



# Journal of the Senate

Number 22—Regular Session

Monday, April 26, 2010

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## CALL TO ORDER

The Senate was called to order by President Atwater at 10:16 a.m. A quorum present—34:

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

Excused: Senators Bullard, Richter, and Villalobos; Gelber until 5:28 p.m.

## PRAYER

The following prayer was offered by Minister Patricia Febro Warner, First Baptist Church of Cocoa, Cocoa Beach:

Heavenly Father, we begin this day with our hearts and minds toward you, our Creator, Provider, and Sustainer. Grant us your unfailing guidance as we come together to go about the business of our great state. Let us bear in mind the words of Ben Franklin who said at the Constitutional Convention, "Without your concurring aid, we shall succeed no better than the builders of Babel."

Help us to serve as luminaries in regard to our legislative responsibilities, to be the voice of the people without division to our cause. If we

must quarrel, Lord, let it be politely and always, for the better good of the people.

As the State of Florida preamble says, we are "grateful to Almighty God for our constitutional liberty." We realize that liberty comes at a cost and that freedom isn't free. So we lift our brave defenders to you today for your abiding protection, especially for those who are standing in harm's way. Our reliance is upon you to subdue those who would threaten our democracy.

Lord, bless this session, meet our needs, preserve us with your strength, protect us and those we love, and grant us peace.

As always, we implore you to bless America. We decree it and we declare it in your name, with praise and adoration. Amen and Shalom.

## PLEDGE

Senate Pages Joseph A. "Joey" Barletto II of Okeechobee; Collins T. Caldwell of Tallahassee, son of Diana Caldwell, Staff Director of the Committee on Communications, Energy, and Public Utilities; Imani Davis-Allen of Tampa; and Glory Ford of Margate, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

On motion by Senator Dockery—

By Senator Dockery—

**SR 2844**—A resolution recognizing the outstanding leadership of Mike Bullock, director of the Florida Park Service, and wishing him all the best on the occasion of his retirement.

WHEREAS, Mike Bullock will retire in 2010 as a 38-year veteran of Florida's award-winning state park system, and

WHEREAS, Mike Bullock has served as director of the Department of Environmental Protection's Division of Recreation and Parks, also known as the Florida Park Service, since July 2003, and previously served as the assistant director from 1996 to 2003, and

WHEREAS, Mike Bullock has diligently supported the mission of the Florida Park Service to provide resource-based recreation while preserving, interpreting, and restoring natural and cultural resources, and

WHEREAS, Mike Bullock has helped the Florida Park Service achieve great recognition during his tenure, including the distinction of being the first and only two-time national Gold Medal winner for having the nation's best park system, an honor awarded by the National Recreation and Park Association, and

WHEREAS, Mike Bullock has demonstrated outstanding dedication to the residents of and visitors to Florida by maintaining Florida's 160 state parks, as well as exhibiting a consistent commitment to provide a secure and positive working environment for the more than 1,000 Florida Park Service staff members and more than 6,000 volunteers, and

WHEREAS, Mike Bullock serves as an advocate for nature-based recreation in Florida State Parks by participating in the National Recreation and Park Association, the Florida Recreation and Park Association, the National Association of State Park Directors, the National Association of State Outdoor Recreation Liaison Officers, and VISIT FLORIDA, as well as the Friends of Florida State Parks, Inc., and the Florida Park Service Alumni Association, and

WHEREAS, Mike Bullock was honored in 2008 by his alma mater, the University of Florida, as a “Distinguished Alumnus” of the university’s Department of Landscape Architecture, and

WHEREAS, under Mike Bullock’s leadership, Florida’s state parks contributed nearly \$5 billion to local economies throughout the state, served nearly 128 million visitors, and earned more than \$273 million in revenue, NOW, THEREFORE,

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

That the members of the Senate recognize the outstanding achievements of Mike Bullock during his tenure as director of the Florida Park Service and express appreciation on the part of all Floridians for his leadership and vision.

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

—was introduced out of order and read by title. On motion by Senator Dockery, **SR 2844** was read the second time in full and adopted.

At the request of Senator Hill—

By Senator Hill—

**SR 800**—A resolution recognizing May 12, 2010, as “Fibromyalgia Awareness Day” in Florida.

WHEREAS, an estimated 10 million people in the United States and millions of people worldwide have been diagnosed with fibromyalgia, a disease for which there is no known cause or cure, and

WHEREAS, it often takes an average of 5 years to receive a diagnosis of fibromyalgia, and medical professionals frequently are inadequately educated on the diagnosis and treatment of fibromyalgia, and

WHEREAS, fibromyalgia is a chronic pain disorder that is becoming an increasingly common diagnosis and taking a toll emotionally, financially, and socially on patients, their family, friends, coworkers, and communities, and

WHEREAS, fibromyalgia is life-altering, preventing patients from contributing to society at the level they once did because of myriad symptoms that can come and go unpredictably and vary in severity, and

WHEREAS, the chronically ill place a larger burden on the health care and insurance systems and employers due to the costs associated with treatment, medications, and sometimes hospitalizations associated with the disorder, and

WHEREAS, society as a whole is also affected when patients are physically unable to work and must depend on government assistance to survive, and

WHEREAS, increased awareness and expanded knowledge of the realities of life with fibromyalgia will allow the community at large to better support patients and their families, friends, coworkers, and employers who struggle with the challenges of this chronic-pain disorder, and

WHEREAS, the National Fibromyalgia Association is a nonprofit charitable organization and the publisher of *Fibromyalgia AWARE*, the first and only consumer magazine on fibromyalgia, and

WHEREAS, the National Fibromyalgia Association and Fibro Chronic Babes of Jacksonville and other groups around the country have joined together to promote fibromyalgia awareness and support, including improved education, diagnosis, research, and treatment, and

WHEREAS, the National Fibromyalgia Association is urging fibromyalgia patients and their supporters, health care providers, and the public to join its efforts on or around May 12, 2010, to walk for a solution in their community or participate in an effort to bring awareness to the far-reaching effects of fibromyalgia, NOW, THEREFORE,

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

That May 12, 2010, is recognized as “Fibromyalgia Awareness Day” in Florida, and the Senate urges all Floridians to support the search for a cure and assist individuals and families in dealing with this disorder.

—**SR 800** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

**SR 806**—A resolution urging support of the American Stroke Association’s “Power to End Stroke” campaign and recognizing May 2010 as “Power to End Stroke Month” in Florida.

WHEREAS, stroke is the third leading cause of death in the United States, striking about 700,000 Americans each year and killing 150,000, and

WHEREAS, stroke is also a leading cause of serious long-term disability in the United States, with more than 1.1 million adults experiencing functional limitations or difficulty with activities of daily living resulting from stroke, and

WHEREAS, on the average, a stroke occurs every 45 seconds in the United States and takes a life every 3 minutes, and

WHEREAS, the estimated direct and indirect costs of stroke in the United States this year will be more than \$62 billion, and

WHEREAS, the majority of Americans are unaware of their risk factors for a stroke and are unaware of the signs and symptoms of an impending stroke, and

WHEREAS, statistics show that African Americans have almost twice the risk of a first stroke compared to Caucasians, primarily because of their increased risk of hypertension, high cholesterol, and diabetes, and

WHEREAS, the American Stroke Association in 2008 launched the “Power to End Stroke” campaign, the goal of which is to educate and empower African Americans, as well as those of other ethnic groups, to fight stroke in their communities, NOW, THEREFORE,

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

That the Senate recognizes May 2010 as “Power to End Stroke Month” in Florida and urges all residents of this state to recognize that stroke must be taken seriously in order to reduce its risks.

BE IT FURTHER RESOLVED that the Senate urges all Floridians to support the American Stroke Association’s “Power to End Stroke” campaign by becoming familiar with the warning signs, symptoms, and risk factors associated with stroke and live stronger, healthier lives.

—**SR 806** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

**SR 812**—A resolution recognizing September 2010 as “Prostate Cancer Awareness Month.”

WHEREAS, prostate cancer is the most common cancer diagnosed among men in Florida, and the American Cancer Society estimates that more than 192,000 new cases of prostate cancer were diagnosed among men in the United States during 2009, and

WHEREAS, the American Cancer Society also anticipates that there were more than 2,280 deaths in Florida last year attributed to prostate cancer, and

WHEREAS, Florida has the fourth-highest incidence rate and the second-highest number of prostate cancer deaths in the United States, and

WHEREAS, African American and black men have the highest prostate cancer death rate in the world, and a mortality rate that is twice that of white men, and

WHEREAS, the American Cancer Society recommends that annual prostate cancer testing begin at age 50, except for men at high-risk, such as African Americans and men having a family history of the disease, who are advised to begin annual screening at age 45, and

WHEREAS, the 5-year survival rate for prostate cancer patients is 100 percent if the disease is diagnosed at the local and regional stages, otherwise known as the early stages, and

WHEREAS, the American Cancer Society supports African American Men's Health Summits in at least 16 major metropolitan areas across the state in an attempt to increase prostate cancer awareness and prostate screening among African American men in Florida, and

WHEREAS, the Man-to-Man Program of the American Cancer Society attempts to increase prostate cancer awareness, education, and support during the month of September and throughout the year, NOW, THEREFORE,

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

That September 2010 is recognized as "Prostate Cancer Awareness Month" in Florida and all men are urged to understand the risks associated with prostate cancer, to take preventive steps to minimize those risks, and to talk to their doctor about annual prostate cancer screening and compliance with the prostate cancer screening guidelines recommended by the American Cancer Society.

—SR 812 was introduced, read and adopted by publication.

At the request of Senator Aronberg—

By Senator Aronberg—

**SR 2860**—A resolution recognizing October 2010 as "Breast Cancer Awareness Month" in Florida.

WHEREAS, breast cancer is the most frequently diagnosed cancer, excluding skin cancer, in women and ranks second among cancer deaths in women in the United States, and

WHEREAS, Florida ranks second in the nation in the number of breast cancer deaths and fourth in the nation in the number of new breast cancer cases, and

WHEREAS, all women are at risk for breast cancer, with breast cancers predominantly occurring in women age 50 and older and the risk increasing with age until age 80, and

WHEREAS, the American Cancer Society estimates that more than 12,650 new cases of invasive breast cancer in Florida were diagnosed, and more than 2,700 women died of the disease during the year 2009, and

WHEREAS, a woman living in Florida has a one-in-eight chance of developing breast cancer, and

WHEREAS, in the United States, breast cancer is the second most common cause of cancer death in white, African American, Asian American, and American Indian women, and the first most common cause among Hispanic women, and

WHEREAS, early detection, through routine clinical exams and mammography screening beginning at age 40 in compliance with the American Cancer Society recommended guidelines, is the key to detecting breast cancer at its earliest stages, and

WHEREAS, the 5-year survival rate for breast cancer when the disease is found in its earliest stages is about 98 percent, but the survival rate drops to about 27 percent if the cancer is detected late, in a stage of metastases, and

WHEREAS, in conjunction with the promotion of October as "Breast Cancer Awareness Month," breast cancer awareness programs, such as

the American Cancer Society's Reach to Recovery program, will promote early breast cancer detection through regular screening and, NOW, THEREFORE,

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

That October 2010 is recognized as "Breast Cancer Awareness Month" in Florida.

—SR 2860 was introduced, read and adopted by publication.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Aronberg, by two-thirds vote **CS for SB 1296** was withdrawn from the Committee on Rules; and **CS for SB 1408** was withdrawn from the Policy and Steering Committee on Ways and Means.

**MOMENT OF SILENCE**

The President recognized Senator Gaetz who asked the Senate to observe a moment of silence for K. Earl Durden, who passed away April 25.

**BILLS ON THIRD READING**

**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 third time by title.

**MOTION**

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

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

**Amendment 1 (442428) (with directory and title amendments)**—Between lines 358 and 359 insert:

Section 10. Section 409.91212, Florida Statutes, is created to read:

## 409.91212 Medicaid managed care fraud.—

(1) Each managed care plan, as defined in s. 409.920(1)(e), shall adopt an anti-fraud plan addressing the detection and prevention of overpayments, abuse, and fraud relating to the provision of and payment for Medicaid services and submit the plan to the Office of the Inspector General within the agency for approval. At a minimum, the anti-fraud plan must include:

(a) A written description or chart outlining the organizational arrangement of the plan's personnel who are responsible for the investigation and reporting of possible overpayment, abuse, or fraud;

(b) A description of the plan's procedures for detecting and investigating possible acts of fraud, abuse, and overpayment;

(c) A description of the plan's procedures for the mandatory reporting of possible overpayment, abuse, or fraud to the Office of the Inspector General within the agency;

(d) A description of the plan's program and procedures for educating and training personnel on how to detect and prevent fraud, abuse, and overpayment;

(e) The name, address, telephone number, e-mail address, and fax number of the individual responsible for carrying out the anti-fraud plan; and

(f) A summary of the results of the investigations of fraud, abuse, or overpayment which were conducted during the previous year by the managed care organization's fraud investigative unit.

(2) A managed care plan that provides Medicaid services shall:

(a) Establish and maintain a fraud investigative unit to investigate possible acts of fraud, abuse, and overpayment; or

(b) Contract for the investigation of possible fraudulent or abusive acts by Medicaid recipients, persons providing services to Medicaid recipients, or any other persons.

(3) If a managed care plan contracts for the investigation of fraudulent claims and other types of program abuse by recipients or service providers, the managed care plan shall file the following with the Office of the Inspector General within the agency for approval before the plan executes any contracts for fraud and abuse prevention and detection:

(a) A copy of the written contract between the plan and the contracting entity;

(b) The names, addresses, telephone numbers, e-mail addresses, and fax numbers of the principals of the entity with which the managed care plan has contracted; and

(c) A description of the qualifications of the principals of the entity with which the managed care plan has contracted.

