for restoration of civil rights; repealing s. 944.293, F.S., relating to the restoration of an inmate's civil rights; amending s. 944.35, F.S.; prohibiting an employee of a private correctional facility from committing certain specified criminal acts; amending s. 944.605, F.S.; authorizing the Department of Corrections to electronically submit certain information to the sheriff of the county in which the inmate plans to reside and to the chief of police of the municipality where the inmate plans to reside; amending ss. 944.804 and 944.8041, F.S.; authorizing the department to establish and operate certain geriatric facilities at prison institutions; removing provisions authorizing the operation of a specified facility; amending s. 945.41, F.S.; deleting a prohibition against the placement of youthful offenders at certain institutions for mental health treatment; amending s. 945.42, F.S.; deleting references to an inmate's refusal of voluntary placement for purposes of determining the inmate's need for care and treatment; amending s. 945.43, F.S.; clarifying that an inmate is placed in a mental health treatment facility rather than admitted to the facility; authorizing the department to transport the inmate to the location of the hearing on such a placement; amending s. 945.46, F.S.; providing procedures for the transport of inmates who are mentally ill and who are scheduled to be released from confinement; creating s. 946.42, F.S.; authorizing the department to use inmate labor on private property under certain specified circumstances; defining terms; repealing s. 948.001(3), F.S., relating to the definition of the term "criminal quarantine community control," to conform to changes made by the act; amending s. 948.03, F.S.; providing additional conditions of probation to be applied to a defendant; prohibiting a probationer from possessing, carrying, or owning a firearm; requiring consent of the correctional probation officer for possession of a weapon other than a firearm; requiring that a digitized photograph of an offender be part of the offender's record; authorizing the department to display such photographs on its website for a specified period; providing certain exceptions; amending s. 948.09, F.S.; conforming a cross-reference; amending ss. 948.101 and 948.11, F.S.; revising terms and conditions of community control and deleting provisions related to criminal quarantine community control; amending s. 951.26, F.S.; au-

thorizing each local public safety coordinating council to develop a comprehensive local reentry plan for offenders reentering the community; providing an effective date.

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

CS for SB 1036—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; deleting a limitation upon the imposition of indigent care and trauma center discretionary sales surtaxes by certain counties; authorizing the governing boards of certain counties to levy the surtaxes only pursuant to a referendum; providing an effective date.

By the Committee on Community Affairs; and Senator Altman—

CS for SB 1070—A bill to be entitled An act relating to sporting events; amending s. 125.0104, F.S.; authorizing a county to use certain revenues from tourist development taxes to pay the debt service on bonds issued to finance the construction, reconstruction, or renovation of certain football stadiums and to pay planning and design costs incurred before the issuance of bonds; amending s. 212.04, F.S.; creating an exemption from the tax on admissions for certain events sponsored by a governmental entity, sports authority, or sports commission; providing an effective date.

By the Committee on Community Affairs; and Senators Wise and Detert—

CS for SB 1074—A bill to be entitled An act relating to firesafety; amending s. 633.01, F.S.; revising the rulemaking authority and responsibilities of the State Fire Marshal relating to educational and ancillary plants; amending s. 633.021, F.S.; revising the definition of the term “firesafety inspector”; amending s. 633.081, F.S.; revising requirements and procedures for inspections of buildings and equipment; abolishing special state firesafety inspector classifications and certifications; providing criteria, procedures, and requirements for special state firesafety inspectors to be certified as firesafety inspectors; authorizing the State Fire Marshal to develop an advanced training and certification program for certain firesafety inspectors; specifying program requirements; requiring the State Fire Marshal and the Florida Building Code Administrators and Inspectors Board to enter into a reciprocity agreement to recognize certain continuing education recertification hours for certain purposes; amending s. 1013.12, F.S.; revising procedures and requirements for certain standards and inspection of educational property; providing procedures, criteria, and requirements for inspections of certain charter schools; providing reporting requirements; amending s. 1013.371, F.S.; revising firesafety inspection requirements for educational institution boards to conform to certain codes; revising certain code enforcement authority of such boards; amending s. 1013.38, F.S.; requiring educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizing such entities to review site plans for compliance with certain provisions of the Florida Fire Prevention Code; specifying that site plans are not subject to local ordinances or local amendments to the Florida Fire Prevention Code; providing criteria for approving site plans and correcting firesafety compliance deficiencies; providing for referral of disputes to the State Fire Marshal; authorizing such boards to use certain firesafety inspectors for certain compliance reviews; imposing additional requirements for such boards relating to construction, renovation, or remodeling of educational facilities; providing an effective date.

By the Committee on Commerce; and Senator Altman—

CS for SB 1128—A bill to be entitled An act relating to the admissions tax; amending s. 212.04, F.S.; expanding an exemption from the tax for certain sports championship or all-star games, certain other professional sporting events, and events surrounding certain professional sporting events; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; and Community Affairs; and Senator Crist—

CS for CS for SB 1182—A bill to be entitled An act relating to motor vehicles; amending s. 261.03, F.S.; redefining the term “ROV”; amending s. 316.1905, F.S.; authorizing the use of speed calculating devices; requiring evidence of certain violations to be based upon the use of such devices; providing exceptions; conforming provisions; amending s. 316.1951, F.S.; removing a requirement that the Department of Highway Safety and Motor Vehicles adopt a uniform written notice to be used to enforce provisions that prohibit parking a motor vehicle on certain property for the purpose of displaying the motor vehicle as being for sale, hire, or rental; removing a requirement that each law enforcement agency provide its own notice for such enforcement; authorizing a code enforcement officer from any local government agency to enforce such provisions; providing that the owner of a vehicle parked in violation of such provisions is subject to a fine in addition to towing and storage fees; providing procedures for the release of an impounded vehicle; amending s. 317.0003, F.S.; redefining the term “ROV”; amending s. 318.14, F.S.; providing a lifetime limitation on the number of times a person may elect to attend a driver improvement course in lieu of a court appearance; amending s. 318.18, F.S.; specifying a fine for a vehicle that is displayed for sale, hire, or rental in violation of such provisions; providing for the disposition of such fines; amending s. 319.225, F.S.; prohibiting the department from requiring the signature of the transferor to be notarized on certain motor vehicle title transfer forms relating to mileage of the vehicle; requiring the forms to include an affidavit declaring facts in the document to be true; amending s. 319.23, F.S.; providing that, under certain circumstances, a motor vehicle dealer is not required to apply for a certificate of title for a motor vehicle sold to a general purchaser who resides outside the state; amending s. 320.02, F.S.; directing the department to place the name of the owner of a motor vehicle on the list of persons who may not be issued a license plate or revalidation sticker if that person is on a list submitted to the department by a licensed dealer; amending s. 320.27, F.S.; clarifying an exemption from certain dealer preclicensing requirements; removing a requirement for evaluation of privatized applicant training methods; limiting the issuance to a licensed dealer of supplemental off-premises sale licenses; authorizing dealer records to be kept in either paper or electronic form; providing procedures for transfer of documents to electronic form; authorizing a dealer training school to cancel the training certificate issued to a student for certain actions relating to payments made to the school; amending s. 322.0261, F.S.; providing an exemption from a requirement to attend a driver improvement course for drivers if adjudication is withheld by the court; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Altman—

CS for SB 1208—A bill to be entitled An act relating to motor vehicle specialty license plates; amending s. 320.08058, F.S.; increasing the length of time for distribution and reducing the percentage of annual use fees received from the sale of Florida Salutes Veterans license plates which is distributed to a specific direct-support organization; providing an effective date.

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

CS for SB 1232—A bill to be entitled An act relating to health insurance; amending s. 626.9541, F.S.; authorizing an insurer offering a group or individual health benefit plan to offer a wellness program; authorizing rewards or incentives; providing that such rewards or incentives are not insurance benefits; providing for verification of a member’s inability to participate for medical reasons; amending s. 627.6141, F.S.; authorizing appeals from denials of certain claims for certain services; requiring a health insurer to conduct a retrospective review of the medical necessity of a service under certain circumstances; requiring the health insurer to submit a written justification for a determination that a service was not medically necessary; amending s. 641.3156, F.S.; authorizing appeals from denials of certain claims for certain services; requiring a health maintenance organization to conduct a retrospective review of the medical necessity of a service under certain circumstances; requiring the health maintenance organization to submit

a written justification for a determination that a service was not medically necessary; providing an effective date.

By the Committees on Health and Human Services Appropriations; and Judiciary; and Senator Garcia—

CS for CS for SB 1234—A bill to be entitled An act relating to licensing standards for child care facilities; providing a short title; amending s. 402.305, F.S.; providing minimum licensing requirements for window blinds and other window coverings; requiring child care facilities to retrofit window blinds, window coverings, pull cords, or inner cords by a specified date in order to eliminate cords that pose a risk of strangulation; providing a definition; authorizing the Department of Children and Family Services to provide certain information regarding window blinds and window coverings; authorizing the department to adopt rules; providing an effective date.

By the Committee on Judiciary; and Senator Storms—

CS for SB 1314—A bill to be entitled An act relating to sexually violent predators; amending s. 394.912, F.S.; clarifying the definition of the term “sexually violent offense” to include a felony criminal act that has been determined beyond a reasonable doubt to have been sexually motivated; amending s. 394.913, F.S.; requiring the Department of Children and Family Services to prioritize the assessment of certain offenders for whom written assessments and recommendations have not been completed within a specified period; amending s. 394.9135, F.S.; revising the period within which the department’s multidisciplinary team is required to provide an assessment to the state attorney regarding certain offenders and file a petition with the circuit court alleging that an offender is a sexually violent predator; creating s. 394.933, F.S.; prohibiting the introduction or attempted introduction of certain items into or upon the grounds of any facility for the detention of sexually violent predators; providing an exception; providing that it is unlawful to transmit, attempt to transmit, or cause or attempt to cause any prohibited items to be transmitted or received by any person incarcerated in such a facility; providing that all persons or vehicles entering the grounds of such a facility are subject to reasonable search for and seizure of prohibited items; providing for the enforcement of certain provisions of state law; providing that a person who introduces or attempts to introduce a prohibited item on the grounds of a facility for the detention of sexually violent predators commits a felony of the third degree; amending s. 775.21, F.S.; revising and providing definitions; revising provisions relating to residence reporting requirements for sexual predators; creating s. 856.022, F.S.; enhancing the penalty for loitering or prowling by certain offenders within a specified distance of certain places where children congregate; prohibiting certain actions toward a child at a public park or playground by certain offenders; prohibiting the presence of certain offenders at or on real property comprising a child care facility or pre-K through 12 school without notice and supervision; providing exceptions; providing penalties; providing an effective date.