(4) On or before September 1 of each year, each managed care plan shall report to the Office of the Inspector General within the agency on its experience in implementing an anti-fraud plan, as provided under subsection (1), and, if applicable, conducting or contracting for investigations of possible fraudulent or abusive acts as provided under this section for the prior state fiscal year. The report must include, at a minimum:

(a) The dollar amount of losses and recoveries attributable to overpayment, abuse, and fraud.

(b) The number of referrals to the Office of the Inspector General during the prior year.

(5) If a managed care plan fails to timely submit a final acceptable anti-fraud plan, fails to timely submit its annual report, fails to implement its anti-fraud plan or investigative unit, if applicable, or otherwise refuses to comply with this section, the agency shall impose:

(a) An administrative fine of \$2,000 per calendar day for failure to submit an acceptable anti-fraud plan or report until the agency deems the managed care plan or report to be in compliance;

(b) An administrative fine of not more than \$10,000 for failure by a managed care plan to implement an anti-fraud plan or investigative unit, as applicable; or

(c) The administrative fines pursuant to paragraphs (a) and (b).

(6) Each managed care plan shall report all suspected or confirmed instances of provider or recipient fraud or abuse within 15 calendar days after detection to the Office of the Inspector General within the agency. At a minimum the report must contain the name of the provider or recipient, the Medicaid billing number or tax identification number, and a description of the fraudulent or abusive act. The Office of the Inspector General in the agency shall forward the report of suspected overpayment, abuse, or fraud to the appropriate investigative unit, including, but not limited to, the Bureau of Medicaid program integrity, the Medicaid fraud control unit, the Division of Public Assistance Fraud, the Division of Insurance Fraud, or the Department of Law Enforcement.

(a) Failure to timely report shall result in an administrative fine of \$1,000 per calendar day after the 15th day of detection.

(b) Failure to timely report may result in additional administrative, civil, or criminal penalties.

(7) The agency may adopt rules to administer this section.

And the directory clause is amended as follows:

Delete lines 411-413 and insert:

Section 14. Except for sections 10 and 11 of this act and this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2011.

And the title is amended as follows:

Delete line 30 and insert: to investigate public assistance fraud; creating s. 409.91212, F.S.; requiring Medicaid managed care plans to adopt an anti-fraud plan relating to the provision of health care services; requiring certain managed care plans to also establish an investigative unit or contract for the investigation of fraudulent or abusive activity; requiring an annual report; providing administrative penalties for non-compliance; authorizing the Agency for Health Care Administration to adopt rules; directing the

On motion by Senator Negron, **CS for CS for SB 8** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Crist, Oelrich

On motion by Senator Negron, by unanimous consent—

**SB 2790**—A bill to be entitled An act relating to trust funds; creating the Grants and Donations Trust Fund within the Department of Financial Services; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

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

On motion by Senator Negron, **SB 2790** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Crist, Oelrich

On motion by Senator Negron, by unanimous consent—

**SB 2788**—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Financial Services; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

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

On motion by Senator Negron, **SB 2788** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Altman, Crist

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

**SPECIAL ORDER CALENDAR**

On motion by Senator Ring, by unanimous consent—

**CS for SB 1296**—A bill to be entitled An act relating to public records and public meetings; creating s. 624.36, F.S.; creating a public-records exemption for specified information held by the Medicaid and Public Assistance Fraud Strike Force; creating a public-meetings exemption for meetings of the Medicaid and Public Assistance Fraud Strike Force at which specified information is discussed; providing for future legislative

review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was taken up out of order and read the second time by title. On motion by Senator Ring, by two-thirds vote **CS for SB 1296** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Alexander, Crist

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

**BILLS ON THIRD READING**

Consideration of **CS for SB 2230** was deferred.

**CS for CS for SB 1736**—A bill to be entitled An act relating to unemployment compensation; reviving, readopting, and amending s. 443.1117, F.S.; providing for retroactive application; establishing temporary state extended benefits for weeks of unemployment; revising definitions; providing for state extended benefits for certain weeks and for periods of high unemployment; providing applicability; amending s. 55.204, F.S.; specifying the duration of liens securing the payment of unemployment compensation tax obligations; amending s. 95.091, F.S.; creating an exception to a limit on the duration of tax liens for certain tax liens relating to unemployment compensation taxes; amending s. 213.25, F.S.; authorizing the Department of Revenue to reduce a tax refund or credit owing to a taxpayer to the extent of liability for unemployment compensation taxes; amending s. 443.036, F.S.; revising definitions; conforming cross-references; providing for the treatment of a single-member limited liability company as the employer for purposes of unemployment compensation; amending s. 443.091, F.S.; requiring claimants to register with the Agency for Workforce Innovation and report to the local one-stop career center; specifying exemptions; clarifying that an individual must report regardless of any pending appeals relating to eligibility; amending s. 443.1215, F.S.; conforming a cross-reference; amending s. 443.131, F.S.; conforming provisions to changes made by the act; deleting a requirement for employer response; revising a date triggering the calculating of a positive adjustment factor based on the balance of the Unemployment Compensation Trust Fund; amending s. 443.141, F.S.; providing penalties for erroneous, incomplete, or insufficient reports relating to unemployment compensation taxes; authorizing a waiver of the penalty under certain circumstances; defining a term; authorizing the Agency for Workforce Innovation and the state agency providing unemployment compensation tax collection services to adopt rules; providing an expiration date for liens for contributions and reimbursements; updating a cross-reference; amending s. 443.151, F.S.; requiring the process for filing a claim to incorporate the process for registering for work with the workforce information system; authorizing the agency to adopt rules; providing for monetary and nonmonetary determinations as part of the notice of claim; requiring employers to respond to a notice of claim within a certain period; providing for chargeability of benefits; providing for rulemaking; limiting collection of

overpayments under certain conditions; amending s. 443.163, F.S.; increasing penalties for failing to file Employers Quarterly Reports by means other than approved electronic means; revising the conditions under which the electronic filing requirement may be waived; deleting obsolete provisions related to telefile; amending s. 443.1715, F.S.; specifying that an employer may obtain employee wage information from the agency; amending s. 443.101, F.S.; correcting a cross-reference; providing that the act fulfills an important state interest; providing effective dates.

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

On motion by Senator Garcia, **CS for CS for SB 1736** as amended was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Crist

Consideration of **CS for SB 2262** and **CS for CS for HB 1337** was deferred.

**CS for CS for SB 1216**—A bill to be entitled An act relating to children's services; amending s. 125.901, F.S.; requiring the governing body of the county to submit to the electorate the question of retention or dissolution of a special taxing district created to provide funding for children's services; prescribing a schedule and conditions relating to submission of the question to the electorate; prescribing reauthorization conditions governing newly created children's services districts; authorizing the governing board of a district to request a vote by the electorate before the prescribed year; providing for the application of the revisions made by this act to s. 125.901, F.S., to certain children's services special districts in existence before and after the effective date of the act; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Negron, **CS for CS for SB 1216** as amended was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Siplin
Aronberg	Gardiner	Smith
Baker	Haridopolos	Storms
Bennett	Hill	Thrasher
Constantine	Jones	Wilson
Dean	Lawson	Wise
Detert	Lynn	
Diaz de la Portilla	Negron	

Nays—5

Garcia	Joyner	Justice
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Ring Sobel

Vote after roll call:

Yea—Crist

Nay—Rich

Yea to Nay—Dockery, Jones

**CS for CS for HB 1337**—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; providing for the performance of certain duties of the Florida Center for Nursing by the Office of Program Policy Analysis and Government Accountability under certain circumstances; 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.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for HB 1337** was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Crist, Constantine

CS for SB 1306—A bill to be entitled An act relating to public assistance; amending ss. 97.021, 163.2523, 163.456, 220.187, 288.9618, 341.041, 379.353, 402.33, 409.2554, 409.2576, 409.903, 409.942, 411.0101, 414.0252, 414.065, 414.0655, 414.075, 414.085, 414.095, 414.14, 414.16, 414.17, 414.175, 414.31, 414.32, 414.33, 414.34, 414.35, 414.36, 414.39, 414.41, 414.45, 420.624, 430.2053, 445.004, 445.009, 445.024, 445.026, 445.048, 718.115, 817.568, 921.0022, and 943.401, F.S.; revising terminology relating to the food stamp program and the WAGES Program to conform to current federal law; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Storms, CS for SB 1306 as amended was passed and certified to the House. The vote on passage was:

Yeas—34

Table with 3 columns: Name, Gaetz, Peaden. Lists names of senators who voted 'Yeas' for SB 1306.

Nays—None

Vote after roll call:

Yea—Crist

HB 7167—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1005.38, F.S., which provides an exemption from public records requirements for investigatory records held by the Commission for Independent Education and an exemption from public meetings requirements for a probable cause panel wherein exempt information is discussed; reorganizing the exemption; requiring a recording for any portion of a closed meeting of a probable cause panel; providing a public records exemption for the recording of a closed meeting of a probable cause panel and the minutes and findings of the meeting; providing for limited duration of the exemption; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, HB 7167 was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—34

Table with 3 columns: Name, Gaetz, Peaden. Lists names of senators who voted 'Yeas' for HB 7167.

Nays—None

Vote after roll call:

Yea—Crist

SB 1678—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 1004.43(8)(c), F.S., relating to an exemption from public-records requirements for certain records held by the H. Lee Moffitt Cancer Center and Research Institute; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, SB 1678 was passed and certified to the House. The vote on passage was:

Yeas—33

Table with 3 columns: Name, Gaetz, Oelrich. Lists names of senators who voted 'Yeas' for SB 1678.

Nays—1

Dockery

Vote after roll call:

Yea—Crist

CS for SB 1734—A bill to be entitled An act relating to medical telecommunications and transportation; amending s. 381.0034, F.S.; deleting the requirement that any person who applies to be certified or is certified as an emergency medical technician, paramedic, or 911 emergency dispatcher must complete an educational course approved by the Department of Health regarding the human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 401.2701, F.S.; deleting a requirement that an institution seeking approval of a program for the education of emergency medical technicians and paramedics show documentation of the inclusion of instruction in HIV/AIDS training in its curriculum; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, CS for SB 1734 was passed and certified to the House. The vote on passage was:

Yeas—34

Table with 3 columns: Name, Gaetz, Peaden. Lists names of senators who voted 'Yeas' for SB 1734.

Nays—None

Vote after roll call:

Yea—Crist

**HB 7193**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1002.72, F.S., which provides an exemption from public records requirements for records of children in the Voluntary Prekindergarten Education Program; making editorial changes; reorganizing the section; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **HB 7193** was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Dockery

Vote after roll call:

Yea—Crist

**CS for HB 1493**—A bill to be entitled An act relating to career offenders; amending s. 775.261, F.S.; providing that it is a first-degree misdemeanor for a person to perform specified acts with the intent to assist a career offender in eluding a law enforcement agency that is seeking to find the career offender to question the career offender about, or to arrest the career offender for, his or her noncompliance; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for HB 1493** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Crist

**CS for SB 776**—A bill to be entitled An act relating to the Wekiva River Protection Act; amending s. 369.317, F.S.; clarifying mitigation offsets in the Wekiva Study Area; providing an effective date.

—was read the third time by title.

On motion by Senator Constantine, **CS for SB 776** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Crist

Consideration of **SB 1258** was deferred.

**CS for SB 1920**—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; removing a provision that requires the State Board of Administration to invest and reinvest moneys in the endowment fund for the Florida Endowment for Vocational Rehabilitation; requiring that a specified percent of the remainder of all civil penalties received by a county court pursuant to ch. 318, F.S., be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; requiring that funds currently held for investment and reinvestment by the State Board of Administration for the endowment fund be submitted back to the endowment fund; requiring that a specified percent of the additional fine assessed for violating traffic regulations protecting mobility-impaired persons be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for SB 1920** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Crist



**CS for CS for CS for SB 550**—A bill to be entitled An act relating to environmental protection; creating part VII of ch. 373, F.S., relating to water supply policy, planning, production, and funding; providing a declaration of policy; providing for the general powers and duties of water management district governing boards; requiring the Department of Environmental Protection to develop the Florida water supply plan; providing components of the plan; requiring water management district governing boards to develop water supply plans for their respective regions; providing components of district water supply plans; providing legislative findings and intent with respect to water resource development and water supply development; requiring water management districts to fund and implement water resource development; specifying water supply development projects that are eligible to receive priority consideration for state or water management district funding assistance; encouraging cooperation in the development of water supplies; providing for alternative water supply development; encouraging municipalities, counties, and special districts to create regional water supply authorities; establishing the primary roles of the water management districts in alternative water supply development; establishing the primary roles of local governments, regional water supply authorities, special districts, and publicly owned and privately owned water utilities in alternative water supply development; requiring the water management districts to detail the specific allocations to be used for alternative water supply development in their annual budget submission; requiring that the water management districts include the amount needed to implement the water supply development projects in each annual budget; establishing general funding criteria for funding assistance to the state or water management districts; establishing economic incentives for alternative water supply development; providing a funding formula for the distribution of state funds to the water management districts for alternative water supply development; requiring that funding assistance for alternative water supply development be limited to a percentage of the total capital costs of an approved project; establishing a selection process and criteria; providing for cost recovery from the Public Service Commission; requiring a water management district governing board to conduct water supply planning for each region identified in the district water supply plan; providing procedures and requirements with respect to regional water supply plans; providing for joint development of a specified water supply development component of a regional water supply plan within the boundaries of the Southwest Florida Water Management District; providing that approval of a regional water supply plan is not subject to the rulemaking requirements of the Administrative Procedure Act; requiring the department to submit annual reports on the status of regional water supply planning in each district; providing for construction with respect to the water supply development component of a regional water supply plan; requiring water management districts to present to certain entities the relevant portions of a regional water supply plan; requiring certain entities to provide written notification to water management districts as to the implementation of water supply project options; requiring water management districts to notify local governments of the need for alternative water supply projects; requiring water management districts to assist local governments in the development and future revision of local government comprehensive plan elements or public facilities reports related to water resource issues; providing for the creation of regional water supply authorities; providing purpose of such authorities; specifying considerations with respect to the creation of a proposed authority; specifying authority of a regional water supply authority; providing authority of specified entities to convey title, dedicate land, or grant land-use rights to a regional water supply authority for specified purposes; providing preferential rights of counties and municipalities to purchase water from regional water supply authorities; providing an exemption for specified water supply authorities from consideration of certain factors and submissions; providing applicability of such exemptions; authorizing the West Coast Regional Water Supply Authority and its member governments to reconstitute the authority's governance and rename the authority under a voluntary interlocal agreement; providing compliance requirements with respect to the interlocal agreement; providing for supersession of conflicting general or special laws; providing requirements with respect to annual budgets; specifying the annual millage for the authority; authorizing the authority to request the governing board of the district to levy ad valorem taxes within the boundaries of the authority to finance authority functions; providing requirements and procedures with respect to the collection of such taxes; amending ss. 120.52, 163.3167, 163.3177, 163.3191, 189.404, 189.4155, 189.4156, and 367.021, F.S.; conforming cross-references and removing obsolete provisions; amending ss. 373.036, 373.0363, 373.0421, 373.0695, 373.223, 373.2234, 373.229,

373.236, 373.536, 373.59, 378.212, 378.404, 403.0891, 403.890, 403.891, and 682.02, F.S.; conforming cross-references and removing obsolete provisions; renumbering s. 373.71, F.S.; relating to the Apalachicola-Chattahoochee-Flint River Basin Compact, to clarify retention of the section in part VI of ch. 373, F.S.; repealing s. 373.0361, F.S., relating to regional water supply planning; repealing s. 373.0391, F.S., relating to technical assistance to local governments; repealing s. 373.0831, F.S., relating to water resource and water supply development; repealing s. 373.196, F.S., relating to alternative water supply development; repealing s. 373.1961, F.S., relating to water production and related powers and duties of water management districts; repealing s. 373.1962, F.S., relating to regional water supply authorities; repealing s. 373.1963, F.S., relating to assistance to the West Coast Regional Water Supply Authority; amending s. 373.1961, F.S.; expanding alternative water supply funding to include quantifiable conservation projects; adding a high-water recharge criterion to the ranking criteria for water projects; amending s. 373.414, F.S.; adding limestone extraction operations to activities in surface waters and wetlands that require mitigation; amending s. 378.901, F.S.; allowing life-of-the-mine permits for limestone extraction operations; providing authority for local governments to impose different permit restrictions; amending s. 373.41492, F.S.; updating mitigation fees for the Miami-Dade Lake Belt Mitigation Plan; amending s. 215.619, F.S.; authorizing the issuance of bonds to be used to finance the management of sewage facilities in the Florida Keys Area of Critical State Concern; 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 legislative intent; providing additional requirements for onsite sewage treatment and disposal systems in Monroe County; directing the Department of Health to create and administer a statewide septic tank evaluation program; providing procedures and criteria for the evaluation program; prohibiting the land application of septage after January 1, 2016; creating s. 381.00656, F.S.; providing for a low-income grant program for septic tank maintenance and replacement; amending s. 381.0066, F.S.; authorizing the Department of Health to collect an evaluation report fee; requiring such fees to be revenue neutral; amending s. 403.086, F.S.; requiring the Department of Environmental Protection to submit a report on the effects of reclaimed water use; clarifying reuse requirements for domestic wastewater facilities that discharge through ocean outfalls; clarifying reuse requirements for domestic wastewater facilities that divert wastewater from facilities discharging through ocean outfalls; providing legislative findings and discharge requirements for wastewater facilities in Monroe County; repealing sections 4, 5, and 6 of chapter 99-395, Laws of Florida, as amended, relating to sewage treatment in the Florida Keys; amending s. 403.1835, F.S.; conforming terms to changes made to the Florida Water Pollution Control Financing Corporation; amending s. 403.1837, F.S.; expanding the purview of the corporation to include loans made from the drinking water state revolving loan fund; providing conforming changes; amending s. 403.8532, F.S.; providing definitions for the terms "bonds" and "corporation," providing conforming changes; authorizing the Department of Environmental Protection to adopt certain rules; amending s. 403.8533, F.S.; revising the purposes for the Drinking Water Revolving Loan Trust Fund; providing that the trust fund is exempt from the termination provisions of the State Constitution; amending s. 369.317, F.S.; clarifying mitigation offsets in the Wekiva Study Area; amending s. 553.77, F.S.; directing the Florida Building Commission to recommend products that result in water conservation; amending s. 215.47, F.S.; authorizing the State Board of Administration to make investments in alternative water supply and water resource development projects; amending s. 373.129, F.S.; requiring the water management districts to submit to alternative dispute resolution in conflicts with other governmental entities; amending s. 403.707, F.S.; requiring liners for new landfills and expansions of existing landfills not yet permitted that will accept construction and demolition debris; amending s. 298.66, F.S.; clarifying penalties for people who damage drainage works constructed or maintained by a water management district; providing legislative intent that there are no substantive changes in the reorganization ch. 373, F.S.; providing legislative intent that substantive changes affecting repealed sections of law relating to the reorganization of ch. 373, F.S., shall be given full force and effect; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Constantine, **CS for CS for CS for SB 550** as amended was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Dockery	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Constantine	Jones	Sobel
Dean	Joyner	Thrasher
Detert	Justice	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—3

Fasano	Negron	Storms
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Vote after roll call:

Yea—Crist, Lawson

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Consideration of **CS for CS for HB 1307** was deferred.

**CS for CS for SB 202**—A bill to be entitled An act relating to firefighter death benefits; amending s. 112.191, F.S.; revising provisions providing death benefits for firefighters; expanding activities entitling firefighters to death benefits to include participation in training exercises and injury by an unlawful and intentional act which results in death; providing legislative findings that the act fulfils an important state interest; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for CS for SB 202** was passed and certified to the House. The vote on passage was:

Yeas—32

Alexander	Garcia	Peaden
Altman	Gardiner	Rich
Aronberg	Haridopolos	Ring
Baker	Hill	Siplin
Bennett	Jones	Smith
Dean	Joyner	Sobel
Detert	Justice	Storms
Diaz de la Portilla	Lawson	Thrasher
Dockery	Lynn	Wilson
Fasano	Negron	Wise
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Constantine, Crist

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**CS for HB 109**—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; excluding certain unpaid indebtedness from the taxable consideration for short sales of real property; defining the term “short sale;” providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for HB 109** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Crist

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Consideration of **SB 344** was deferred.

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**HB 1279**—A bill to be entitled An act relating to assessment of property for back ad valorem taxes; amending s. 193.092, F.S.; providing for nonapplication of retroactive assessment and collection of taxes on certain property under certain circumstances; providing criteria; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **HB 1279** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Crist

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Consideration of **CS for CS for SB's 2210 and 1552** was deferred.

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**CS for CS for HB 1307**—A bill to be entitled An act relating to state financial matters; amending s. 121.4501, F.S.; revising and providing definitions; providing for excess account balances in the Public Employee Optional Retirement Program when an employee transfers to the defined benefit program; providing for the use of such excess balance; requiring the State Board of Administration to resolve complaints; providing for the use of records in resolving such complaints; clarifying the state board's rule authority with respect to the program; amending s. 121.4502, F.S.; establishing a forfeiture account in the Public Employee Retirement Program Trust Fund; providing for the use of funds in the account; amending s. 121.591, F.S.; conforming a cross-reference; permitting an application for benefits under the optional retirement program to be submitted by electronic means; amending s. 121.74, F.S.; revising the contribution rates for employers participating in the Florida

Retirement System; amending s. 121.78, F.S.; exempting the Division of Retirement, the state board, and the third-party administrator from liability for market losses due to acts of God; amending s. 215.44, F.S.; expanding the authority of the state board to use trust agreements; requiring that the state board create an audit committee for specified purposes; providing for duties, membership, and term limits; requiring that the state board annually produce and report to the Legislature certain financial statements; requiring that such statements be audited by an independent third-party firm under the direction of the audit committee; requiring that the state board meet at specified intervals and receive reports containing certain information from specified entities; amending s. 215.441, F.S.; providing minimum qualifications for the executive director of the state board; amending s. 215.444, F.S.; increasing membership of the Investment Advisory Council; revising membership requirements; providing council meeting and reporting requirements; providing additional requirements for council members; authorizing the council to create subcommittees; amending s. 215.47, F.S.; expanding the types of investments that the state board is authorized to make; authorizing moneys available for investment by the state board to be invested in certain federally tax-exempt bonds, notes, or obligations not subject to the federal alternative minimum tax; providing funds that may be invested in a foreign entity; creating s. 215.4754, F.S.; providing intent; requiring that the contract for an investment adviser or manager include a standard of conduct; providing for termination of the contract of an adviser or manager who violates the standard of conduct; prohibiting a member of the council from contracting with or providing services for the investment of certain funds during his or her service on the council and for a specified period thereafter; creating s. 215.4755, F.S.; requiring that an investment adviser or manager annually certify to the state board certain activities regarding investment decisions and standards of behavior; requiring that certain disclosures be made at the request of the state board regarding pecuniary interests of an investment adviser or manager; amending s. 215.52, F.S.; providing requirements for rules made by the state board with respect to certain fiduciary duties; amending s. 218.409, F.S.; providing for extending a moratorium on contributions to or withdrawals from the Local Government Surplus Funds Trust Fund under certain circumstances; authorizing the state board to develop work products that are subject to trademark, copyright, or patent; providing an effective date.

—was read the third time by title.

**MOTION**

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

Senator Alexander offered the following amendment which was moved by Senator Ring and adopted by two-thirds vote:

**Amendment 1 (556716)**—Delete lines 649-668 and insert:

(1) There is created a six-member Investment Advisory Council to review the investments made by the staff of the Board of Administration and to make recommendations to the board regarding investment policy, strategy, and procedures. *Beginning February 1, 2011, the membership of the council shall be expanded to nine members. The council shall meet with staff of the board at least once each quarter and shall provide a quarterly report directly to the Board of Trustees of the State Board of Administration at a meeting of the board.*

(2) The members of the council shall be appointed by the board as a resource to the Board of Trustees of the State Board of Administration and shall be subject to confirmation by the Senate. These individuals shall possess special knowledge, experience, and familiarity with ~~financial investments and~~ portfolio management, *institutional investments, and fiduciary responsibilities*. Members shall be appointed for 4-year terms. A vacancy shall be filled for the remainder of the unexpired term. The council shall annually elect a chair and a vice chair from its membership. A member may not be elected to consecutive terms as chair or vice chair.

(3) *This section does not make members of the council fiduciaries; however, the council members must undergo regular fiduciary*

On motion by Senator Ring, **CS for CS for HB 1307** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Consideration of **CS for CS for SB 2176, CS for CS for SB 1842, CS for SB 1332 and CS for SB 1068** was deferred.

**CS for SB 1918**—A bill to be entitled An act relating to traffic offenses; creating s. 318.195, F.S.; providing penalties for the commission of a noncriminal traffic infraction or certain other violations that cause or result in the serious injury of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance; providing enhanced penalties for such violations that cause the death of such person; providing that the victim of a crash that causes death or serious bodily injury or the victim's representative is entitled to certain rights regarding any judicial proceeding relating to the crash; requiring the state attorney to consult the victim or the victim's representative about the disposition of any such case; providing that the act does not prohibit the person from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—as amended April 23 was read the third time by title.

Senator Aronberg moved the following amendment:

**Amendment 1 (373254) (with title amendment)**—Delete lines 26-51 and insert:

(1) *For purposes of this section, the term "serious bodily injury" means an injury to any person, including the driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or permanent loss or impairment of the function of any bodily member or organ.*

(2) *A person whose commission of a noncriminal traffic infraction or any violation of this chapter causes or results in the serious bodily injury, as defined in s. 316.1933(1), of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance shall be fined \$1,000 and have his or her license suspended for a minimum of 30 days. If the infraction or violation causes the death of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance, the person shall pay a fine of \$2,500 and have his or her license revoked for a minimum of 1 year. The person shall also be required by the court to complete a 12-hour driver improvement course and may be ordered by the court to serve 120 community service hours under s. 316.027(4), plus an additional 120 community service hours as required by the court.*

(3) *Any victim of a crash that causes death or serious bodily injury or the victim's lawful representative, including the next of kin if the victim is deceased, is entitled to be informed, to be present, and to be heard, when relevant, at all crucial stages of a judicial hearing, to the extent that such rights do not interfere with the constitutional rights of the accused. The state attorney, if applicable, shall consult the victim or the victim's lawful representative about the disposition of such case.*

(4) *This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law.*

And the title is amended as follows:

Delete line 3 and insert: 318.195, F.S.; defining the term “serious bodily injury” for specified purposes; providing penalties for the commission

On motion by Senator Aronberg, further consideration of **CS for SB 1918** with pending **Amendment 1 (373254)** was deferred.