By the Committees on Health and Human Services Appropriations; and Children, Families, and Elder Affairs; and Senator Rich—

CS for CS for SB 1382—A bill to be entitled An act relating to child care facilities; amending s. 402.281, F.S.; providing that certain child care facilities, large family child care homes, and family day care homes that are accredited by a nationally recognized accrediting association may apply to the Department of Children and Family Services to receive a “Gold Seal Quality Care” designation; requiring the department to use certain standards and to consult with specified organizations when developing the Gold Seal Quality Care program standards; requiring the department to notify accrediting associations if the department proposes to revise the Gold Seal Quality Care program standards; requiring each accrediting association to notify the department within a stated time of its intent to revise its accreditation standards or discontinue participation in the Gold Seal Quality Care program; requiring an accrediting association that intends to revise its accreditation standards to do so within 90 days after notification from the department; amending s. 402.305, F.S.; prohibiting a person under the age of 18 from being the operator of a child care facility; requiring the department to address minimum age requirements for before-school and after-school care; providing exceptions; stating the minimum educational standards for

child care facility employees; providing exceptions; requiring employees who do not meet the minimum educational standards by a specified date to do so within 1 year; requiring child care staff to possess specified credentials; reenacting s. 1007.23(5), F.S., relating to child development associate credentials, to incorporate the amendment made to s. 402.305, F.S., in a reference thereto; providing an effective date.

By the Committees on Finance and Tax; and Finance and Tax—

CS for SB 1408—A bill to be entitled An act relating to working waterfront property; creating s. 193.704, F.S.; providing definitions; specifying properties that are eligible for classification as working waterfront property; requiring the assessment of working waterfront property based on current use; specifying a methodology for determining assessed value; requiring property appraisers to consider specified factors in assessing certain property; providing for assessment of a portion of property within a working waterfront property which is not used as working waterfront property; requiring an application for classification of property as working waterfront property; specifying application requirements; authorizing a property appraiser to approve an application not filed by a certain deadline due to extenuating circumstances; providing for waiver of annual application requirements; providing for loss of classification upon a change of ownership or use; requiring property owners to notify the property appraiser of changes in use or ownership of property; imposing a penalty for failure to notify the property appraiser of an event resulting in the unlawful or improper classification of property as working waterfront property; requiring imposition of tax liens to recover penalties and interest; requiring property appraisers to make a list relating to applications to certify property as working waterfront property; providing an appeal process for applications that have been denied; amending s. 195.073, F.S.; providing for the classification of land as working waterfront property on an assessment roll; amending s. 380.5105, F.S.; providing new program objectives for the Stan Mayfield Working Waterfronts Program and the Florida Forever Program which are to be considered in selecting projects; providing emergency rule-making authority; providing for severability; providing for retroactive application; specifying the date to apply for a working waterfront classification for 2010; providing effective dates.

By the Committees on Finance and Tax; and Commerce; and Senators Haridopolos, Justice, Gaetz, and Crist—

CS for CS for SB 1430—A bill to be entitled An act relating to entertainment industry economic development; amending s. 288.1254, F.S.; revising the entertainment industry financial incentive program to provide corporate income tax and sales and use tax credits to qualified entertainment entities rather than reimbursements from appropriations; revising provisions relating to definitions, creation and scope, application procedures, approval process, eligibility, required documents, qualified and certified productions, and annual reports; providing duties and responsibilities of the Office of Film and Entertainment, the Office of Tourism, Trade, and Economic Development, and the Department of Revenue relating to the tax credits; providing criteria and limitations for awards of tax credits; providing for uses, allocations, election, distributions, and carryforward of the tax credits; providing for withdrawal of tax credit eligibility; providing for use of consolidated returns; providing for partnership and noncorporate distributions of tax credits; providing for succession of tax credits; providing requirements for transfer of tax credits; authorizing the Office of Tourism, Trade, and Economic Development to adopt rules, policies, and procedures; authorizing the Department of Revenue to adopt rules and conduct audits; providing for revocation and forfeiture of tax credits; providing liability for reimbursement of certain costs and fees associated with a fraudulent claim; requiring an annual report to the Governor and the Legislature; providing for future repeal; amending s. 212.08, F.S.; limiting application of the entertainment industry tax credits; requiring electronic funds transfer for the tax credits; providing procedures; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide tax credit information to the Office of Film and Entertainment and the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; including tax credits enumerated in s. 220.1899, F.S., in the order of application of credits against certain taxes; creating s. 220.1899, F.S.; providing for credits against the corporate income tax in the amounts awarded under the entertainment industry financial incentive program; providing for carryforward of the tax credits under certain circum-

stances; providing an appropriation and authorizing an additional position; providing for severability; providing an effective date.

By the Committees on Health and Human Services Appropriations; Criminal Justice; and Children, Families, and Elder Affairs; and Senators Storms and Crist—

CS for CS for CS for SB 1520—A bill to be entitled An act relating to screening; amending s. 39.001, F.S.; revising an exemption from screening requirements for volunteers who assist providers under contract with the Department of Children and Family Services; amending s. 39.821, F.S.; revising background screening requirements for the Guardian Ad Litem Program; amending s. 215.5586, F.S.; removing reference to ch. 435, F.S., for background screening of hurricane mitigation inspectors; amending s. 393.0655, F.S.; revising an exemption from screening requirements for volunteers; removing a temporary exemption from screening requirements for direct service providers awaiting completion of a background screening; adding additional disqualifying offenses for the screening of direct service providers for persons with developmental disabilities; amending s. 394.4572, F.S.; revising background screening requirements for mental health personnel; amending s. 400.215, F.S.; revising background screening requirements for nursing home personnel; amending s. 400.506, F.S.; conforming provisions to changes made by the act; amending s. 400.512, F.S.; revising background screening requirements for home health agency personnel, nurse registry personnel, and companions and homemakers; amending s. 400.6065, F.S.; revising background screening requirements for hospice personnel; amending s. 400.801, F.S.; revising background screening requirements for personnel at homes for special services; amending s. 400.805, F.S.; revising background screening requirements for transitional living facility personnel; creating s. 400.9065, F.S.; providing background screening requirements for prescribed pediatric extended care center personnel; amending s. 400.934, F.S.; revising minimum standards for home medical equipment providers; amending s. 400.953, F.S.; revising background screening requirements for home medical equipment provider personnel; repealing s. 400.955, F.S., relating to the procedures for screening of home medical equipment provider personnel; amending s. 400.964, F.S.; revising background screening requirements for personnel at intermediate care facilities for developmentally disabled persons; amending s. 400.980, F.S.; revising background screening requirements for personnel at health care services pools; amending s. 400.991, F.S.; revising background screening requirements for applicants and personnel at health care clinics; amending s. 408.806, F.S.; adding a requirement for an affidavit relating to background screening to the license application process under the Agency for Health Care Administration; amending s. 408.808, F.S.; conforming provisions to changes made by the act; amending s. 408.809, F.S.; revising background screening requirements under the Agency for Health Care Administration; requiring electronic submission of fingerprints; amending s. 402.302, F.S.; revising exemptions from screening requirements for volunteers and students; amending s. 409.175, F.S.; revising an exemption from screening requirements for volunteers; revising background screening requirements for employees and volunteers in summer day camps and summer 24-hour camps; requiring periodic drug testing for licensed foster parents; requiring payment by the foster parent; amending s. 409.221, F.S.; revising background screening requirements for persons who render consumer-directed care; amending s. 409.907, F.S.; revising background screening requirements for Medicaid providers; amending s. 409.912, F.S.; requiring Medicaid providers to obtain a level 2 background screening for each provider employee in direct contact with or providing direct services to Medicaid recipients; amending s. 411.01, F.S.; requiring school districts to make a list of eligible substitute teachers available to early learning coalitions; amending s. 429.14, F.S.; revising administrative penalty provisions relating to assisted living facilities; amending s. 429.174, F.S.; revising background screening requirements for assisted living facility personnel; amending s. 429.67, F.S.; revising licensure requirements for adult family-care home personnel and household members; amending s. 429.69, F.S.; revising background screening requirements for adult family-care home personnel; amending s. 429.911, F.S.; revising administrative penalty provisions relating to adult day care centers; amending s. 429.919, F.S.; revising background screening requirements for adult day care center personnel; creating s. 430.0402, F.S.; providing background screening requirements for direct service providers under the Department of Elderly Affairs; amending s. 435.01, F.S.; revising provisions related to the applicability of ch. 435, F.S., statutory references to the

chapter, and rulemaking; providing construction with respect to the doctrine of incorporation by reference; amending s. 435.02, F.S.; revising and adding definitions; amending s. 435.03, F.S.; revising level 1 screening standards; adding disqualifying offenses; amending s. 435.04, F.S.; revising level 2 screening standards; requiring electronic submission of fingerprints after a certain date; authorizing agencies to contract for electronic fingerprinting; adding disqualifying offenses; amending s. 435.05, F.S.; revising background check requirements for covered employees and employers; amending s. 435.06, F.S.; revising provisions relating to exclusion from employment; providing that an employer may not hire, select, or otherwise allow an employee contact with any vulnerable person until the screening process is completed; requiring removal of an employee arrested for disqualifying offenses from roles requiring background screening until the employee's eligibility for employment is determined; amending s. 435.07, F.S.; revising provisions relating to exemptions from disqualification; amending s. 435.08, F.S.; revising provisions relating to the payment for processing of fingerprints and criminal history records checks; amending s. 464.203, F.S.; conforming provisions to changes made by the act; amending s. 489.115, F.S.; removing reference to ch. 435, F.S., for background screening of construction contractors; amending s. 943.05, F.S.; revising provisions relating to the Criminal Justice Information Program under the Department of Law Enforcement; authorizing agencies to request the retention of certain fingerprints by the department; providing for rulemaking to require employers to keep the agencies informed of any change in the affiliation, employment, or contractual status of each person whose fingerprints are retained in certain circumstances; providing departmental duties upon notification that a federal fingerprint retention program is in effect; amending s. 943.053, F.S.; removing obsolete references relating to the dissemination of criminal justice information; amending s. 984.01, F.S.; revising an exemption from screening requirements for volunteers who assist with programs for children; amending s. 985.644, F.S.; revising background screening requirements for the Department of Juvenile Justice; authorizing rulemaking; amending ss. 381.60225, 409.912, 464.018, 468.3101, 744.309, 744.474, and 985.04, F.S.; conforming provisions to changes made to ch. 435, F.S., by the act; repealing s. 409.1758, F.S., relating to screening of summer camp personnel; repealing s. 456.039(4)(d), F.S., relating to information required for licensure of designated health care professionals; providing for prospective application of the act; providing an effective date.

By the Committees on Community Affairs; and Transportation; and Senators Bennett and Lynn—

CS for CS for SB 1842—A bill to be entitled An act relating to transportation projects; creating s. 335.199, F.S.; directing the Department of Transportation to notify certain property owners and local governmental entities of certain proposed projects before finalizing the design of certain transportation projects; providing a timeframe for notification; requiring the department to hold a public hearing and receive public input regarding the effects of the project on local businesses; directing the department to consider the comments in the final design of the project; providing an effective date.

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

CS for SB 1866—A bill to be entitled An act relating to community development districts; creating s. 212.0315, F.S.; authorizing certain community development districts to levy a tax on certain transactions; providing a procedure to enact the tax; providing definitions; requiring local administration of the tax; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Environmental Preservation and Conservation; and Commerce; and Senator Ring—

CS for CS for CS for SB 2000—A bill to be entitled An act relating to seaports; creating s. 373.4133, F.S.; providing legislative findings; providing for port conceptual permits; providing which ports may apply for a port conceptual permit; authorizing a private entity that has adjacent property to apply for a permit; specifying the length of time for which permit may be issued; providing that a permit is a conceptual certification of compliance with state water quality standards and a conceptual determination of consistency with the state coastal zone management

program; providing for permit applications and application requirements; requiring the Department of Environmental Protection to effect a certain balance between the benefits of the facility and the environment; providing that a permit provides certain assurances with respect to construction permits if certain requirements are met; providing for advance mitigation; providing that approval of certain submerged lands authorization by the Board of Trustees of the Internal Improvement Trust Fund constitutes the delegation of authority to the department for final agency action; providing an exception; providing procedures for the approval or denial of an application; providing for administrative challenges; authorizing the department and the board to issue certain permits and authorizations before certain actions are taken under the Endangered Species Act; authorizing certain alternative stormwater treatment and design criteria; providing requirements for proposing such criteria; authorizing the department and the board to adopt rules; providing for implementation; amending s. 311.07, F.S.; revising matching-fund requirements for projects to rehabilitate wharves, docks, berths, bulkheads, or similar structures; amending s. 311.09, F.S.; requiring the Department of Transportation to include certain projects' funding allocations in its legislative budget request and to submit specified work program amendments within a certain timeframe; providing for the transfer of unexpended balances between seaport projects; amending s. 403.061, F.S.; removing the requirement to enter into a memorandum of agreement with the Florida Ports Council from the authority granted to the Department of Environmental Protection to provide supplemental permitting processes for the issuance of certain permits; amending s. 403.813, F.S.; revising requirements relating to maintenance dredging at seaports; expanding the parameters for mixing zones and return-water discharges; prohibiting mixing zones from entering wetland communities; increasing the time allowance for maintenance dredging following a storm event; amending ss. 161.055 and 253.002, F.S.; conforming provisions to changes made by the act; authorizing seaports to enter into public-private agreements for port-related public infrastructure projects; providing effective dates.

By the Committees on Transportation and Economic Development Appropriations; Children, Families, and Elder Affairs; and Commerce; and Senator Wise—

CS for CS for CS for SB 2014—A bill to be entitled An act relating to early learning; amending s. 39.0121, F.S.; deleting an obsolete reference to the repealed subsidized child care program; amending s. 39.202, F.S.; replacing an obsolete reference to a repealed program with an updated reference to the school readiness program; authorizing county agencies responsible for licensure or approval of child care providers to be granted access to certain confidential reports and records in cases of child abuse or neglect; amending s. 39.5085, F.S.; deleting an obsolete reference to a repealed program; amending s. 383.14, F.S.; replacing obsolete references to the former State Coordinating Council for School Readiness Programs with updated references to the Agency for Workforce Innovation; transferring, renumbering, and amending s. 402.25, F.S.; updating an obsolete reference to a repealed program; deleting obsolete references relating to the repealed prekindergarten early intervention program and Florida First Start Program; amending s. 402.26, F.S.; revising legislative intent; updating an obsolete reference to a repealed program; amending s. 402.281, F.S.; establishing the Gold Seal Quality Care program within the Department of Children and Family Services; providing that a child care facility, large family child care home, or family day care home may receive a Gold Seal Quality Care designation if accredited by a nationally recognized accrediting association and certain requirements are met; requiring that the department adopt rules establishing accreditation standards; requiring that an accrediting association apply to the department for participation in the program; requiring that the department consult with the Agency for Workforce Innovation regarding the approval of accrediting associations for the program; transferring and renumbering s. 402.3016, F.S., relating to Early Head Start collaboration grants; transferring, renumbering, and amending s. 402.3018, F.S.; transferring administration of the statewide toll-free Warm-Line from the department to the agency; conforming provisions; transferring, renumbering, and amending s. 402.3051, F.S.; revising procedures for child care market rate reimbursement and child care grants; transferring authority to establish the procedures from the department to the agency; directing the agency to adopt a prevailing market rate schedule for child care services; revising definitions; authorizing the agency to enter into contracts and adopt rules; amending s. 402.313, F.S.; deleting obsolete provisions authorizing the department to

license family day care homes participating in a repealed program; repealing s. 402.3135, F.S., relating to the subsidized child care program case management program; transferring, renumbering, and amending s. 402.3145, F.S.; transferring administration of certain transportation services for children at risk of abuse or neglect from the department to the agency; revising requirements for the provision of such transportation services; amending s. 402.315, F.S.; revising provisions relating to fees collected for child care facilities; amending s. 402.45, F.S.; updating an obsolete reference relating to a former council; directing the Department of Health to consult with the agency regarding certain training provided for contractors of the community resource mother or father program; amending s. 409.1671, F.S.; clarifying that a licensed foster home may be dually licensed as a family day care home or large family child care home and receive certain payments for the same child; deleting an obsolete reference to a repealed program; amending s. 411.01, F.S.; revising provisions relating to the School Readiness Act; revising legislative intent; revising the duties and responsibilities of the Agency for Workforce Innovation; revising provisions for school readiness plans; specifying that certain program providers' compliance with licensing standards satisfies certain health screening requirements; requiring early learning coalitions to maintain certain direct enhancement services; deleting obsolete provisions relating to the merger of early learning coalitions; revising provisions for the membership of early learning coalitions and the voting privileges of such members; revising requirements for parental choice; directing the agency to establish a formula for allocating school readiness funds to each county; providing for legislative notice and review of the formula; amending s. 411.0101, F.S.; revising requirements for services provided by the statewide child care resource and referral network; updating obsolete references to repealed programs; amending s. 411.0102, F.S.; revising provisions relating to the Child Care Executive Partnership Act; updating obsolete references to repealed programs; deleting provisions relating to the duties of each early coalition board; amending s. 411.203, F.S.; deleting an obsolete reference to a repealed program; conforming provisions; amending s. 411.221, F.S.; updating an obsolete reference to a former council; amending ss. 445.024, 445.030, 490.014, and 491.014, F.S.; deleting obsolete references to repealed programs; conforming provisions to the repeal of the subsidized child care case management program; amending ss. 1002.53, 1002.55, 1002.67, and 1002.71, F.S.; revising provisions relating to the eligibility requirements for private prekindergarten providers; conforming provisions to changes made by the act; amending s. 1009.64, F.S.; deleting an obsolete reference to a repealed program; providing an effective date.

By the Committee on Community Affairs; and Senators Baker and Bullard—

CS for SB 2018—A bill to be entitled An act relating to the Florida Keys Area; amending s. 215.619, F.S.; authorizing the issuance of bonds to be used to finance the cost of constructing sewage facilities in the Florida Keys Area; amending s. 380.0552, F.S.; revising legislative intent relating to the designation of the Florida Keys as an area of critical state concern; revising the procedures for removing the designation; providing for administrative review of such removal rather than judicial review; authorizing the Administration Commission to adopt rules or revise existing rules; revising the principles guiding development; revising compliance requirements for reviewing comprehensive plan amendments; amending s. 381.0065, F.S.; providing additional requirements for onsite sewage treatment and disposal systems in Monroe County; amending s. 403.086, F.S.; providing legislative findings and discharge requirements for wastewater facilities in Monroe County; repealing sections 4, 5, and 6 of ch. 99-395, Laws of Florida, as amended, relating to sewage treatment in the Florida Keys; providing an effective date.

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

CS for SB 2030—A bill to be entitled An act relating to continuing care facilities; amending s. 651.011, F.S.; revising definitions relating to ch. 651, F.S.; amending s. 651.012, F.S.; conforming cross-references; amending s. 651.022, F.S.; increasing the threshold amount for businesses that must be identified in an application for a provisional certificate of authority; adding wait-list contracts to the forms that must be submitted with the application; amending s. 651.0235, F.S.; conforming provisions to changes made by the act; amending s. 651.026, F.S.; re-

vising the financial information that must be submitted annually for each certified facility; requiring the annual report to reflect any changes in accounting principle terminology; amending s. 651.033, F.S.; authorizing a provider to assess a separate, nonrefundable fee for processing an application for continuing care; amending s. 651.035, F.S.; clarifying that the amounts maintained in escrow relating to taxes refer to property taxes; deleting an obsolete provision; amending s. 651.055, F.S.; providing that a resident is deemed to be occupying a unit upon the payment of certain fees; providing a timeframe for rescinding a contract; increasing the application processing fee; conforming provisions to changes made by the act; amending s. 651.081, F.S.; renaming residents' organizations as residents' councils; requiring the provider to provide a newly elected chair of a council with a copy of ch. 651, F.S., and related rules; amending s. 651.083, F.S.; clarifying that a resident has a right to receive residents' council memos and announcements; prohibiting a provider from restricting a resident's access to the council; amending s. 651.085, F.S.; requiring the provider to provide the reasons for increasing the maintenance fee to the chair of the residents' council; allowing a designated representative to represent the provider at meetings; amending s. 651.091, F.S.; specifying that a management company or operator is an agent of the provider for the purposes of disclosing certain information to residents; expanding the list of items that must be provided to the chair of the residents' council; requiring the provider to provide a copy of s. 651.071, F.S., relating to receivership or liquidation, to all prospective residents; amending s. 651.105, F.S.; increasing the amount of time that the Office of Insurance Regulation has to inspect a facility; requiring the office to determine if all disclosures have been made to the chair of the residents' council; amending ss. 651.114 and 651.1151, F.S.; conforming provisions to changes made by the act; amending s. 651.121, F.S.; conforming provisions to changes made by the act; requiring the chair of the Continuing Care Advisory Council to report the council's findings and recommendations to the Governor and the Commissioner of Insurance Regulation; requiring the office to provide certain information to the council; repealing s. 651.133, F.S., relating to provisional certificates under prior law; amending s. 628.4615, F.S.; conforming cross-references; providing an effective date.