**CS for SB 1340**—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center;” creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.; creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; 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.

—as amended April 23 was read the third time by title.

On motion by Senator Ring, **CS for SB 1340** as amended was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Dockery

Consideration of **CS for CS for CS for SB 1202** was deferred.

**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.

—was read the third time by title.

On motion by Senator Gardiner, **CS for CS for SB 1842** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dean	Haridopolos
Alexander	Detert	Hill
Altman	Diaz de la Portilla	Jones
Aronberg	Dockery	Joyner
Baker	Fasano	Justice
Bennett	Gaetz	Lawson
Constantine	Garcia	Lynn
Crist	Gardiner	Negron

Oelrich	Siplin	Thrasher
Peaden	Smith	Wilson
Rich	Sobel	Wise
Ring	Storms	

Nays—None

**CS for CS for SB 2176**—A bill to be entitled An act relating to insurance; creating s. 624.46223, F.S.; prohibiting an association, fund, or pool created for the purpose of forming or managing a risk management mechanism or providing self-insurance for a public entity from requiring its members to give more than 60 days’ notice of the member’s intention to withdraw from the association, fund, or pool; amending s. 627.062, F.S.; exempting certain categories or types of insurance and types of commercial lines risks from certain rate requirements; requiring that insurers or rating organizations establish and use rates, rating schedules, or rating manuals allowing for a reasonable rate of return on certain insurance and risks; requiring that an insurer notify the Office of Insurance Regulation of any changes to rates for certain insurance and risks; requiring that such notice contain certain information; requiring that an insurer maintain certain information; providing that such information is subject to examination by the office; requiring that the office consider certain rate factors and standards when examining such information for the purpose of determining whether the rate is excessive, inadequate, or unfairly discriminatory; requiring that a rating organization provide notice to the office of any changes to loss cost for certain types of insurance within a specified period after such change; providing requirements for such notification; requiring that a rating organization maintain certain information; providing that such information is subject to examination by the office; requiring that specified rate factors and standards be used in such examination; authorizing the office, when reviewing a rate, to require that an insurer provide certain information at the insurer’s expense; amending s. 627.0651, F.S.; exempting commercial motor vehicle insurance from certain motor vehicle insurance rate requirements; prohibiting certain insurance rates from being excessive, inadequate, or unfairly discriminatory; requiring that insurers or rating organizations establish and use rates, rating schedules, or rating manuals allowing for a reasonable rate of return on certain insurance and risks; requiring that an insurer notify the office of any changes to rates for certain insurance and risks; requiring that such notice contain certain information; requiring that an insurer maintain certain information; providing that such information is subject to examination by the office; requiring that the office consider certain rate factors and standards when examining such information for the purpose of determining whether the rate is excessive, inadequate, or unfairly discriminatory; requiring that a rating organization provide notice to the office of any changes to loss cost for certain types of insurance within a specified period after such change; providing requirements for such notification; requiring that a rating organization maintain certain information; providing that such information is subject to examination by the office; requiring that specified rate factors and standards be used in such examination; authorizing the office, when reviewing a rate, to require that an insurer provide certain information at the insurer’s expense; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Gaetz, **CS for CS for SB 2176** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Consideration of **CS for CS for HB 747** was deferred.

**CS for SB 1012**—A bill to be entitled An act relating to juvenile justice facilities and programs; amending s. 985.03, F.S.; defining the term “ordinary medical care;” amending s. 985.64, F.S.; requiring that the Department of Juvenile Justice adopt rules to ensure the effective delivery of services to children in the care and custody of the department; requiring the department to coordinate its rule-adoption process with the Department of Children and Family Services and the Agency for Persons with Disabilities to ensure that the department’s rules do not encroach upon the substantive jurisdiction of those agencies; clarifying that the rules of the Department of Juvenile Justice do not supersede provisions governing consent to treatment and services; amending s. 985.721, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Jones, **CS for SB 1012** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

**CS for SB 1072**—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for a delinquent act within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 984.03, F.S.; redefining the terms “child in need of services” and “family in need of services” to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral to the Department of Juvenile Justice for a delinquent act; amending s. 984.14, F.S.; providing that a child may not be placed in a shelter before a court hearing unless the child is taken into custody for a misdemeanor domestic violence charge and is eligible to be held in secure detention; amending s. 985.02, F.S.; providing additional legislative findings and intent for the juvenile justice system; amending s. 985.03, F.S.; redefining the terms “child in need of services” and “family in need of services” to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral to the department for a delinquent act; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the department to establish prearrest or postarrest diversion programs; encouraging operators of diversion programs to give first-time misdemeanor offenders and offenders who are 9 years of age or younger an opportunity to participate in the programs; amending s. 985.145, F.S.; requiring a juvenile probation officer to make a referral to the appropriate shelter if the completed risk assessment instrument shows that the child is ineligible for secure detention; amending s. 985.24, F.S.; prohibiting a child alleged to have committed a delinquent act or violation of law from being placed into secure, non-secure, or home detention care because of a misdemeanor charge of domestic violence if the child lives in a family that has a history of family violence or if the child is a victim of abuse or neglect; prohibiting a child 9 years of age or younger from being placed into secure detention care unless the child is charged with a capital felony, a life felony, or a felony of the first degree; amending s. 985.245, F.S.; revising membership on the statewide risk assessment instrument committee; amending s. 985.255, F.S.; providing that a child may be retained in home detention care under certain circumstances; providing that a child who is charged with committing a felony offense of domestic violence and who does not

meet detention criteria may nevertheless be held in secure detention if the court makes certain specific written findings; amending s. 985.441, F.S.; authorizing a court to commit a female child adjudicated as delinquent to the department for placement in a mother-infant program designed to serve the needs of juvenile mothers or expectant juvenile mothers who are committed as delinquents; requiring the department to adopt rules to govern the operation of the mother-infant program; amending s. 985.45, F.S.; providing that whenever a child is required by the court to participate in any juvenile justice work program, the child is considered an employee of the state for the purpose of workers’ compensation; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to collect and analyze available statistical data for the purpose of ongoing evaluation of all juvenile justice programs; redefining terms; requiring the department to use a standard methodology to annually measure, evaluate, and report program outputs and youth outcomes for each program and program group; requiring that the department submit an annual report to the appropriate committees of the Legislature and the Governor; requiring that the department apply a program accountability measures analysis to each program; deleting obsolete provisions; amending s. 985.664, F.S.; providing that a juvenile justice circuit board may increase its membership to adequately reflect the diversity of the population, community organizations, and child care agencies in its circuit; reenacting ss. 419.001(1)(d), 984.04(5), and 984.15(2)(c) and (3)(c), F.S., relating to community residential homes, families and children in need of services, and filing decisions available to a state attorney, respectively, to incorporate the amendment made to s. 984.03, F.S., in references thereto; reenacting s. 984.13(3), F.S., relating to taking a child into custody, to incorporate the amendment made to s. 984.14, F.S., in a reference thereto; reenacting s. 419.001(1)(d), F.S., relating to community residential homes, to incorporate the amendment made to s. 985.03, F.S., in a reference thereto; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Wise, **CS for SB 1072** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**CS for CS for HB 911**—A bill to be entitled An act relating to electronic health information; amending s. 408.05, F.S.; removing a statement of legislative intent; removing certain restrictions on the use of certain funds and fees received by the Florida Center for Health Information and Policy Analysis; requiring the State Consumer Health Information and Policy Advisory Council to develop the Agency for Health Care Administration’s strategic plan relating to electronic health records; amending s. 408.051, F.S.; defining the term “agency;” creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic health records; 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 ex-

penditures on the agency's Internet website; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

—as amended April 23 was read the third time by title.

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Ring, the Senate reconsidered the vote by which **Amendment 1 (591356)** as amended was adopted April 23.

#### MOTION

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

Senator Ring moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

**Amendment 1C (974198)**—Delete lines 106-111 and insert:

(3) *A health care provider that participates in the exchange of health information in reliance on a Florida HIE Participation Agreement containing all of the uniform elements does not violate any right of confidentiality and is immune from civil liability for accessing or releasing an identifiable health record under the agreement if the exchange of an identifiable health record comports with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) privacy rule and state law.*

**Amendment 1** as amended was adopted by two-thirds vote.

On motion by Senator Ring, **CS for CS for HB 911** as amended was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Constantine

**CS for SB 1148**—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.25, F.S.; clarifying an exemption from fee requirements provided for a student who is or was at the time he or she reached 18 years of age in the custody of a relative under the Relative Caregiver Program or who was adopted from the Department of Children and Family Services after a specified date; providing that such exemption includes fees associated with enrollment in career-preparatory instruction and the completion of the college-level communication and computation skills testing program; providing that the exemption remains valid for 4 years after the date of graduation from high school; providing an effective date.

—was read the third time by title.

An amendment was considered and adopted to conform **CS for SB 1148** to **CS for HB 1363**.

Pending further consideration of **CS for SB 1148** as amended, on motion by Senator Rich, by two-thirds vote **CS for HB 1363** was with-

drawn from the Committees on Children, Families, and Elder Affairs; Higher Education; and Higher Education Appropriations.

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

**CS for HB 1363**—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.25, F.S.; clarifying an exemption from fee requirements provided for a student who is or was at the time he or she reached 18 years of age in the custody of a relative under the Relative Caregiver Program or who was adopted from the Department of Children and Family Services after a specified date; providing that certain exemptions include fees associated with enrollment in career-preparatory instruction; deleting an exemption associated with completion of the college-level communication and computation skills testing program; providing that the exemptions remain valid for a specified time; providing an effective date.

—a companion measure, was substituted for **CS for SB 1148** as amended and read the second time by title.

On motion by Senator Rich, by two-thirds vote **CS for HB 1363** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Wise

Consideration of **CS for SB 606** was deferred.

**SB 2320**—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; requiring the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others, and the role that appropriate dress and respect for self and others has on an orderly learning environment; requiring each district school board to adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment; providing disciplinary actions for students who violate the dress code; amending s. 1006.15, F.S.; providing that adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities; reenacting s. 1002.23(7), F.S., relating to a parent guide to successful student achievement to be adopted by each school district board, to incorporate the amendment made to s. 1006.07, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Siplin, **SB 2320** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**CS for CS for HB 747**—A bill to be entitled An act relating to the treatment of diabetes; amending s. 385.203, F.S.; revising the Diabetes Advisory Council membership; amending s. 1002.20, F.S.; prohibiting school districts from restricting the assignment of diabetic students to certain schools for certain reasons; authorizing a student to manage diabetes while at school, at school-sponsored activities, or in transit to or from school or school-sponsored activities with written authorization from the parent and physician; requiring the State Board of Education to adopt rules; providing for indemnification of specified employees, volunteers, and entities; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **CS for CS for HB 747** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Dockery	Peaden
Alexander	Fasano	Ring
Altman	Gaetz	Siplin
Aronberg	Garcia	Smith
Baker	Gardiner	Sobel
Bennett	Haridopolos	Storms
Constantine	Hill	Thrasher
Crist	Jones	Wilson
Dean	Lawson	Wise
Detert	Negron	
Diaz de la Portilla	Oelrich	

Nays—None

Vote after roll call:

Yea—Lynn, Rich

The Senate resumed consideration of—

**CS for SB 1918**—A bill to be entitled An act relating to traffic offenses; creating s. 318.195, F.S.; providing penalties for the commission of a noncriminal traffic infraction or certain other violations that cause or result in the serious injury of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance; providing enhanced penalties for such violations that cause the death of such person; providing that the victim of a crash that causes death or serious bodily injury or the victim's representative is entitled to certain rights regarding any judicial proceeding relating to the crash; requiring the state attorney to consult the victim or the victim's representative about the disposition of any such case; providing that the act does not prohibit the person from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (373254)** by Senator Aronberg.

On motion by Senator Aronberg, further consideration of **CS for SB 1918** with pending **Amendment 1 (373254)** was deferred.

**SPECIAL GUEST**

Senator Gaetz introduced former Senator John Broxson who was present in the chamber.

**RECOGNITION OF SENATOR CONSTANTINE**

**SPECIAL PRESENTATION**

The President presented Senator Constantine with a framed copy of his original Save the Everglades legislation and historical springs protection legislation—the Wekiva Parkway and Protection Act in recognition of his service with the Florida Senate and to the State of Florida.

**President Atwater:** Senator Constantine is an unabashed icon of fashion in the Legislature and dedicated representative of Central Florida.

How does one summarize Senator Constantine's 18 years of legislative service? Three ways immediately come to mind:

- His endurance with issues—championing policies year after year until achieving final passage.
- His ability to build consensus—allowing him to pass historic legislation.
- His love for his constituents—Senator, your commitment to the communities you represent is evident in the passion you bring to the legislative process.

In school we have the 3 Rs. Senator Constantine's legislative service embodies the 3 Es: Education—he has served on both PreK - 12 and Higher Education Committees; Enterprise—he understands the vital role Transportation has in Florida's long-term economic strength; and—perhaps his most defining issue—Environment. Senator, whether it's the Everglades oversight, restoration and funding legislation, recycling legislation, or a springs protection—your legacy is your unwavering commitment to Florida's unique and precious ecosystems.

The gift we have for you today is a small token, a minute reflection of your passion for protecting Florida's environment for generations to come. This commitment led him to pass to original Save the Everglades legislation and historical springs protection legislation—the Wekiva Parkway and Protection Act.