By the Committee on Finance and Tax; and Senators Gaetz and Thrasher—

CS for SB 2036—A bill to be entitled An act relating to fees related to the operation of motor vehicles; amending s. 320.04, F.S.; revising the service charge for each application that is handled in connection with the original issuance, duplicate issuance, or transfer of any license plate, mobile home sticker, or validation sticker or with the transfer or duplicate issuance of a registration certificate; deleting a provision requiring that a portion of the charge be deposited into the General Revenue Fund; amending s. 320.08, F.S.; decreasing the annual license taxes for the operation of certain vehicles; amending s. 320.08046, F.S.; revising the amount of the surcharge that is levied on each license tax; revising the amount of the surcharge that is deposited into the General Revenue Fund; amending s. 320.203, F.S.; providing for certain registrants who paid biennial fees to receive a credit that is funded through the General Revenue Fund; providing for future expiration; amending s. 322.21, F.S.; decreasing certain driver's license fees; deleting fees for requesting a review or hearing related to the cancellation of a driver's license; providing an effective date.

By the Committees on Commerce; and Banking and Insurance; and Senator Richter—

CS for CS for SB 2086—A bill to be entitled An act relating to consumer debt collection; creating s. 559.5556, F.S.; requiring a consumer debt collection agency to maintain records; amending s. 559.565, F.S.; increasing the administrative fine imposed against an out-of-state consumer debt collector that fails to register as required; revising provisions relating to authorized activities of the Attorney General; amending s. 559.715, F.S.; revising requirements for providing written notice of the assignment of debt; amending s. 559.72, F.S.; revising prohibited acts with respect to consumer debt collection; revising provisions governing violations of communication procedures; amending s. 559.725, F.S.; revising provisions relating to consumer complaints about a consumer collection agency; authorizing the Attorney General to take action against a person for violations involving debt collection; creating s. 669.726, F.S.; providing for the issuance of subpoenas by the Office of

Financial Regulation; creating s. 559.727, F.S.; authorizing the office to issue cease and desist orders; amending s. 559.730, F.S.; revising provisions relating to administrative remedies; increasing the maximum penalty; authorizing the Financial Services Commission to adopt rules relating to penalty guidelines; amending s. 559.77, F.S., relating to civil remedies; conforming provisions to federal law; providing an effective date.

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

CS for SB 2108—A bill to be entitled An act relating to property insurance; amending s. 624.424, F.S.; decreasing the maximum number of consecutive years that an insurer may use the same accountant or partner of an accounting firm for preparing its audited financial report; increasing the number of years for which an insurer is prohibited from using the same accountant or partner after such accountant or partner has been used to file a financial report for the maximum number of consecutive years as prescribed by state law; creating s. 624.611, F.S.; authorizing an insurer to submit to the Office of Insurance Regulation a plan to use financial contracts other than reinsurance contracts to provide catastrophe loss funding; providing requirements for such a plan; authorizing an insurer to take certain action if the office approves such plan; amending s. 627.0629, F.S.; deleting a requirement that the Office of Insurance Regulation develop a proposed method for establishing hurricane mitigation discounts which directly correlate to the uniform home grading scale; creating s. 627.41341, F.S.; defining terms; requiring insurers to provide a notice of a change in policy terms to a policyholder under certain circumstances; specifying acts that constitute proof of notice and acceptance of a change in policy terms; providing for the continuation of prior policy terms if a notice of a change in policy terms is not provided; amending s. 627.707, F.S.; requiring an insurer to determine whether damage to a structure is consistent with sinkhole loss; providing for the payment of sinkhole claims after a policyholder enters into a contract for building stabilization or foundation repairs; requiring a policyholder to contract for sinkhole repairs within a certain period of time and for such repairs to be completed within a certain period; providing exceptions; amending s. 627.7073, F.S.; providing legislative intent for the presumption of correctness of certain findings, opinions, and recommendations of a professional engineer or professional geologist; revising the content of the report that must be filed with the clerk of court by an insurer that pays a claim for sinkhole loss; requiring a seller of property that has sinkhole loss to provide a copy of the report to the buyer; amending s. 627.7074, F.S.; providing for a neutral evaluation of a sinkhole claim under certain circumstances; providing that such evaluation does not supersede an appraisal clause; providing for the disqualification of neutral evaluators; authorizing the Department of Financial Services to appoint a neutral evaluator if requested by a party; defining a term; revising procedures governing the stay of court proceedings pending the filing of the neutral evaluation; authorizing a neutral evaluator to obtain the assistance of another neutral evaluator or other professionals or experts; requiring that the neutral evaluator's report state whether the sinkhole has caused any loss to the building; requiring that payment be made in accordance with the insurance policy if the insurer agrees to comply with the neutral evaluator's report; amending s. 627.711, F.S.; eliminating the requirement that a uniform mitigation verification form be certified by the Department of Financial Services; eliminating provisions authorizing hurricane mitigation inspectors certified by the My Safe Florida Home Program to sign a valid uniform mitigation verification form; authorizing an insurer to accept a form from a person possessing qualifications and experience acceptable to the insurer; requiring a person to personally perform an inspection in order to sign a mitigation verification form; defining the term "misconduct" for purposes of performing an inspection and completing the mitigation verification form; providing for sanctions to be imposed against a person who commits misconduct in performing inspections or completing the mitigation verification form; requiring that evidence of fraud in the completion of the mitigation verification form be reported to the Division of Insurance Fraud; requiring the division, if it finds that probable cause of misconduct exists, to send a copy of its report to the agency responsible for the licensure of the inspector who signed the report; providing that insurers need not accept a mitigation verification form that is signed by a person against whom probable cause of misconduct was found; providing an effective date.

By the Committee on Community Affairs; and Senator Altman—

CS for SB 2166—A bill to be entitled An act relating to uniform traffic control; providing a short title; amending s. 316.003, F.S.; defining the term “traffic infraction detector”; creating s. 316.0076, F.S.; preempting to the state the use of cameras to enforce traffic laws; clarifying the inapplicability of ch. 493, F.S., to laws governing the use of cameras as provided by the act; amending s. 316.008, F.S.; authorizing a county or municipality to use traffic infraction detectors; creating s. 316.0083, F.S.; creating the Mark Wandall Traffic Safety Program; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use a traffic infraction detector to identify a motor vehicle that fails to stop at a traffic control signal steady red light; requiring that notification be sent to the registered owner of the motor vehicle involved in the violation; providing requirements for the notification; requiring that the department, county, or municipality remit payment weekly to the State Treasury of penalties collected through the use of a traffic infraction detector; specifying the amount of penalties and the required distribution; prohibiting a person from receiving a commission from any revenue collected from violations detected through the use of a traffic infraction detector; requiring issuance of a traffic citation if the driver fails to pay the penalty within a specified period following issuance of the notification; specifying circumstances under which a driver may be exempt from paying the citation; providing penalties for submission of a false affidavit; providing that certain evidence is admissible for enforcement; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating municipalities and counties to the department; requiring the department to make reports to the Governor and Legislature; amending s. 316.0745, F.S.; requiring that traffic infraction detectors meet certain specifications; creating s. 316.07465, F.S.; requiring that traffic infraction detectors meet specifications established by the Department of Transportation; providing that a traffic infraction detector acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before a specified date is not required to meet the established specifications until a specified date; creating s. 316.0776, F.S.; providing for the placement and installation of detectors on certain roads; requiring that if the state, a county, or a municipality installs a traffic infraction detector at an intersection, the state, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection; requiring that such signage meet the specifications for uniform signals and devices adopted by the Department of Transportation; amending s. 316.640, F.S.; requiring the Department of Transportation to develop training and qualification standards for traffic infraction enforcement officers; authorizing counties and municipalities to use independent contractors as traffic infraction enforcement officers; amending s. 316.650, F.S.; requiring a traffic enforcement agency to provide to the court a replica of the citation data by electronic transmission for citations issued pursuant to the act; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop at a traffic control signal steady red light to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; creating s. 321.50, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors; amending s. 322.27, F.S.; prohibiting the assessment of points against a person’s driver’s license for infractions enforced by a traffic infraction enforcement officer; providing that such violations may not be used for purposes of setting motor vehicle insurance rates; amending s. 395.4036, F.S.; providing for the proceeds of penalties for failure to stop at a traffic signal be distributed to trauma centers, certain hospitals, and certain nursing homes; providing for severability; providing an effective date.

By the Committees on General Government Appropriations; Community Affairs; and Agriculture; and Senator Alexander—

CS for CS for CS for SB 2182—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; clarifying that land that is classified as agricultural retains that classification when offered for sale; providing for retroactive application; providing the methodology for assessing certain structures or improvements used for horticulture production; amending s. 369.20, F.S.; revising provisions of the Florida

Aquatic Weed Control Act; authorizing the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection to ensure the uniform regulation of pesticides applied to waters of the state; amending s. 403.088, F.S.; revising provisions relating to water pollution operation permits; providing requirements for the application of pesticides to the waters of the state; amending s. 487.163, F.S.; requiring that the Department of Agriculture and Consumer Services enter into an agreement with the Department of Environmental Protection to ensure the uniform regulation of pesticides; amending s. 573.112, F.S.; requiring that the Citrus Research and Development Foundation provide advice to the Department of Agriculture and Consumer Services with respect to citrus research marketing orders; amending s. 573.118, F.S.; providing for the deposit of certain agricultural assessments; revising the assessment rate on citrus fruit; amending s. 581.031, F.S.; expanding the type of research projects that may be conducted by the department; requiring the Citrus Research and Development Foundation, Inc., to recommend the research projects; requiring that the department and representatives of the state pest control industry prepare a report for the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of specified legislative committees by a certain date; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the report may also address additional issues of concern to members of the industry; providing an effective date.

By the Committees on General Government Appropriations; and Banking and Insurance; and Senator Richter—

CS for CS for SB 2232—A bill to be entitled An act relating to guaranty associations; amending s. 631.52, F.S.; expanding an exemption from the applicability of certain provisions of state law to include workers’ compensation claims under employer liability coverage; amending s. 631.54, F.S.; conforming the definition of “account” to changes made by the act; amending s. 631.55, F.S.; revising the structure of the Florida Insurance Guaranty Association by combining the auto liability and auto physical damage accounts; amending s. 631.57, F.S.; conforming cross-references; providing legislative intent; providing guidelines for the calculation of recoupment factors; authorizing an insurer to apply a recalculated recoupment factor under certain conditions; providing for the return of excess assessments and recoupment charges; providing that amounts recouped pursuant to specified provisions of state law are not premium and not subject to premium taxes, fees, or commissions; requiring that insurers treat failure to pay a recoupment charge as failure to pay the premium; requiring that an insurer file with the Office of Insurance Regulation a statement containing certain information within a specified period before applying a recoupment factor to any policies; authorizing an insurer to use a recoupment factor after the expiration of such period; providing that an insurer need submit only one such statement for all lines of business; requiring that an insurer file with the office an accounting report containing certain information within a specified period after the completion of the recoupment process; amending s. 631.713, F.S.; expanding the application of certain provisions of state law to certain residents of other states who own certain insurance policies; expanding the list of contracts and policies to which certain provisions of state law do not apply; amending s. 631.714, F.S.; revising the definition of “insolvent insurer” to remove the requirement that an order of liquidation become final by the exhaustion of appellate review; expanding the definition of “resident” to account for persons other than individuals and residents of foreign countries and United States possessions, territories, and protectorates; amending s. 631.717, F.S.; limiting a guaranty association’s liability for cash surrender, net cash withdrawal, and annuity benefits with respect to life insurance on any one life; authorizing an association to issue substitute coverage under certain circumstances; requiring that such alternate policy or contract meet certain criteria; creating s. 631.7295, F.S.; authorizing an association to succeed to the rights of an insolvent insurer arising after an order of liquidation or rehabilitation with regard to certain contracts of reinsurance; requiring that such an association pay all unpaid premiums due under the contract; amending s. 631.735, F.S.; providing that certain provisions of state law do not prohibit the furnishing of certain information in a form prepared by the Florida Life and Health Insurance Guaranty Association upon the request of a policyholder or applicant for insurance; amending s. 631.904, F.S.; clarifying the definition of “covered claim” to include unpaid claims under any employer liability coverage of

a workers' compensation policy limited to the lesser of a specified amount and the limits of the policy; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Thrasher—

CS for SB 2262—A bill to be entitled An act relating to charter virtual schools; creating s. 1002.46, F.S.; providing for the establishment of charter virtual schools; providing requirements for participation in the program; providing requirements for student eligibility; providing for funding; providing exceptions from certain requirements; providing an effective date.

By the Committees on Judiciary; and Banking and Insurance; and Senator Bennett—

CS for CS for SB 2264—A bill to be entitled An act relating to property insurance claims; amending s. 626.854, F.S.; providing statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; providing a definition for the term "written advertisement"; requiring that a disclaimer be included in any public adjuster's written advertisement; providing requirements for such disclaimer; providing limitations on the amount of compensation that may be received for a reopened or supplemental claim; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured's property; prohibiting a public adjuster from restricting or preventing the insured's adjuster from having reasonable access to or inspecting the insured's property; authorizing the insured's adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the term "supplemental or reopened claim"; providing applicability; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Governmental Oversight and Accountability; Commerce; and Commerce—

CS for CS for CS for SB 2330—A bill to be entitled An act relating to a review of the Department of State under the Florida Government Accountability Act; reenacting s. 20.10, F.S., relating to the establishment of the department; amending s. 117.01, F.S.; assigning various duties of the Executive Office of the Governor relating to notaries public to the department; revising the application requirements for notaries public; requiring notary public applicants to complete certain interactive or classroom instruction; authorizing certain persons or entities to offer courses for the required instruction; revising provisions for the deposit and use of funds from the notary public surcharge; providing penalties for applicants who submit applications containing certain statements; requiring the department to provide notice on notary application forms of criminal penalties for providing false information; providing for the filing and investigation of complaints against notaries public; requiring the department to submit investigative findings to the Executive Office of the Governor; deleting obsolete provisions relating to notary bonds; requiring entities issuing notary bonds to submit annual reports to the department; requiring the department to refuse bonding certificates from such entity that does not submit its annual report by a specified date; conforming provisions; amending ss. 117.021, 117.05, and 117.103,

F.S.; deleting an obsolete provision relating to notary public seals; conforming provisions; amending s. 117.107, F.S.; prohibiting a notary public from using a signature stamp except under certain circumstances; providing penalties; specifying that notaries public are subject to suspension under certain circumstances; transferring the administration of certain provisions relating to notaries public from the Executive Office of the Governor to the department; amending s. 668.50, F.S.; deleting requirements for certain interactive or classroom instruction for notaries public, to conform; amending s. 257.015, F.S.; providing definitions; amending s. 257.02, F.S.; renaming the State Library Council; revising the council's membership and duties; providing for a quorum of council members; specifying the vote required for official action by the council; amending s. 257.031, F.S.; conforming provisions; amending s. 257.05, F.S.; establishing the state publications program; requiring state agencies to furnish the department's Division of Library and Information Services with copies of state publications and designate agency publications liaisons; deleting provisions requiring certain officials and agencies to provide the division with specified numbers of public documents; revising the division's duties with respect to the management, distribution, and exchange of state publications and the establishment of a periodic bibliography for such publications; requiring depository libraries to maintain state publications in a specified manner; authorizing the division to adopt rules; amending s. 257.105, F.S.; requiring state agencies to furnish copies of state publications to the Library of Congress; conforming provisions; amending s. 267.0612, F.S.; revising the duties of the Florida Historical Commission; transferring to the commission and revising provisions for the Official Florida Historical Markers, the State Historical Marker Program, and the Great Floridians Program to conform to the repeal by the act of provisions establishing the State Historical Marker Council and the Great Floridians Program; amending s. 267.075, F.S.; deleting provisions establishing The Grove Advisory Council; authorizing the Division of Historical Resources to charge visitor fees, establish an endowment, and conduct fundraising activities; authorizing the division, or under certain circumstances a citizen support organization, to operate a museum store and provide visitor services and activities at The Grove; providing for use of the net proceeds from the museum store and the visitor services and activities; amending s. 267.16, F.S.; requiring the division to make folklife apprenticeship programs available throughout the state; amending s. 267.161, F.S.; assigning certain duties to the Florida Folklife Council with respect to folklife apprenticeship programs; amending ss. 283.31 and 286.001, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 872.05, F.S.; excluding certain portions of human remains from the definition of the term "unmarked human burial" for purposes of the duties of the State Archaeologist and district medical examiners; repealing ss. 267.0731 and 267.0743, F.S., relating to the Great Floridians Program and the State Historical Marker Council, respectively; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Sobel—

CS for CS for SB 2354—A bill to be entitled An act relating to sewage disposal facilities; amending s. 403.086, F.S.; requiring entities that divert wastewater from facilities discharging domestic wastewater through ocean outfalls to meet specified reuse requirements; providing that such reuse contributes to the reuse requirement of the facilities originally accepting the flows; providing an effective date.

By the Committees on Finance and Tax; and Transportation; and Senator Gardiner—

CS for CS for SB 2400—A bill to be entitled An act relating to motor vehicles; amending s. 316.003, F.S.; defining the term "tri-vehicle"; amending s. 316.066, F.S.; authorizing crash reports to be provided to law enforcement agencies and county traffic operations; amending s. 316.0741, F.S.; providing that certain tri-vehicles are hybrid vehicles; amending s. 316.159, F.S.; requiring that drivers of certain commercial motor vehicles slow before crossing a railroad grade; amending s. 316.193, F.S.; revising qualifications for an immobilization agency to immobilize vehicles in a judicial circuit; requiring the immobilization agency to conduct a state criminal history check on certain employees; redefining the term "immobilization agency" or "immobilization agencies"; amending s. 316.2085, F.S.; authorizing the license tag on a motorcycle or moped to be affixed and displayed perpendicularly relative to