**Senator Constantine:** You, Mr. President, I think you all caught me. Somebody in my office told me to be prepared to receive an award or a present today from you, sir. Thank you very much. But nobody told me this was the day I was going to say remarks. I think you guys did it on purpose. So, I guess the best thing to do is just to start talking from the heart, which is usually the best thing you can do anyway. When you think about 18 years, and when we had the dinner for Senator King last year I said this, if you think about it—for those of you who have been here for the 18 years and longer, or those of you who came immediately after, which a number of you have—it's as if you have gone from your birth to graduating high school. When you think of it, the most enduring friendships you have in your life, if you are fortunate, usually come from those in that period of time, and stay with you for many, many years.

As I reflect on this, I remember how many of you have had such an important and enduring influence in my life—from my first day in the House when Senator Thrasher and I were sitting next to each other for our first two to four years, to having those like Senator Crist and Senator Villalobos and others being in that class and going all the way through together. Or, having Senator Lawson there from the very beginning and here at the end and living as a roommate for so many years with Senator Garcia. Many of you don't know Senator Altman and I served together on the Regional Planning Council—I as Chairman, he as Vice-Chairman—back in the '80s. You hesitate to start talking about individuals because when you do that you forget somebody, and I don't want to forget any of you. I've enjoyed my time with each and every one of you, and all of those who have come before you and those that I have served with. I counted them up the other day and there are well over 500, I believe, who have come through in those 18 years, and just a few of us are still around who started then. Senator Wise was my first suite mate. I don't think he

really knew what he was getting into. As a freshman, he would come in all the time and tell us how we should be happy that we even had a desk and an office.

Folks, I have served with many Speakers and many Presidents and I want you all to know that in each unique way they have had their own good qualities. All of us have things that we wish we could improve upon, and I have many; more than most. Mr. President, thank you for giving me all the opportunities that anyone could ask for in these last two years. Truly, I appreciate that. I did not say anything about the bill that just passed, mostly because we had talked it to death a number of times with many individuals. I want you all to know that in this, as in many other bills, when I have said to a lot of you, "Just trust me, let me work through it. I promise you that we will come to some conclusion," most of you, almost all throughout my career, have done that. For that, I thank you.

Everybody says, and it is true, that your family is the most important. I have had a family that has been there from day one. I like to tell the story about the first time my father, who died last year, ever voted. He was a first generation Italian, he didn't trust government, like many of you—the first time he ever registered to vote was when I was running for office the first time. The first time he ever voted was in my election. I'll tell you this story. I brought my father up and I said, "Dad, you can't campaign when you're waiting in line to vote during an election." I was 24 or 25 years old at the time. I was running for city commissioner. He said, "OK, Lee, I won't do it." Now, my father is very gregarious and, in fact, he just made the Restaurant Hall of Fame last year. My father was standing in line and all of a sudden, just as I was walking out, he said, "Yep, there goes my son—he's running for city commissioner. Lee Constantine!" He came down after voting the first time and said, "You know, Lee, that was pretty easy." I said, "Yeah, Dad, it was." He said, "You know what?" and I said, "What, Dad?" he said, "My name was on the ballot, Lee." I looked at him and this is when I became a man, because I said, "No, Dad, my name was on the ballot."

I went home that night after walking up to every single house in the city of Altamonte Springs that summer, every single house. I was outspent 20 to 1. The only person who gave me money, other than myself, was my mother. God love her. She was the only one who walked with me as well. Nobody thought I was going to win. I actually went home and fell asleep. My mother called me and said, "Lee, you'd better get over here." I said, "Why?" She replied, "You just won." Thirty-two years later, the voters of Altamonte Springs, House District 37, and now Senate District 22, before that District 9, have continued to vote me into office. Thirty-two years. I want to thank them, because we all know we gain our strength from our constituents. I want to thank, again, as I said, my family, because the most enduring person in my life, many of you know, is my mother. She couldn't make it today. She was coming up later in the week, so I thought I'd be able to do something then, but it's OK. She and the rest of my family, my sister, my stepfather, and others, have just been wonderful all throughout my life. My aunt and uncle have been my inspiration. They were teachers in Massachusetts and they actually worked in Woods Hole on the Cape as marine biologists. My Uncle Jim was the one who gave me my early calling when it came to the environment.

I have had a lot of great staff over the years. Many of you know them too. I've had four Chris's and they are all, in one form or another, still working in the process. I have three great guys that are working for me right now, Edgar, Nathan, and David. I want to thank them, and all the folks that preceded them. Also, many of you have met Julie, the young lady that I have been dating, and someone who is very special to me. Over the last four years she's had to deal with, as we all do, what we have to do up here. I want to thank her.

For the rest of you, just keep the faith. We're not always right. We're not always perfect. We're not 100 percent always right. The one thing that I've always found is that if you just keep working the process and work with everybody, whether they agree with you or disagree with you, you can find compromise and consensus. That is what our founding fathers wanted this government to be. They didn't make it easy. They asked us to ensure that there were checks and balances. Frankly, I've always believed in that. First of all, I know I'm not very smart, so I try to make sure that any bill that I do is really a consensus product of everyone involved. Today, there are a couple of my bills, one that you already passed and another that is coming up that I want you to remember. If I don't pass that bill, Julie will be very upset with me.

You all have been great. You have been great to me, the Secretary's office, and the Sergeant's office. I don't know if any of you knew, but I had a fire in my home office back in 2006. I think they said I was the first Senator that ever had a fire in my office back home. They came down in one day and cleaned it all out and put us in another place. We were back in business the next day.

I'm forgetting people, and I'm the first to do this, and I'm going to hate myself for forgetting anybody because you all have been great. I really just want you to know that I appreciate everything you have done. Some of us sometimes have had difficulties, but I will tell you that there is not a time that I do not respect each and every one of you. Thank you all for the service that you provide for the people of Florida. In this last week, I hope that I will be able to spend a little time with each and every one of you, and let you know just how special you are to me. With that, Mr. President, I won't take up a lot of time. I just want to thank you and everyone else and let you know how important, how very important, this service has been to me. I consider it a calling, I really do. Too many people call us politicians, but I truly believe that we are public servants. I have tried to act like that throughout my career. As I said, I'm just thankful to God, my family, and to the constituents that I serve, that they have given me the opportunity to be in this place, at this moment and allowed me to do what I've done. Thank you very much.

## RECOGNITION OF SENATOR CRIST

### SPECIAL PRESENTATION

The President presented Senator Crist with a framed copy of his landmark legislation known as 10-20-Life in recognition of his service to the Florida Senate and to the State of Florida.

**President Atwater:** Senator Crist: Unwavering advocate for a fair, effective judicial system.

America's judicial system, often called the guardian of the Constitution, is charged with protecting our basic rights and liberties. Ensuring our judicial system is accessible, fair, and effective is imperative to protect our fundamental freedoms and way of life. No one has dedicated more time, energy, and legislative influence to ensuring Florida's criminal justice system is effective and fair than Senator Victor Crist.

His legislative service is a testament to one who has an unparalleled commitment to keeping Florida's streets safe through tough sentencing policies. Senator Crist not only believes in a tough, but fair, judicial system, he also believes in preventing individuals from entering the system and rehabilitation. His legislative biography includes his work to create effective diversion programs—to reduce the number of individuals entering the criminal justice system—and to treat and rehabilitate offenders to decrease recidivism and help those Floridians be productive contributors in society.

As a token of our appreciation for his incredible dedication to the criminal and civil justice system, today we present you with a framed copy of the landmark legislation known as 10-20-Life. Senator Crist, on behalf of Florida, we thank you for your unwavering commitment to making Florida safer and your investment in the future generations, knowing that their talent must be fulfilled for a greater Florida future.

**Senator Crist:** While today is about leaving, it's more about being thankful and about what we leave behind.

Over the past 18 years, I am proud to have been a part of the legislative process. As you know, my emphasis has been on public safety, and working for fundamental changes in our justice system, which are making Florida a safer place. According to recent crime statistics provided by FDLE, overall crime throughout Florida has dropped by 47 percent and overall crime in my county by 60 percent since I was first elected in 1992.

During my service of nearly two decades in the Florida House and in the Florida Senate, we passed aggressive legislation like 10-20-Life, the Florida Re-Offender Act, a rewrite of our criminal codes and the chapters and statutes addressing sex offenders, Life means Life, the Stop Turning Out Prisoners Act, requiring at least 85 percent of the sentence to be served, and reforms that have preserved capital punishment, the ultimate penalty for the most heinous of crimes. To break the cycle of crime,



we recognized that in many cases, crime can be prevented through a holistic approach. We worked to develop the Department of Juvenile Justice and many new effective prevention, intervention, diversion, treatment and rehabilitative programs which are saving Florida millions of dollars today in preventing crime. As a result of Article 5, Revision 7, we have worked to transform our county court system into a statewide court system providing quality equal access to justice and due process throughout our state. Since my freshman classmates, Senator Bullard, Senator Constantine, Senator Hill, Senator Thrasher, and Senator Vilalobos were elected to the Florida House, such tragedies like Hurricane Andrew in 1992, the bombing in Oklahoma City in 1995, and later, the horrific events of September 11, 2001, forced us to reshape and prioritize public safety.

Florida took the national lead in the sharing of information between law enforcement agencies to protect our citizens, and today this network of information sharing is a model that other states look to for direction. We can all be proud that more lives are saved, more people are secure, and victims get help faster. All because the FDLE, our State Law Enforcement, our 67 County Sheriffs and the more than 400 Municipal Police Departments in Florida share their criminal information.

I am humbled to have been a small block in the foundation we continue to build in Florida Law. Piece by piece, together, Republicans and Democrats alike, we find common ground through the deliberative process. We took part in major historic events since 1992, the Republican Party became the majority party for the first time in one hundred twenty-two years, and a presidential election hung in the balance for months while Florida recounted and the U.S. Supreme Court decided the winner.

Many of us began our legislative service when the party numbers were close, the balance of power could tilt either way, and both parties worked together and served together in chairmanships. It was this spirit of cooperation that fostered our best work and helped to preserve the integrity of this process. I was privileged to have been on the House floor to hear President Bill Clinton deliver an address to a joint session of the Legislature in 1995. I was honored to hear words of praise for Florida's leaders in the same chamber from Senator Bob Dole, and I was grateful to be given the opportunity to hear Justice Sandra Day O'Connor talk about the importance of teaching civics in schools.

It has been 18 years of representing my constituents, serving the people of Florida by passing legislation that has made government more accountable, more transparent, and more efficient. I believe the most important part of this experience is about the people we affect with those decisions, and the quality of life for all Floridians. I would like to end my service with the Florida Senate not by being thanked, but by being thankful to those of you who I've had the opportunity to work with. Both my colleagues in the Senate and House and our dedicated staff. I would like to thank those who had the courage to tell me when I was wrong as well as help me when I was right. Of course, I am thankful to those who have been my supporters, working the campaigns, supporting my issues, and covering my backside.

Finally and most importantly, thank you to my friends and family who have stood by my side no matter what and had the patience and tolerance to deal with the challenges of my being a legislator. I would like to recognize my wife, Angela; and my niece, Jessie, who are here with me today; and my father, sisters, and cousins back at home. To my mother, God rest her soul, I love you. Thank you all for being there.

**THE PRESIDENT PRESIDING**

**SENATOR WISE PRESIDING**

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Aronberg, by two-thirds vote **CS for SB 1672** was withdrawn from the Policy and Steering Committee on Governmental Operations; and the Committee on Transportation and Economic Development Appropriations.

**RECESS**

On motion by Senator Aronberg, the Senate recessed at 12:20 p.m. to reconvene at 1:30 p.m. or upon call of the President.

**AFTERNOON SESSION**

The Senate was called to order by President Atwater at 1:56 p.m. A quorum present—32:

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

**SPECIAL ORDER CALENDAR, continued**

Consideration of **CS for CS for SB 2188, SB 2252, CS for CS for CS for SB 2182 and SB 2250** was deferred.

**SPECIAL GUEST**

Senator Hill introduced Congresswoman Corrine Brown who was present in the chamber.

**CS for CS for SB 900**—A bill to be entitled An act relating to voting; amending s. 97.021, F.S.; defining the term “absent uniformed services voter;” revising the definition of the term “overseas voter;” amending s. 98.0981, F.S., relating to statewide voter information; conforming a cross-reference; amending s. 101.56075, F.S.; extending the deadline by which persons with disabilities will be required to vote on voter interface devices that meet certain requirements; amending s. 101.62, F.S.; requiring the supervisor of elections to notify the absent uniformed services voter and overseas voter of the free access system for determining absentee ballot status; providing a timeframe for an absentee ballot to be sent to each absent uniformed services voter and overseas voter; providing acceptable formats for requesting an absentee ballot; modifying circumstances under which the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters; amending s. 101.694, F.S.; conforming timeframes for sending an absentee ballot upon receipt of a federal postcard application to those prescribed in s. 101.62, F.S.; deleting the requirement for a federal postcard application request to be effective through two regularly scheduled general elections pursuant to changes in federal law; amending s. 101.6952, F.S.; revising responsibilities of the supervisor of elections when an absent uniformed services voter’s or overseas voter’s request for an absentee ballot includes an e-mail address; requiring the supervisor to record the e-mail address in the absentee ballot record and, via e-mail, confirm that the request was received, inform the voter of the estimated date the absentee ballot will be sent, and notify the voter when the voted absentee ballot is received; amending s. 379.352, F.S., relating to recreational licenses and permits; conforming cross-references; providing effective dates.

—was read the second time by title.