the ground under certain circumstances; amending s. 316.2952, F.S.; authorizing a person to attach a global positioning system device to the windshield of a motor vehicle; amending s. 316.29545, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to exempt persons having medical conditions that require a limited exposure to light from certain prohibitions against using sunscreening material on the windows of a motor vehicle; directing the Department of Highway Safety and Motor Vehicles to exempt vehicles that are owned or leased by private investigative agencies from certain prohibitions against using suncreening material on the windows of a motor vehicle; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 316.605, F.S.; conforming the prohibition on the vertical display of a license tag to changes made by the act; amending s. 316.646, F.S.; directing the Department of Highway Safety and Motor Vehicles to suspend the registration and driver's license of a person convicted of failure to maintain required security on a motor vehicle; amending s. 318.14, F.S.; providing procedures for disposition of a citation for violating a specified learner's driver's license restriction; removing an erroneous reference; removing a requirement that a person who commits a noncriminal traffic infraction be cited to appear before an official; requiring a person who commits a traffic violation requiring a hearing or a criminal traffic violation to sign and accept a citation indicating a promise to appear for a hearing; requiring an officer to certify the delivery of a citation to the person cited; providing penalties; providing for certain persons cited for specified offenses to provide proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or failure to comply with specified education requirements; amending s. 318.18, F.S.; adding a designated school crossing to the locations at which exceeding the posted speed limit will double the fine otherwise provided by law; amending s. 319.28, F.S.; requiring a lienholder who repossesses a motor vehicle in this state to apply for a certificate of repossession or certificate of title; amending s. 319.30, F.S.; defining the term "independent entity"; providing procedures for an independent entity that stores a damaged or dismantled motor vehicle for an insurance company to notify the owner when the vehicle is available for pick up or to apply for a certificate of destruction or a certificate of title if the vehicle is not claimed within a certain period; amending s. 320.071, F.S.; revising the period during which the owner of an apportionable motor vehicle may file an application for renewal of registration; amending s. 320.08, F.S.; establishing license taxes for tri-vehicles; revising the amount of the annual license tax for the operation of an ancient or antique motorcycle; amending s. 320.0807, F.S.; revising provisions governing the special license plates issued to federal and state legislators; amending s. 320.084, F.S.; providing for a biennial registration renewal period for disabled veteran license plates; amending s. 321.03, F.S.; providing that it is unlawful to possess or color or cause to be colored a motor vehicle or motorcycle of the same or similar color as those prescribed for the Florida Highway Patrol unless specifically authorized by the Florida Highway Patrol; amending s. 321.05, F.S.; providing that officers of the Florida Highway Patrol have the same arrest and other authority as that provided for certain other state law enforcement officers; amending s. 322.01, F.S.; defining the term "tri-vehicle" and excluding such vehicles from the definition of "motorcycle"; amending s. 322.121, F.S.; revising legislative intent for reexamination of licensed drivers upon renewal of the driver's license; removing a requirement that each licensee must pass a reexamination at the time of license renewal; amending s. 322.18, F.S.; authorizing a licensed physician at a federally established veterans hospital to administer a vision test for purposes of renewing a driver's license; correcting a cross-reference; amending s. 322.2615, F.S.; revising requirements for information an officer must submit to the department after suspending a driver's license for certain DUI offenses; removing a requirement that the officer submit a copy of a crash report; authorizing the officer to submit such report; amending s. 322.34, F.S.; providing that if a person does not hold a commercial driver's license and is cited for an offense of knowingly driving while his or her license is suspended, revoked, or canceled, he or she may, in lieu of payment of a fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau; limiting a driver's option to elect such a remedy; amending s. 322.61, F.S.; revising the period of disqualification from operating a commercial motor vehicle for a violation of an out-of-service order; amending s. 488.06, F.S.; specifying additional circumstances under which the department may suspend or revoke a license or certificate of a driving school; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 2410—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.61, F.S.; providing clarification regarding licensure renewal requirements; amending s. 320.63, F.S.; requiring the submission of an affidavit along with a license renewal application acknowledging that the provisions of the licensee's franchise agreements are consistent with the requirements of laws and rules; providing an effective date.

By the Committee on Judiciary; and Senator Dean—

CS for SB 2418—A bill to be entitled An act relating to vehicle crashes involving death; amending s. 316.027, F.S.; requiring that a defendant arrested for leaving the scene of a crash involving death must be held in custody until brought before a judge for admittance to bail in certain circumstances; providing an effective date.

By the Committee on Health Regulation; and Senator Gardiner—

CS for SB 2434—A bill to be entitled An act relating to the reduction and simplification of health care provider regulation; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting an obsolete provision; amending s. 318.21, F.S.; revising distribution of funds from civil penalties imposed for traffic infractions by county courts; amending s. 381.00315, F.S.; directing the Department of Health to accept funds from counties, municipalities, and certain other entities for the purchase of certain products made available under a contract of the United States Department of Health and Human Services for the manufacture and delivery of such products in response to a public health emergency; amending s. 381.0072, F.S.; limiting Department of Health food service inspections in nursing homes; requiring the department to coordinate inspections with the Agency for Health Care Administration; amending s. 381.06014, F.S.; defining the term "volunteer donor"; requiring that certain blood establishments disclose specified information on the Internet; repealing s. 383.325, F.S., relating to confidentiality of inspection reports of licensed birth center facilities; amending s. 395.002, F.S.; revising and deleting definitions applicable to regulation of hospitals and other licensed facilities; conforming a cross-reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to complaint investigation procedures; amending s. 395.1055, F.S.; requiring licensed facility beds to conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.10972, F.S.; revising a reference to the Florida Society of Healthcare Risk Management to conform to the current designation; amending s. 395.2050, F.S.; revising a reference to the federal Health Care Financing Administration to conform to the current designation; amending s. 395.3036, F.S.; correcting a reference; repealing s. 395.3037, F.S., relating to redundant definitions; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term "rural hospital" to delete an obsolete provision; amending s. 400.021, F.S.; revising the definition of the term "geriatric outpatient clinic"; amending s. 400.0255, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.063, F.S.; deleting an obsolete provision; amending ss. 400.071 and 400.0712, F.S.; revising applicability of general licensure requirements under part II of ch. 408, F.S., to applications for nursing home licensure; revising provisions governing inactive licenses; amending s. 400.111, F.S.; providing for disclosure of controlling interest of a nursing home facility upon request by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising grievance

record maintenance and reporting requirements for nursing homes; amending s. 400.141, F.S.; providing criteria for the provision of respite services by nursing homes; requiring a written plan of care; requiring a contract for services; requiring resident release to caregivers to be designated in writing; providing an exemption to the application of discharge planning rules; providing for residents' rights; providing for use of personal medications; providing terms of respite stay; providing for communication of patient information; requiring a physician order for care and proof of a physical examination; providing for services for respite patients and duties of facilities with respect to such patients; conforming a cross-reference; requiring facilities to maintain clinical records that meet specified standards; providing a fine relating to an admissions moratorium; deleting requirement for facilities to submit certain information related to management companies to the agency; deleting a requirement for facilities to notify the agency of certain bankruptcy filings to conform to changes made by the act; amending s. 400.142, F.S.; deleting language relating to agency adoption of rules; amending 400.147, F.S.; revising reporting requirements for licensed nursing home facilities relating to adverse incidents; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.162, F.S., requiring nursing homes to provide a resident property statement annually and upon request; amending s. 400.179, F.S.; revising requirements for nursing home lease bond alternative fees; deleting an obsolete provision; amending s. 400.19, F.S.; revising inspection requirements; repealing s. 400.195, F.S., relating to agency reporting requirements; amending s. 400.23, F.S.; deleting an obsolete provision; correcting a reference; directing the agency to adopt rules for minimum staffing standards in nursing homes that serve persons under 21 years of age; providing minimum staffing standards; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.484, F.S.; revising the schedule of home health agency inspection violations; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.607, F.S.; revising grounds for agency action against a hospice; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 400.932, F.S.; revising grounds for the imposition of administrative penalties for certain violations by an employee of a home medical equipment provider; amending s. 400.967, F.S.; revising the schedule of inspection violations for intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; providing that part X of ch. 400, F.S., the Health Care Clinic Act, does not apply to an entity owned by a corporation with a specified amount of annual sales of health care services under certain circumstances or to an entity owned or controlled by a publicly traded entity with a specified amount of annual revenues; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising health care facility data reporting requirements; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.810, F.S.; revising provisions relating to information required for licensure; requiring proof of submission of notice to a mortgagor or landlord regarding provision of services requiring licensure; requiring disclosure of information by a controlling interest of certain court actions relating to financial instability within a specified time period; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 408.815, F.S.; authorizing the agency

to extend a license expiration date under certain circumstances; amending s. 409.221, F.S.; deleting a reporting requirement relating to the consumer-directed care program; amending s. 409.91196, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; revising procedures for implementation of a Medicaid prescribed-drug spending-control program; amending s. 429.07, F.S.; deleting the requirement for an assisted living facility to obtain an additional license in order to provide limited nursing services; deleting the requirement for the agency to conduct quarterly monitoring visits of facilities that hold a license to provide extended congregate care services; deleting the requirement for the department to report annually on the status of and recommendations related to extended congregate care; deleting the requirement for the agency to conduct monitoring visits at least twice a year to facilities providing limited nursing services; increasing the licensure fees and the maximum fee required for the standard license; increasing the licensure fees for the extended congregate care license; eliminating the license fee for the limited nursing services license; transferring from another provision of law the requirement that a biennial survey of an assisted living facility include specific actions to determine whether the facility is adequately protecting residents' rights; providing that an assisted living facility that has a class I or class II violation is subject to monitoring visits; requiring a registered nurse to participate in certain monitoring visits; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.12, F.S.; revising notification requirements for the sale or transfer of ownership of an assisted living facility; amending s. 429.14, F.S.; removing a ground for the imposition of an administrative penalty; clarifying provisions relating to a facility's request for a hearing under certain circumstances; authorizing the agency to provide certain information relating to the licensure status of assisted living facilities electronically or through the agency's Internet website; amending s. 429.17, F.S.; deleting provisions relating to the limited nursing services license; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 429.19, F.S.; clarifying that a monitoring fee may be assessed in addition to an administrative fine; amending s. 429.23, F.S.; deleting reporting requirements for assisted living facilities relating to liability claims; amending s. 429.255, F.S.; eliminating provisions authorizing the use of volunteers to provide certain health-care-related services in assisted living facilities; authorizing assisted living facilities to provide limited nursing services; requiring an assisted living facility to be responsible for certain recordkeeping and staff to be trained to monitor residents receiving certain health-care-related services; amending s. 429.28, F.S.; deleting a requirement for a biennial survey of an assisted living facility, to conform to changes made by the act; amending s. 429.35, F.S.; authorizing the agency to provide certain information relating to the inspections of assisted living facilities electronically or through the agency's Internet website; amending s. 429.41, F.S., relating to rulemaking; conforming provisions to changes made by the act; amending s. 429.53, F.S.; revising provisions relating to consultation by the agency; revising a definition; amending s. 429.54, F.S.; requiring licensed assisted living facilities to electronically report certain data semiannually to the agency in accordance with rules adopted by the department; amending s. 429.71, F.S.; revising schedule of inspection violations for adult family-care homes; amending s. 429.911, F.S.; deleting a ground for agency action against an adult day care center; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 483.201, F.S.; providing for disciplinary action against clinical laboratories failing to disclose specified information on the Internet; providing a maximum annual administrative fine that may be imposed annually against certain clinical laboratories for failure to comply with such disclosure requirement; amending s. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 499.003, F.S.; revising the definition of the term "health care entity" to clarify that a blood establishment may be a health care entity and engage in certain activities; removing a requirement that certain prescription drug purchasers maintain a separate inventory of certain prescription drugs; amending s. 499.005, F.S.; clarifying provisions prohibiting the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute with the restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules;

amending s. 499.01212, F.S.; exempting prescription drugs contained in sealed medical convenience kits from the pedigree paper requirements under specified circumstances; amending s. 633.081, F.S.; limiting Fire Marshal inspections of nursing homes to once a year; providing for additional inspections based on complaints and violations identified in the course of orientation or training activities; amending s. 766.202, F.S.; adding persons licensed under part XIV of ch. 468, F.S., to the definition of "health care provider"; amending ss. 394.4787, 400.0239, 408.07, 430.80, and 651.118, F.S.; conforming terminology and cross-references; revising a reference; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 2450—A bill to be entitled An act relating to property tax; amending s. 193.092, F.S.; creating an exception from the assessment of back taxes on property that was not assessed by a property appraiser; authorizing any person to report to his or her local property appraiser a possible homestead exemption violation under certain circumstances; requiring that the property appraiser pay a specified reward to the reporting individual after the recovery of any back taxes or penalties by the tax collector; requiring that funds for such reward be taken from a specified source; providing that a reward may be paid to only one person for each verified violation; providing for the determination of the recipient of a reward if more than one resident reports a violation; requiring that the Department of Revenue create a form for reporting such violations and provide such form by specified means; requiring that each submitted form contain certain information; requiring that the property appraiser stamp each submitted form with the current date and time upon receipt; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senators Alexander and Crist—