An amendment was considered and failed and an amendment was considered and adopted to conform **CS for CS for SB 900** to **CS for CS for HB 131**.

Pending further consideration of **CS for CS for SB 900** as amended, on motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 131** was withdrawn from the Committees on Ethics and Elections; and Transportation and Economic Development Appropriations.

On motion by Senator Thrasher—

**CS for CS for HB 131**—A bill to be entitled An act relating to absent uniformed services and overseas voters; amending s. 97.021, F.S.; defining the term “absent uniformed services voter;” revising the definition of the term “overseas voter;” amending s. 98.0981, F.S., relating to statewide voter information; conforming a cross-reference; amending s. 101.62, F.S.; requiring the supervisor of elections to notify the absent uniformed services voter and overseas voter of the free access system for determining absentee ballot status; providing a timeframe for an absentee ballot to be sent to each absent uniformed services voter and overseas voter; providing acceptable formats for requesting an absentee ballot; modifying circumstances under which the department is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters; amending s. 101.694, F.S.; conforming timeframes for sending an absentee ballot upon receipt of federal postcard application to those prescribed in s. 101.62, F.S.; deleting the requirement for a federal postcard application request to be effective through two regularly scheduled general elections pursuant to changes in federal law; amending s. 101.6952, F.S.; revising responsibilities of the supervisor of elections when an absent uniformed services voter’s or overseas voter’s request for an absentee ballot includes an e-mail address; requiring the supervisor to record the e-mail address in the absentee ballot record and, via e-mail, confirm that the request was received, inform the voter of the estimated date the absentee ballot will be sent, and notify the voter when the voted absentee ballot is received; amending s. 379.352, F.S., relating to recreational licenses and permits; conforming cross-references; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 900** as amended and read the second time by title.

Senator Thrasher moved the following amendment which was adopted:

**Amendment 1 (315994) (with title amendment)**—Delete lines 93-210 and insert:

Section 3. Subsection (3) of section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(3) By ~~2016~~ ~~2012~~, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

Section 4. Paragraph (c) is added to subsection (1) of section 101.62, Florida Statutes, and subsections (4) and (5) of that section are amended, to read:

101.62 Request for absentee ballots.—

(1)

(c) Upon receiving a request for an absentee ballot from an absent uniformed services voter or overseas voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(4)(a) ~~No later than 45 days before each election, the supervisor of elections shall send an absentee ballot as provided in subparagraph (b)2. To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall mail an absentee ballot not less than 35 days before the primary election and not less than 45 days before the general election.~~

(b) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector’s current mailing address on file with the supervisor, unless the elector specifies in the request that:

a. The elector is absent from the county and does not plan to return before the day of the election;

b. The elector is temporarily unable to occupy the residence because of hurricane, tornado, flood, fire, or other emergency or natural disaster; or

c. The elector is in a hospital, assisted living facility, nursing home, short-term medical or rehabilitation facility, or correctional facility,

in which case the supervisor shall mail the ballot by nonforwardable, return-if-undeliverable mail to any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters ~~who are entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.~~

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee’s own ballot, except that additional ballots may be picked up for members of the designee’s immediate family. For purposes of this section, “immediate family” means the designee’s spouse or the parent, child, grandparent, or sibling of the designee or of the designee’s spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee’s immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

(5) ~~If in the event that the department Elections Canvassing Commission is unable to certify candidates for the results of an election for a state office in time to comply with paragraph (4)(a) subsection (4), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and electors overseas voters.~~

Section 5. Subsection (1) of section 101.694, Florida Statutes, is amended to read:

101.694 Mailing of ballots upon receipt of federal postcard application.—

(1) Upon receipt of a federal postcard application for an absentee ballot executed by a person whose registration is in order or whose application is sufficient to register or update the registration of that person, the supervisor shall send the ballot in accordance with s. 101.62(4) ~~mail to the applicant a ballot, if the ballots are available for mailing. The federal postcard application request for an absentee ballot shall be effective for all elections through the next two regularly scheduled general elections.~~

Section 6. Effective July 1, 2010, section 101.6952, Florida Statutes, is amended to read:

101.6952 Absentee ballots for absent uniformed services and overseas voters.—

(1) If an absent uniformed services voter’s or an overseas voter’s request for an absentee ballot includes an e-mail address, the supervisor of elections shall:

(a) Record the voter’s e-mail address in the absentee ballot record;

(b) Confirm by e-mail that the absentee ballot request was received and include in that e-mail the estimated date the absentee ballot will be sent to the voter; and

~~(c) Notify the voter by e-mail when the voted absentee ballot is received by the supervisor of elections inform the voter of the names of candidates who will be on the ballots via electronic transmission. The supervisor of elections shall e-mail to the voter the list of candidates for the primary and general election not later than 30 days before each election.~~

(2) For absentee ballots received from absent uniformed services voters or overseas voters, there is a presumption that the envelope was mailed on the date stated on the outside of the return envelope, regardless of the absence of a postmark on the mailed envelope or the existence of a postmark date that is later than the date of the election.

Section 7. ~~Section 8 of this act may be cited as the “Technology in Elections Act.”~~

Section 8. Subsection (1) of section 106.143, Florida Statutes, is amended, present subsection (8) of that section is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

106.143 Political advertisements circulated prior to election; requirements.—

(1)(a) Any political advertisement that is paid for by a candidate and that is published, displayed, or circulated ~~before~~ prior to, or on the day of, any election must prominently state:

1. “Political advertisement paid for and approved by \_\_\_\_\_ (name of candidate), \_\_\_\_\_ (party affiliation), for \_\_\_\_\_ (office sought).”; or
2. “Paid by \_\_\_\_\_ (name of candidate), \_\_\_\_\_ (party affiliation), for \_\_\_\_\_ (office sought).”

(b) Any other political advertisement published, displayed, or circulated ~~before~~ prior to, or on the day of, any election must prominently:

1. Be marked “paid political advertisement” or with the abbreviation “pd. pol. adv.”
2. State the name and address of the persons sponsoring the advertisement.
- 3.a.(I) State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or

(II) State who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.

b. This subparagraph does not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement.

(c) Any political advertisement made pursuant to s. 106.021(3)(d) must be marked “paid political advertisement” or with the abbreviation “pd. pol. adv.” and must prominently state, “Paid for and sponsored by \_\_\_\_\_ (name of person paying for political advertisement). Approved by \_\_\_\_\_ (names of persons, party affiliation, and offices sought in the political advertisement).”

~~This subsection does not apply to campaign messages used by a candidate and the candidate’s supporters if those messages are designed to be worn by a person.~~

(8) ~~This section does not apply to any campaign message or political advertisement used by a candidate and the candidate’s supporters or by a political committee if the message or advertisement is:~~

- (a) ~~Designed to be worn by a person.~~
- (b) ~~Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).~~
- (c) ~~Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).~~

~~(d) Placed at no cost on an Internet website for which there is no cost to post content for public users.~~

~~(e) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.~~

~~(f) Distributed as a text message or other message via Short Message Service, provided the message is no more than 200 characters in length or requires the recipient to sign up or opt in to receive it.~~

~~(g) Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with subsection (1).~~

~~(h) Sent by a third-party user from or through a campaign or committee’s website, provided the website complies with subsection (1).~~

~~(i) Contained in or distributed through any other technology-related item, service, or device for which compliance with subsection (1) is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with subsection (1) impracticable.~~

~~(9)(8) Any person who willfully violates any provision of this section is subject to the civil penalties prescribed in s. 106.265.~~

Section 9. Paragraph (b) of subsection (1) of section 106.011, Florida Statutes, is reenacted and amended, subsections (3) and (4) of that section are reenacted, subsection (14) of that section is amended, and subsections (18) and (19) of that section are reenacted and amended, to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

- (1)
- (b) Notwithstanding paragraph (a), the following entities are not considered political committees for purposes of this chapter:

1. Organizations which are certified by the Department of State as committees of continuous existence pursuant to s. 106.04, national political parties, and the state and county executive committees of political parties regulated by chapter 103.

2. Corporations regulated by chapter 607 or chapter 617 or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, or political committees or expenditures in support of or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities.

3. Electioneering communications organizations as defined in subsection (19); ~~however, such organizations shall be required to register with and report expenditures and contributions, including contributions received from committees of continuous existence, to the Division of Elections in the same manner, at the same time, and subject to the same penalties as a political committee supporting or opposing an issue or a legislative candidate, except as otherwise specifically provided in this chapter.~~

(3) “Contribution” means:

(a) A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

(b) A transfer of funds between political committees, between committees of continuous existence, between electioneering communications organizations, or between any combination of these groups.

(c) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services.

(d) The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes any interest earned on such account or certificate.

Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee. This definition shall not be construed to include editorial endorsements.

(4)(a) "Expenditure" means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. However, "expenditure" does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization's newsletter, containing a statement by such organization in support of or opposition to a candidate or issue, which newsletter is distributed only to members of such organization.

(b) As used in this chapter, an "expenditure" for an electioneering communication is made when the earliest of the following occurs:

1. A person enters into a contract for applicable goods or services;
2. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or
3. The electioneering communication is publicly disseminated.

(14) "Filing officer" means the person before whom a candidate qualifies, the agency or officer with whom a political committee or an electioneering communications organization registers, or the agency by whom a committee of continuous existence is certified.

(18)(a) "Electioneering communication" means *any communication publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone* ~~a paid expression in any communications media prescribed in subsection (13) by means other than the spoken word in direct conversation that:~~

1. Refers to or depicts a clearly identified candidate for office ~~or contains a clear reference indicating that an issue is to be voted on at an election~~, without expressly advocating the election or defeat of a candidate ~~but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate; or the passage or defeat of an issue.~~

2. ~~Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and~~

3. ~~Is for communications referring to or depicting a clearly identified candidate for office, is targeted to the relevant electorate. A communication is considered targeted if 1,000 or more persons in the geographic area the candidate would represent if elected will receive the communication.~~

3. ~~For communications containing a clear reference indicating that an issue is to be voted on at an election, is published after the issue is designated a ballot position or 120 days before the date of the election on the issue, whichever occurs first.~~

(b) The term "electioneering communication" does not include:

1. A communication disseminated through a means of communication other than a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, telephone, or statement or depiction by an organization, in existence prior to the time during which a candidate named or depicted qualifies ~~or an issue identified is placed on the ballot~~ for that election, made in that organization's newsletter, which newsletter is distributed only to members of that organization.

2. A communication in a news story, commentary, or editorial distributed through the facilities of any radio station, television station, cable television system, or satellite system, unless the facilities are owned or controlled by any political party, political committee, or candidate. A news story distributed through the facilities owned or controlled by any political party, political committee, or candidate may nevertheless be exempt if it represents a bona fide news account communicated through a licensed broadcasting facility and the communication is part of a general pattern of campaign-related news accounts that give reasonably equal coverage to all opposing candidates in the area ~~An editorial endorsement, news story, commentary, or editorial by any newspaper, radio, television station, or other recognized news medium.~~

3. A communication that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that:

a. The staging organization is either:

(I) A charitable organization that does not make other electioneering communications and does not otherwise support or oppose any political candidate or political party; or

(II) A newspaper, radio station, television station, or other recognized news medium; and

b. The staging organization does not structure the debate to promote or advance one candidate or issue position over another.

(c) For purposes of this chapter, an expenditure made for, or in furtherance of, an electioneering communication shall not be considered a contribution to or on behalf of any candidate.

(d) For purposes of this chapter, an electioneering communication shall not constitute an independent expenditure nor be subject to the limitations applicable to independent expenditures.

(19) "Electioneering communications organization" means any group, other than a political party, political committee, or committee of continuous existence, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party, political committee, or committee of continuous existence under this chapter.

Section 10. Subsection (1) of section 106.022, Florida Statutes, is reenacted to read:

106.022 Appointment of a registered agent; duties.—

(1) Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the division a statement of appointment for the registered office and registered agent. The statement of appointment must:

(a) Provide the name of the registered agent and the street address and phone number for the registered office;

(b) Identify the entity for whom the registered agent serves;

(c) Designate the address the registered agent wishes to use to receive mail;

(d) Include the entity's undertaking to inform the division of any change in such designated address;

(e) Provide for the registered agent's acceptance of the appointment, which must confirm that the registered agent is familiar with and accepts the obligations of the position as set forth in this section; and

(f) Contain the signature of the registered agent and the entity engaging the registered agent.

Section 11. Paragraph (b) of subsection (1) of section 106.03, Florida Statutes, is reenacted and amended, and subsections (2), (4), and (7) of that section are amended, to read:

106.03 Registration of political committees and electioneering communications organizations.—

(1)

(b)1. Each electioneering communications organization that receives anticipates receiving contributions or makes making expenditures during a calendar year in an aggregate amount exceeding \$5,000 shall file a statement of organization as provided in subparagraph 2. subsection (3) by expedited delivery within 24 hours after its organization or, if later, within 24 hours after the date on which it receives has information that causes the organization to anticipate that it will receive contributions or makes make expenditures for an electioneering communication in excess of \$5,000.

2.a. In a statewide, legislative, or multicounty election, an electioneering communications organization shall file a statement of organization with the Division of Elections.

b. In a countywide election or any election held on less than a countywide basis, except as described in sub-subparagraph c., an electioneering communications organization shall file a statement of organization with the supervisor of elections of the county in which the election is being held.

c. In a municipal election, an electioneering communications organization shall file a statement of organization with the officer before whom municipal candidates qualify.

d. Any electioneering communications organization that would be required to file a statement of organization in two or more locations by reason of the organization's intention to support or oppose candidates at state or multicounty and local levels of government need only file a statement of organization with the Division of Elections.