CS for SB 2530—A bill to be entitled An act relating to nursing; amending s. 456.014, F.S.; authorizing the disclosure of certain confidential information required of nursing license applicants to certain persons; amending s. 464.003, F.S.; providing and revising definitions; amending s. 464.008, F.S.; revising requirements for graduation from certain nursing education programs for nursing license applicants seeking to take the licensing examination; amending s. 464.015, F.S.; revising restrictions on nursing graduates who may use certain titles and abbreviations; amending s. 464.019, F.S.; revising requirements for the approval of nursing education programs by the Board of Nursing, including application requirements and procedures for the review and approval or denial of applications; revising requirements for the approval of nursing education programs meeting certain requirements before a specified date; providing for retroactive application; revising requirements for the submission of annual reports by approved programs; revising requirements for the information published on the board's Internet website; revising accountability requirements for an approved program's graduate passage rates on a certain licensing examination; revising procedures for placing programs on, and removing such programs from, probationary status; requiring termination of programs under certain circumstances; requiring certain representatives of programs that fail to submit annual reports to appear before the board; requiring the Department of Health to disclose certain confidential information about a program's graduates to the program director under certain circumstances; requiring program directors to maintain the confidentiality of such information; providing penalties for unlawful disclosure of confidential information; revising requirements for the closure of programs; revising the board's authority to adopt rules; exempting accredited programs from specified requirements; providing requirements for an accredited program that ceases to be accredited; conforming provisions; deleting obsolete provisions; revising requirements for the Florida Center for Nursing's evaluation of the board's implementation of certain accountability provisions; conforming cross-references; amending s. 464.022, F.S.; conforming provisions; amending ss. 458.348, 459.025, 464.012, and 960.28, F.S.; conforming cross-references; providing an effective date.

By the Committee on Community Affairs; and Senator Fasano—

CS for SB 2540—A bill to be entitled An act relating to professional sports franchises; amending ss. 14.2015, 212.20, and 218.64, F.S., relating to the Office of Tourism, Trade, and Economic Development, the

distribution of certain tax proceeds, and the allocation of a portion of the local government half-cent sales tax; conforming provisions to changes made by the act; conforming cross-references; amending s. 288.1162, F.S.; deleting provisions relating to the certification and funding of facilities for spring training baseball franchises; authorizing the Auditor General to conduct audits to verify whether certain funds for professional sports franchises are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; creating s. 288.11621, F.S.; authorizing certain units of local government to apply for certification to receive state funding for a facility for a spring training franchise; providing definitions; providing eligibility requirements; providing criteria to competitively evaluate applications for certification; requiring a certified applicant to use the funds awarded for specified public purposes and place unexpended funds in a trust fund or separate account; authorizing a certified applicant to request a suspension of the distribution of funds for a specified period under certain circumstances; requiring the expenditure of funds by certain certified applicants within a specified period; requiring the completion of certain spring training facility projects within a specified period; requiring certified applicants to submit annual reports to the Office of Tourism, Trade, and Economic Development; requiring the office to decertify applicants under certain circumstances; providing for delay in decertification proceedings for local governments certified before a specified date under certain circumstances; providing for review of the office's notice of intent to decertify an applicant; requiring an applicant to repay unencumbered state funds and interest after decertification; specifying circumstances under which a certified applicant that is a local government may not be decertified under certain circumstances; requiring the office to develop a strategic plan relating to baseball spring training activities; requiring the office to adopt rules; authorizing the Auditor General to conduct audits to verify whether certified funds for baseball spring training facilities are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; amending s. 288.1229, F.S.; providing that the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist in the retention of professional sports franchises; recognizing the validity of specified agreements under certain circumstances; providing an effective date.

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

CS for SB 2578—A bill to be entitled An act relating to the advanced clean energy development tax credit; creating s. 220.194, F.S.; defining terms; authorizing a business to receive the advanced clean energy development tax credit for a project to conduct clean energy research in development within the territory of the John F. Kennedy Space Center; specifying amounts of the credit; requiring a business to apply to Space Florida for eligibility to receive the tax credit; requiring the applicant that is qualified to receive the credit to execute and deliver a written agreement to Space Florida which includes a binding commitment to complete an advanced clean energy research and development project; providing that only one business may receive the tax credit; specifying requirements for the application to Space Florida; providing for Space Florida to issue an order certifying that the business is qualified to receive the tax credit; specifying requirements that an application must satisfy in order to qualify to enter into an agreement with Space Florida to establish an advanced clean energy research and development project; authorizing the Department of Revenue to conduct reviews and investigations to verify the proper application of credits taken in a tax return; authorizing Space Florida to order the forfeiture of all or part of any previously claimed tax credits or credits available to be taken under certain circumstances; requiring Space Florida to notify the Department of Revenue of any order affecting a previously authorized tax credit; authorizing the Department of Revenue to issue a notice of deficiency to the certified business under certain circumstances; authorizing the Department of Revenue and Space Florida to adopt rules relating to the tax credit; providing an effective date.

By the Committee on Community Affairs; and Senator Baker—

CS for SB 2592—A bill to be entitled An act relating to petroleum contamination site cleanup; amending s. 215.32, F.S.; providing that unappropriated cash in the Inland Protection Trust Fund is not subject

to certain transfers by the Legislature; amending s. 376.3071, F.S.; revising provisions relating to petroleum contamination site selection and cleanup criteria; deleting obsolete provisions relating to funding for limited interim soil-source removals; requiring the Department of Environmental Protection to utilize natural attenuation monitoring strategies to transition sites into long-term natural attenuation monitoring under specified conditions; providing for natural attenuation and active remediation of sites; requiring the department to evaluate certain costs and strategies; prohibiting a local government from denying any development permit based solely on the presence of petroleum contamination for any construction, repairs, or renovations performed in conjunction with tank upgrade activity in an existing retail fuel facility; requiring that such facility be fully operational before the request for the building permit; requiring that the construction, repairs, or renovations be performed by a licensed contractor; requiring that the construction, repairs, or renovations performed in conjunction with such permit comply with the applicable provisions of chs. 489 and 553, F.S.; providing an exception; establishing a low-scored site initiative; providing conditions for participation; requiring the department to issue certain determinations and orders; providing that certain sites are eligible for payment of pre-approved costs; requiring assessment work to be completed within a certain timeframe; providing payment and funding limitations; deleting provisions relating to nonreimbursable voluntary cleanup; providing an effective date.

By the Committee on Transportation; and Senator Siplin—

CS for SB 2638—A bill to be entitled An act relating to specialty license plates; amending s. 45 of chapter 2008-176, Laws of Florida; delaying the expiration of the moratorium on the issuance of new specialty license plates by the Department of Highway Safety and Motor Vehicles; amending s. 320.08053, F.S.; removing provisions requiring that an organization seeking authorization to establish a new specialty license plate submit a sample survey of motor vehicle owners to the department; requiring that the department establish a method to issue vouchers allowing the presale of a specialty license plate; requiring that an organization that is approved to issue a specialty license plate record with the department a minimum number of voucher sales in order to proceed with the development of the plate; providing for the purchaser of a voucher to receive a refund or use the voucher to purchase of another license plate if the specialty plate is deauthorized; amending ss. 320.08056 and 320.08058, F.S.; conforming provisions to changes made by the act; creating the the Hispanics Settled Florida in 1513 license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plate; providing an effective date.

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

CS for CS for SB 2718—A bill to be entitled An act relating to the provision of psychotropic medication to children in out-of-home placements; amending s. 39.407, F.S.; requiring the provision of a comprehensive mental health treatment plan; specifying eligibility; prescribing duties for the Department of Children and Family Services; deleting provisions relating to the provision of psychotropic medications to children in out-of-home care; creating s. 39.4071, F.S.; providing legislative findings and intent; providing definitions; requiring that a guardian ad litem be appointed by the court to represent a child in the custody of the Department of Children and Family Services who is prescribed a psychotropic medication; prescribing the duties of the guardian ad litem; requiring that the department or lead agency notify the guardian ad litem of any change in the status of the child; providing for psychiatric evaluation of the child; requiring that express and informed consent and assent be obtained from a child or the child's parent or guardian; providing requirements for a prescribing physician in obtaining consent and assent; providing for the invalidation of a parent's informed consent; requiring the department to seek informed consent from the legal guardian in certain circumstances; requiring the department to file a motion for the administration of psychotropic medication with the final judgment of termination of parental rights under certain circumstances; requiring that a court authorize the administration of psychotropic medication to a child who is in shelter care or in foster care and for whom informed consent from the parents or a legal guardian has not been obtained; providing requirements for the motion to the court; requiring

that any party objecting to the administration of psychotropic medication file its objection within a specified period; authorizing the court to obtain a second opinion regarding the proposed administration; requiring that the court hold a hearing if any party objects to the proposed administration; specifying circumstances under which the department may provide psychotropic medication to a child before court authorization is obtained; requiring that the department seek court authorization for continued administration of the medication; providing for an expedited hearing on such motion under certain circumstances; requiring the department to provide notice to all parties and the court for each emergency use of psychotropic medication under certain conditions; providing for discontinuation, alteration, and destruction of medication; requiring that a mental health treatment plan be developed for each child or youth who needs mental health services; requiring certain information to be included in a mental health treatment plan; requiring the department to develop and administer procedures to require the caregiver and prescribing physician to report any adverse side effects; requiring documentation of the adverse side effects; prohibiting the prescription of psychotropic medication to certain children who are in out-of-home care absent certain conditions; requiring review by a licensed child psychiatrist before psychotropic medication is administered to certain children who are in out-of-home care under certain conditions; prohibiting authorization for a child in the custody of the department to participate in any clinical trial designed to evaluate the use of psychotropic medication in children; amending s. 743.0645, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Gardiner—

CS for SB 2746—A bill to be entitled An act relating to education programs for children with disabilities; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; authorizing students who receive certain services under the Voluntary Prekindergarten Education Program to receive a John M. McKay Scholarship; authorizing the Commissioner of Education to deny, suspend, or revoke a school's participation in the scholarship program if the owner or operator of the school operates the school in a manner contrary to the health, safety, or welfare of the public; conforming cross-references; amending s. 1002.51, F.S.; revising definitions for the Voluntary Prekindergarten Education Program; amending s. 1002.53 and creating s. 1002.66, F.S.; establishing a prekindergarten program option for children with disabilities; providing eligibility criteria for early intervention services; providing for the approval of early intervention service providers; authorizing the expenditure of funds for early intervention services; amending s. 1002.71, F.S.; authorizing a child participating in a prekindergarten program for children with disabilities to reenroll in another program option under certain conditions; amending s. 1002.75, F.S.; revising the powers and duties of the Agency for Workforce Innovation for prekindergarten programs; providing an effective date.