(2) The statement of organization shall include:

(a) The name, mailing address, and street address of the committee or electioneering communications organization;

(b) The names, street addresses, and relationships of affiliated or connected organizations;

(c) The area, scope, or jurisdiction of the committee or electioneering communications organization;

(d) The name, mailing address, street address, and position of the custodian of books and accounts;

(e) The name, mailing address, street address, and position of other principal officers, including the treasurer and deputy treasurer including officers and members of the finance committee, if any;

(f) The name, address, office sought, and party affiliation of:

1. Each candidate whom the committee is supporting;

2. Any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever;

(g) Any issue or issues the committee such organization is supporting or opposing;

(h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party;

(i) A statement of whether the committee is a continuing one;

(j) Plans for the disposition of residual funds which will be made in the event of dissolution;

(k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds; ~~and~~

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials; and

(m) A statement of whether the electioneering communications organization was formed as a newly created organization during the current calendar quarter or was formed from an organization existing prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

(4) Any change in information previously submitted in a statement of organization shall be reported to the agency or officer with whom such committee or electioneering communications organization is required to register pursuant to subsection (3), within 10 days following the change.

(7) The Division of Elections shall adopt promulgate rules to prescribe the manner in which inactive committees and electioneering communications organizations may be dissolved and have their registration canceled. Such rules shall, at a minimum, provide for:

(a) Notice which shall contain the facts and conduct which warrant the intended action, including but not limited to failure to file reports and limited activity.

(b) Adequate opportunity to respond.

(c) Appeal of the decision to the Florida Elections Commission. Such appeals shall be exempt from the confidentiality provisions of s. 106.25.

Section 12. Subsection (5) of section 106.04, Florida Statutes, is reenacted to read:

106.04 Committees of continuous existence.—

(5) No committee of continuous existence shall make an electioneering communication, contribute to any candidate or political committee an amount in excess of the limits contained in s. 106.08(1), or participate in any activity which is prohibited by this chapter. If any violation occurs, it shall be punishable as provided in this chapter for the given offense. No funds of a committee of continuous existence shall be expended on behalf of a candidate, except by means of a contribution made through the duly appointed campaign treasurer of a candidate. No such committee shall make expenditures in support of, or in opposition to, an issue unless such committee first registers as a political committee pursuant to this chapter and undertakes all the practices and procedures required thereof; provided such committee may make contributions in a total amount not to exceed 25 percent of its aggregate income, as reflected in the annual report filed for the previous year, to one or more political committees registered pursuant to s. 106.03 and formed to support or oppose issues.

Section 13. Section 106.0703, Florida Statutes, is reenacted and amended to read:

106.0703 Electioneering communications organizations; ~~additional~~ reporting requirements; certification and filing; penalties.—

(1)(a) Each electioneering communications organization shall file regular reports of all contributions received and all expenditures made by or on behalf of the organization. Reports shall be filed on the 10th day following the end of each calendar quarter from the time the organization is registered. However, if the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that is not a Saturday, Sunday, or legal holiday. Quarterly reports shall include all contributions received and expenditures made during the calendar quarter that have not otherwise been reported pursuant to this section.

(b) Following the last day of candidates qualifying for office, the reports shall be filed on the 32nd, 18th, and 4th days immediately pre-

ceding the primary election and on the 46th, 32nd, 18th, and 4th days immediately preceding the general election.

(c) When a special election is called to fill a vacancy in office, all electioneering communications organizations making contributions or expenditures to influence the results of the special election shall file reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

(d) In addition to the reports required by paragraph (a), an electioneering communications organization that is registered with the Department of State and that makes a contribution or expenditure to influence the results of a county or municipal election that is not being held at the same time as a state or federal election must file reports with the county or municipal filing officer on the same dates as county or municipal candidates or committees for that election. The electioneering communications organization must also include the expenditure in the next report filed with the Division of Elections pursuant to this section following the county or municipal election.

(e) The filing officer shall make available to each electioneering communications organization a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a) Except as provided in s. 106.0705, the reports required of an electioneering communications organization shall be filed with the filing officer not later than 5 p.m. of the day designated. However, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. Reports shall contain information of all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election shall contain information of all previously unreported contributions received and expenditures made as of the day preceding the designated due date. All such reports shall be open to public inspection.

(b)1. Any report that is deemed to be incomplete by the officer with whom the electioneering communications organization files shall be accepted on a conditional basis. The treasurer of the electioneering communications organization shall be notified, by certified mail or other common carrier that can establish proof of delivery for the notice, as to why the report is incomplete. Within 7 days after receipt of such notice, the treasurer must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address of the treasurer or registered agent of the electioneering communication organization on record with the filing officer.

(3)(a) Each report required by this section must contain:

1. The full name, address, and occupation, if any, of each person who has made one or more contributions to or for such electioneering communications organization within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which or to which the reporting electioneering communications organization made any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for electioneering communication purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such electioneering communications organization during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the electioneering communications organization within the reporting period and the amount, date, and purpose of each expenditure.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for expenses has been made and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

8. The total sum of expenditures made by the electioneering communications organization during the reporting period.

9. The amount and nature of debts and obligations owed by or to the electioneering communications organization that relate to the conduct of any electioneering communication.

10. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

11. The primary purposes of an expenditure made indirectly through an electioneering communications organization for goods and services, such as communications media placement or procurement services and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) The filing officer shall make available to any electioneering communications organization a reporting form which the electioneering communications organization may use to indicate contributions received by the electioneering communications organization but returned to the contributor before deposit.

(4) The treasurer of the electioneering communications organization shall certify as to the correctness of each report, and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) The electioneering communications organization depository shall provide statements reflecting deposits and expenditures from the account to the treasurer, who shall retain the records pursuant to s. 106.06. The records maintained by the depository with respect to the account shall be subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any such records to the Division of Elections or the Florida Elections Commission upon request.

(6) Notwithstanding any other provisions of this chapter, in any reporting period during which an electioneering communications organization has not received funds, made any contributions, or expended any reportable funds, the treasurer shall file a written report with the filing officer by the prescribed reporting date that no reportable contributions or expenditures were made during the reporting period.

(7)(a) Any electioneering communications organization failing to file a report on the designated due date shall be subject to a fine as provided in paragraph (b) for each late day. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of an electioneering communications organization that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of an electioneering communications organization that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the electioneering communications organization as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the electioneering communications organization. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address on record with the filing officer. An officer or member of an electioneering communications organization shall not be personally liable for such fine.

(c) The treasurer of an electioneering communications organization may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(1) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the treasurer of the electioneering communications organization shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by an electioneering communications organization, the failure of an electioneering communications organization to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be stated separately and reported by the division to the commission under s. 106.25(2).

(8) ~~In addition to the reporting requirements in s. 106.07,~~ An electioneering communications organization shall, within 2 days after receiving its initial password or secure sign-on from the Department of State allowing confidential access to the department's electronic campaign finance filing system, electronically file the periodic ~~campaign finance~~ reports that would have been required pursuant to ~~this section s. 106.07~~ for reportable activities that occurred since the date of the last general election.

(9) Electioneering communications organizations shall not use credit cards.

Section 14. Paragraph (b) of subsection (2) of section 106.0705, Florida Statutes, is reenacted, and subsections (3) and (4) of that section are amended, to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(2)

(b) Each political committee, committee of continuous existence, electioneering communications organization, or state executive committee that is required to file reports with the division under s. 106.04, s. 106.07, s. 106.0703, or s. 106.29, as applicable, must file such reports with the division by means of the division's electronic filing system.

(3) Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated. Reports not filed by midnight of the day designated are late filed and are subject to the penalties under s. 106.04(8), s. 106.07(8), s. 106.0703(7), or s. 106.29(3), as applicable.

(4) Each report filed pursuant to this section is considered to be under oath by the candidate and treasurer, ~~or~~ the chair and treasurer, ~~or the treasurer under s. 106.0703,~~ whichever is applicable, and such persons are subject to the provisions of s. 106.04(4)(d), s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as applicable. Persons given a secure sign-on to the electronic filing system are responsible for protecting such from disclosure and are responsible for all filings using such credentials, unless they have notified the division that their credentials have been compromised.

Section 15. Subsection (1) of section 106.071, Florida Statutes, is reenacted and amended to read:

106.071 Independent expenditures; electioneering communications; reports; disclaimers.—

(1) Each person who makes an independent expenditure with respect to any candidate or issue, and each individual who makes an expenditure for an electioneering communication which is not otherwise reported pursuant to this chapter, which expenditure, in the aggregate, is in the amount of \$5,000 ~~\$100~~ or more, shall file periodic reports of such expenditures in the same manner, at the same time, subject to the same penalties, and with the same officer as a political committee supporting or opposing such candidate or issue. The report shall contain the full name and address of the person making the expenditure; the full name and address of each person to whom and for whom each such expenditure has been made; the amount, date, and purpose of each such expenditure; a description of the services or goods obtained by each such expenditure; the issue to which the expenditure relates; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

Section 16. Subsections (4) and (5) of section 106.08, Florida Statutes, are amended, and subsection (7) of that section is reenacted, to read:

106.08 Contributions; limitations on.—

(4)~~(a)~~ Any contribution received by the chair, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than 5 days prior to the day of that election may not be obligated or expended by the committee until after the date of the election.

~~(b) Any contribution received by an electioneering communications organization on the day of an election or less than 5 days prior to the day of that election may not be obligated or expended by the organization until after the date of the election and may not be expended to pay for any obligation arising prior to the election.~~

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

(b) Candidates, political committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

(c) Candidates, political committees, and political parties may not make contributions, in exchange for political support, to any religious, charitable, civic, or other cause or organization established primarily for the public good. It is not a violation of this paragraph for:

1. A candidate, political committee, or political party executive committee to make gifts of money in lieu of flowers in memory of a deceased person;

2. A candidate to continue membership in, or make regular donations from personal or business funds to, religious, political party, civic, or charitable groups of which the candidate is a member or to which the candidate has been a regular donor for more than 6 months; or

3. A candidate to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, or charitable groups.

~~(d) An electioneering communications organization may not accept a contribution from an organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, other than a political committee, committee of continuous existence, or political party, unless the contributing organization has registered as if the organization were an electioneering communications organization pursuant to s. 106.03 and has filed all campaign finance reports required of electioneering communications organizations pursuant to ss. 106.07 and 106.0703.~~

(7)(a) Any person who knowingly and willfully makes or accepts no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. If any corporation, partnership, or other business entity or any political party, political committee, committee of continuous existence, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$1,000 and not more than \$10,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political party, political committee, committee of continuous existence, electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts two or more contributions in violation of subsection (1) or subsection (5) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If any corporation, partnership, or other business entity or any political party, political committee, committee of continuous existence, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$10,000 and not more than \$50,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political committee, committee of continuous existence, political party, or electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 17. Section 106.1437, Florida Statutes, is reenacted to read:

106.1437 Miscellaneous advertisements.—Any advertisement, other than a political advertisement, independent expenditure, or electioneering communication, on billboards, bumper stickers, radio, or television, or in a newspaper, a magazine, or a periodical, intended to influence public policy or the vote of a public official, shall clearly designate the sponsor of such advertisement by including a clearly readable statement of sponsorship. If the advertisement is broadcast on televi-

sion, the advertisement shall also contain a verbal statement of sponsorship. This section shall not apply to an editorial endorsement.

Section 18. Section 106.1439, Florida Statutes, is reenacted and amended to read:

106.1439 Electioneering communications; disclaimers.—

(1) Any electioneering communication, other than a telephone call, shall prominently state: “Paid electioneering communication paid for by \_\_\_\_\_ (Name and address of person paying for the communication).”

(2) Any electioneering communication telephone call shall identify the persons or organizations sponsoring the call by stating either: “Paid for by \_\_\_\_\_ (insert name of persons or organizations sponsoring the call).” or “Paid for on behalf of \_\_\_\_\_ (insert name of persons or organizations authorizing call).” This subsection does not apply to any telephone call in which the individual making the call is not being paid and the individuals participating in the call know each other prior to the call.

(3)(2) Any person who fails to include the disclaimer prescribed in this section in any electioneering communication that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 19. Paragraphs (a) and (e) of subsection (1) of section 106.147, Florida Statutes, are amended to read:

106.147 Telephone solicitation; disclosure requirements; prohibitions; exemptions; penalties.—

(1)(a) ~~Any electioneering communication telephone call or any telephone call supporting or opposing a candidate, elected public official, or ballot proposal must identify the persons or organizations sponsoring the call by stating either: “paid for by ....” (insert name of persons or organizations sponsoring the call) or “paid for on behalf of ....” (insert name of persons or organizations authorizing call). This paragraph does not apply to any telephone call in which both the individual making the call is not being paid and the individuals participating in the call know each other prior to the call.~~

~~(e) Any electioneering communication paid for with public funds must include a disclaimer containing the words “paid for by \_\_\_\_\_ (Name of the government entity paying for the communication).”~~

Section 20. Section 106.17, Florida Statutes, is reenacted to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, committee of continuous existence, electioneering communication organization, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, committee of continuous existence, electioneering communication organization, or political party maintains complete jurisdiction over the poll in all its aspects.