By the Committee on Community Affairs; and Senators Fasano, Joyner, Jones, and Justice—

CS for SB 2754—A bill to be entitled An act relating to the East Lake Tarpon Community, Pinellas County; providing requirements for the municipal annexation of the East Lake Tarpon Community; requiring a referendum of the electors within the community prior to such annexation; describing the community boundaries; clarifying that the act does not prohibit voluntary annexation; providing an effective date.

By the Committee on Community Affairs; and Senators Justice, Fasano, Jones, and Joyner—

CS for SB 2776—A bill to be entitled An act relating to Pinellas County; providing requirements for the municipal annexation of the Lealman Community; requiring a referendum of the electors within the community prior to such annexation; providing for future expiration of such requirement; describing the community boundaries; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 2450—A bill to be entitled An act relating to property tax; amending s. 193.092, F.S.; creating an exception from the assessment of back taxes on property that was not assessed by a property appraiser; authorizing any person to report to his or her local property appraiser a possible homestead exemption violation under certain circumstances; requiring that the property appraiser pay a specified reward to the reporting individual after the recovery of any back taxes or penalties by the tax collector; requiring that funds for such reward be taken from a specified source; providing that a reward may be paid to only one person for each verified violation; providing for the determination of the recipient of a reward if more than one resident reports a violation; requiring that the Department of Revenue create a form for reporting such violations and provide such form by specified means; requiring that each submitted form contain certain information; requiring that the property appraiser stamp each submitted form with the current date and time upon receipt; providing an effective date.

—was referred to the Policy and Steering Committee on Ways and Means.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **SB 1264, CS for SB 1460, SB 1626, CS for SB 1628, CS for SB 1630, SB 1632, CS for SB 1634, CS for SB 1636, CS for SB 1638, CS for SB 1640, CS for SB 1642, CS for SB 1644, and SB 2462** which he approved on April 15, 2010.

VETO OF CS FOR CS FOR SB 6

The Honorable Kurt S. Browning
Secretary of State

April 15, 2010

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 6, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Education Personnel...

The decision to approve or veto a bill is one of the fundamental duties of the Governor. Since 2007, I have reviewed hundreds of proposed laws. More often than not, I sign bills approved by the Legislature because the process generally produces ideas which embody the ideals of representative government. Though sparingly, I have exercised the authority to veto legislation.

To proponents of a bill, a Governor's veto may be mischaracterized as ill informed or political. It is likely that my action today will be met with similar charges from supporters of SB 6. However, there is only one person who can accurately state the reason for a veto - the one who holds the pen.

Let me be clear; I veto SB 6 because this bill is contrary to my firmly held principle to act in the best interest of the People of Florida. I am confident in my decision today because I know it is the right thing to do for the People.

After reviewing the legislation, I have identified several issues of concern. First and foremost, this bill does not appropriately accommodate special education students and their dedicated teachers. These children can and do learn; however, there must be more consideration given to their individual needs than is afforded in this bill.

Further, the bill does encroach on local decision-making. At worst, it could result in an infringement upon the constitutional authority of school boards. While the bill allows school boards to create district po-

licies, there are considerable directives given to local boards and a requirement for state sign-off before plans can be approved. Some of these directives are quite overreaching, such as not allowing multi-year teacher contracts, choosing arbitrary percentages for calculating a teacher's effectiveness, and permanently decertifying an excellent teacher in Florida who simply needed improvement two out of the previous five years on the job.

SB 6 places teachers in jeopardy of losing their jobs and teaching certificates without a clear understanding of how gains will be measured, and without taking into account circumstances beyond the control of teachers. Teachers have an incredible impact on the lives of their students, but they are not the only influence.

During the House debate and after the final passage of the bill, even the supporters of SB 6 acknowledged the imperfections of the bill. They were satisfied with the ability to come back next year for a glitch bill or make corrections and clarifications in the implementing process. Such assurances are not enough for me to sign this legislation today.

Finally, I veto this bill because of the process by which it was passed. This legislation sped through committees without the meaningful input of parents, teachers, superintendents, and school boards. It was troubling to learn that the bill would not be amended after it passed in the Senate, particularly when more and more concerns were coming to light. As I articulated on the opening day of the 2010 Legislative Session, "It is not only the substance of those issues that is important; it is also the attitude with which you address them. These will determine whether you have done your job well."

The incredible outpouring of opposition by teachers, parents, students, superintendents, school boards, and legislators has greatly influenced my decision today. They brought to light many concerns that were not addressed in the amendatory process. As with any major legislation, stated goals sometimes do not match the words in the bill. That is why under normal circumstances bills can be meaningfully debated and changed so that flaws may be remedied.

In summary, I find the content of SB 6 and the manner of its adoption significantly flawed. Nonetheless, I believe in the stated goals of establishing differential and performance-based merit pay for classroom teachers, developing workable measures of student learning gains, and preparing students for their place in a global economy. These are worthy of future pursuit in a collaborative setting with participation of those who are directly impacted.

To those who may ask for a prescribed fix for SB 6, I say we must start over. This bill has deeply and negatively affected the morale of our teachers, parents, and students. They are not confident in our system because they do not believe that their voices were heard. They, like I, did not fathom that there would be no opportunity for meaningful deliberation and appropriate changes to this bill. Tens of thousands of Floridians have reached out to me asking for a veto of SB 6 and instead address the important goal of improving education in a more deliberative and open manner. Should the Legislature decide to go back to the drawing board, I believe it is critical that they heed the call of Floridians. To make such landmark changes, we must have the patience and wisdom to communicate effectively with the People.

As Governor, it is my responsibility to work ardently to position Florida for success on round two of "Race to the Top." Although Florida's first application was strong, we learned a very important lesson on the value of stakeholder participation. Like every good competitor, we will make strategic changes and raise our game. In the coming days I will announce the creation of a collaborative work group to thoroughly review and vet our application and suggest improvements that will help us win.

Florida has made tremendous gains in our education system. We cannot, we must not stop. As we move forward, let us ensure that we fulfill our highest calling, which is to honor the People for whom this government is established. The education of our children is far too important for us to do otherwise.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 6, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 350.

Robert L. "Bob" Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

COMMUNICATION

Dear President Atwater:

April 15, 2010

Four years ago, the voters of District 30 afforded me the remarkable opportunity to represent them in the Florida State Senate. I went to Tallahassee with the simple goal of working to improve the lives of the people of Palm Beach and Broward Counties. I will now take this same mission to the United States House of Representatives; therefore, it is with mixed emotions that I submit this letter of resignation from the Florida State Senate effective Thursday, April 15th, 2010.

During my tenure in Tallahassee, I have been fortunate to work with an exceptional group of Floridians debating the critical issues affecting the citizens of our great state. I am proud of my work in the State Senate, especially our bipartisan achievements, passage of Iran divestment legislation, and cigarette surcharge legislation that is already creating jobs and will fund up to a billion dollars in critical health needs. I will be forever grateful to my constituents for their energy and ideas that helped us pass laws to help children, Holocaust survivors, public education, and seniors.

On Tuesday, April 13th, I was elected to Florida's 19th Congressional District. I am honored that I will be able to continue to represent so many of my Senate constituents in Congress, and I look forward to continuing my work on many of the same vital issues I worked on in the Senate, including improving health care, protecting our national security, and helping to create new jobs for Floridians struggling in these tough economic times.

I hope that Governor Crist will fill my Senate vacancy as soon as possible, especially considering the strong likelihood of a special session. I also strongly urge you to keep the District 30 office open and staffed until a new Senator is seated, following recent Senate precedent. The

District 30 constituents continue to rely on the Senate Office staff's ability to navigate Florida's bureaucracy for Medicaid; unemployment; elder care issues; changes related to obtaining driver's licenses; and condominium and homeowner issues, to name a few.

I will always treasure the extraordinary opportunity I have had to serve the citizens of Florida in the State Senate. My best wishes for a successful conclusion of the legislative session.

Sincerely,
Senator Ted Deutch, 30th District

ENROLLING REPORTS

CS for CS for SB 4, CS for SB 436 and CS for SB 2126 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 15, 2010.

R. Philip Twogood, Secretary

VOTES RECORDED

Senator Aronberg was recorded as voting "nay" on the following bill which was considered March 25: **HB 689**.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 8 and April 14 were corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for CS for SB 434, SB 1956, SB 2226; Crist—SCR 10, SB 438, CS for CS for SB 570, SB 734, CS for SB 1076, SB 1130, CS for SB 1178, CS for CS for SB for SB's 1196 and 1222, CS for SB 1332, CS for SB 2408, SB 2492, CS for SB 2612; Dean—SB 142; Gaetz—CS for CS for SB 8, CS for SB 1972; Gelber—SB 12; Haridopolos—CS for CS for SB 8, SB 2252; Lynn—SB 318, CS for CS for CS for SB 846, CS for SB 1172, CS for SB 1720, CS for SB 1842, SB 2140, CS for SB 2380; Wilson—CS for SB 1300

RECESS

On motion by Senator Villalobos, the Senate recessed at 12:57 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Friday, April 16 or upon call of the President.