And the title is amended as follows:

Delete lines 2-31 and insert: An act relating to elections; amending s. 97.021, F.S.; defining the term “absent uniformed services voter;” revising the definition of the term “overseas voter;” amending s. 98.0981, F.S., relating to statewide voter information; conforming a cross-reference; amending s. 101.56075, F.S.; extending the deadline by which persons with disabilities will be required to vote on voter interface devices that meet certain requirements; amending s. 101.62, F.S.; requiring the supervisor of elections to notify the absent uniformed services voter and overseas voter of the free access system for determining absentee ballot status; providing a timeframe for an absentee ballot to be sent to each absent uniformed services voter and overseas voter; providing acceptable formats for requesting an absentee ballot; modifying circumstances under which the department is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters; amending s. 101.694, F.S.; conforming timeframes for sending an absentee ballot upon receipt of federal postcard application to those prescribed in s. 101.62, F.S.; deleting the requirement for a federal postcard application request to be effective through two regularly scheduled general elections pursuant to changes in federal law; amending s. 101.6952, F.S.; revising responsibilities of the supervisor of elections when an absent uniformed services voter’s or overseas voter’s



request for an absentee ballot includes an e-mail address; requiring the supervisor to record the e-mail address in the absentee ballot record and, via e-mail, confirm that the request was received, inform the voter of the estimated date the absentee ballot will be sent, and notify the voter when the voted absentee ballot is received; providing a short title; amending s. 106.143, F.S.; providing an alternative statement that may be used to identify a candidate as the sponsor of a political advertisement under certain circumstances; providing circumstances under which certain campaign messages and political advertisements are not required to state or display specific information regarding the identity of the candidate, his or her party affiliation, and the office sought in the message or advertisement; authorizing a candidate or political committee to place a statement on a social networking website or account indicating that the site or account is an official site or account approved by the candidate or political committee; prohibiting an official designation without the prior approval by the candidate or political committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition; revising the definition of the term "filing officer" to expand applicability to electioneering communications organizations; revising the definition of the term "electioneering communication" to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term "electioneering communications organization;" amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; prohibiting the use of credit cards by electioneering communications organizations; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer's reports; conforming provisions; amending s. 106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; reenacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; amending s.

Senator Fasano moved the following amendment:

**Amendment 2 (710974) (with title amendment)**—Delete lines 93-173 and insert:

Section 3. Section 97.0115, Florida Statutes, is created to read:

97.0115 Preemption.—All matters set forth in chapters 97-105 are preempted to the state, except as otherwise specifically authorized by state or federal law. The conduct of municipal elections shall be governed by s. 100.3605.

Section 4. Section 101.111, Florida Statutes, is amended to read:

101.111 Voter challenges ~~Person desiring to vote may be challenged; challenger to execute oath; oath of person challenged; determination of challenge.—~~

(1)(a) Any registered elector or poll watcher of a county may challenge the right of a person to vote in that county. The challenge must be in writing and contain the following oath, which shall be delivered to the clerk or inspector:

OATH OF PERSON ENTERING CHALLENGE

State of Florida

County of ....

I do solemnly swear or affirm that my name is ....; that I am a member of the .... Party; that I am a registered voter or pollwatcher; that my residence address is ...., in the municipality of ....; and that I have reason to believe that .... is attempting to vote illegally and the reasons for my belief are set forth herein to wit: .....

.....  
.....

\_\_\_\_\_  
(Signature of person challenging voter)

Sworn and subscribed to before me this .... day of ...., \_\_\_\_\_ (year) \_\_\_\_\_.

\_\_\_\_\_  
(Clerk of election)

(b)1. The clerk or inspector shall immediately deliver to the challenged person a copy of the oath of the person entering the challenge, and the challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048, *except as provided in subparagraph 2.*

2. *If the basis for the challenge is that the person's legal residence is not in that precinct, the person shall first be given the opportunity to execute a change of legal residence in order to be able to vote a regular ballot in accordance with s. 101.045(2). If the change of legal residence is such that the person is then properly registered for that precinct, the person shall be allowed to vote a regular ballot. If the change of legal residence places the person in another precinct, the person shall be directed to the proper precinct to vote. If such person insists that he or she is currently in the proper precinct, the person shall be allowed to vote a provisional ballot in accordance with s. 101.048.*

(c) Alternatively, a challenge in accordance with this section may be filed in advance with the supervisor of elections no sooner than 30 days before an election. The supervisor shall promptly provide the election board in the challenged voter's precinct with a copy of the oath of the person entering the challenge. The challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048, *subject to the provisions of subparagraph (b)2.*

(2) Any elector or poll watcher filing a frivolous challenge of any person's right to vote commits a ~~felony~~ ~~misdemeanor~~ of the ~~third~~ ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, *or s. 775.084*; however, electors or poll watchers shall not be subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such electors or poll watchers by law. Each instance where any elector or poll watcher files a frivolous challenge of any person's right to vote constitutes a separate offense.

Section 5. Subsection (3) of section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(3) By ~~2016~~ ~~2012~~, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

Section 6. Subsections (2) and (5) of section 101.5612, Florida Statutes, are amended to read:

101.5612 Testing of tabulating equipment.—

(2) On any day not more than 10 days prior to the commencement of early voting as provided in s. 101.657, the supervisor of elections shall have the automatic tabulating equipment publicly tested to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. If the ballots to be used at the polling place on election day are not available at the time of the testing, the supervisor may conduct an additional test not more than 10 days before election day. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication *on the supervisor of elections' website and once in one or more newspapers of general circulation in the county*

or, if there is no newspaper of general circulation in the county, by posting the notice in at least four conspicuous places in the county. The supervisor or the municipal elections official may, at the time of qualifying, give written notice of the time and location of the public preelection test to each candidate qualifying with that office and obtain a signed receipt that the notice has been given. The Department of State shall give written notice to each statewide candidate at the time of qualifying, or immediately at the end of qualifying, that the voting equipment will be tested and advise each candidate to contact the county supervisor of elections as to the time and location of the public preelection test. The supervisor or the municipal elections official shall, at least 15 days prior to the commencement of early voting as provided in s. 101.657, send written notice by certified mail to the county party chair of each political party and to all candidates for other than statewide office whose names appear on the ballot in the county and who did not receive written notification from the supervisor or municipal elections official at the time of qualifying, stating the time and location of the public preelection test of the automatic tabulating equipment. The canvassing board shall convene, and each member of the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it. The test shall be open to representatives of the political parties, the press, and the public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

(5) Any tests involving marksense ballots pursuant to this section shall employ ~~test preprinted ballots created by the supervisor of elections using actual ballots that have been printed for the election.~~ ~~If preprinted ballots will be used in the election, and ballot-on-demand ballots will be used in the election, the supervisor shall also create test ballots using the~~ ~~ballot-on-demand technology that will be used to produce ballots in the election, using the same paper stock as will be used for ballots in the election or both.~~

Section 7. Subsections (1), (3), (4), and (5) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor ~~shall may~~ accept a request for an absentee ballot from an elector in person or in writing. ~~Except as provided in s. 101.694,~~ One request shall be deemed sufficient to receive an absentee ballot for all elections through the next ~~two~~ regularly scheduled general election ~~elections~~, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(b). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.;
2. The elector's address.;
3. The elector's date of birth.;
4. The requester's name.;
5. The requester's address.;
- ~~6. The requester's driver's license number, if available.;~~
- ~~6.7. The requester's relationship to the elector.;~~ ~~and~~
- ~~8. The requester's signature (written requests only).~~

(c) Upon receiving a request for an absentee ballot, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than noon of each day *beginning 60 days before the primary until 15 days after the general election* and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)(a) *No later than 45 days before each election, the supervisor of elections shall send an absentee ballot to each absent uniformed services voter and to each overseas voter as provided in subparagraph (b)3. ~~To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall mail an absentee ballot not less than 35 days before the primary election and not less than 45 days before the general election.~~*

(b) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor, ~~unless the elector specifies in the request that:~~

2. By nonforwardable, return-if-undeliverable mail to any address requested by an elector if the request specifies that:

a. The elector is absent from the county and does not plan to return before the day of the election;

b. The elector is temporarily unable to occupy the residence because of hurricane, tornado, flood, fire, or other emergency or natural disaster; or

c. The elector is in a hospital, assisted living facility, nursing home, short-term medical or rehabilitation facility, or correctional facility;

~~in which case the supervisor shall mail the ballot by nonforwardable, return-if-undeliverable mail to any other address the elector specifies in the request.~~

~~3.2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters who are entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act. The absent uniformed services voter or overseas voter may designate in the request the preferred method of transmission. If the voter does not designate the method of transmission, the ballot shall be mailed.~~

~~4.3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.~~

5.4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written

authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

(5) ~~If in the event that the department Elections Canvassing Commission is unable to certify candidates for the results of an election for a state office in time for the supervisors to comply with paragraph (4)(a) subsection (4), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and electors overseas voters.~~

Section 8. Subsection (2) of section 101.71, Florida Statutes, is amended to read:

101.71 Polling place.—

(2) Notwithstanding the provisions of subsection (1), whenever the supervisor of elections of any county determines that the accommodations for holding any election at a polling place designated for any precinct in the county are unavailable, are inadequate for the expeditious and efficient housing and handling of voting and voting paraphernalia, or do not comply with the requirements of s. 101.715, the supervisor shall, not less than 30 days prior to the holding of an election, provide for the voting place for such precinct to be moved to another site that is accessible to the public on election day in said precinct or, if such is not available, to another site that is accessible to the public on election day in a contiguous precinct. If such action of the supervisor results in the voting place for two or more precincts being located for the purposes of an election in one building, the supervisor of elections shall ensure that adequate supplies, equipment, and personnel are available to accommodate the voters for the precincts that are collocated ~~voting places for the several precincts involved shall be established and maintained separate from each other in said building.~~ When any supervisor moves any polling place pursuant to this subsection, the supervisor shall, not more than 30 days or fewer than 7 days prior to the holding of an election, give notice of the change of the polling place for the precinct involved, with clear description of the voting place to which changed, at least once in a newspaper of general circulation in the ~~said~~ county and on the supervisor of elections' website. A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

Section 9. Subsection (1) of section 102.012, Florida Statutes, is amended to read:

102.012 Inspectors and clerks to conduct elections.—

(1)(a) The supervisor of elections of each county, at least 20 days prior to the holding of any election, shall appoint an election board comprised of poll workers who serve as clerks or inspectors for each precinct in the county. The clerk shall be in charge of, and responsible for, seeing that the election board carries out its duties and responsibilities. Each inspector and each clerk shall take and subscribe to an oath or affirmation, which shall be written or printed, to the effect that he or she will perform the duties of inspector or clerk of election, respectively, according to law and will endeavor to prevent all fraud, deceit, or abuse in conducting the election. The oath may be taken before an officer authorized to administer oaths or before any of the persons who are to act as inspectors, one of them to swear the others, and one of the others sworn thus, in turn, to administer the oath to the one who has not been sworn. The oaths shall be returned with the poll list and the returns of the election to the supervisor. In all questions that may arise before the members of an election board, the decision of a majority of them shall decide the question. The supervisor of elections of each county shall be responsible for the attendance and diligent performance of his or her duties by each clerk and inspector.

(b) If two or more precincts share the same building and voting place, the supervisor of elections may appoint one election board for the collocated precincts. The supervisor shall ensure that a sufficient number of poll workers are appointed to adequately handle the processing of the voters in the collocated precincts.

Section 10. Section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(1) The Elections Canvassing Commission shall consist of the Governor and two members of the Cabinet selected by the Governor, all of

whom shall serve *ex officio*. If a member of the ~~Elections Canvassing~~ commission is unable to serve for any reason, the Governor shall appoint a remaining member of the Cabinet. If there is a further vacancy, the remaining members of the commission shall agree on another elected official to fill the vacancy.

(2) The Elections Canvassing Commission shall meet at 9 a.m. on the 9th day after a primary election and at 9 a.m. on the 14th day after a general election to, ~~as soon as the official results are compiled from all counties,~~ certify the returns of the election and determine and declare ~~who has been elected~~ for each federal, state, and multicounty office. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

(3)~~(2)~~ The Division of Elections shall provide the staff services required by the Elections Canvassing Commission.

Section 11. Subsection (2) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.—

(2) Returns must be filed by 5 p.m. on the 7th day following a primary election and by noon on the 12th day following the general election. However, the Department of State may correct typographical errors, including the transposition of numbers, in any returns submitted to the Department of State pursuant to s. 102.111(2) ~~§ 102.111(4)~~.

Section 12. Subsections (2), (4), and (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(2) The county canvassing board shall meet in a building accessible to the public in the county where the election occurred at a time and place to be designated by the supervisor of elections to publicly canvass the absentee electors' ballots as provided for in s. 101.68 and provisional ballots as provided by ss. 101.048, 101.049, and 101.6925. Provisional ballots cast pursuant to s. 101.049 shall be canvassed in a manner that votes for candidates and issues on those ballots can be segregated from other votes. Public notice of the time and place at which the county canvassing board shall meet to canvass the absentee electors' ballots and provisional ballots shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting such notice in at least four conspicuous places in the county. As soon as the absentee electors' ballots and the provisional ballots are canvassed, the board shall proceed to publicly canvass the vote given each candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, as shown by the returns then on file in the office of the supervisor of elections ~~and the office of the county court judge~~.

(4) Within 30 minutes after the closing of polls, the supervisor of elections shall report all early voting and all tabulated absentee results to the Department of State. Thereafter, the supervisor of elections shall report updated precinct results to the Department of State at least every 45 minutes until all results, excluding provisional ballots, are reported. Results shall be in a format as prescribed by the Department of State. ~~The canvassing board shall submit by 11:59 p.m. on election night the preliminary returns it has received to the Department of State in a format provided by the department.~~

(7) If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, ~~the board responsible for certifying the results of the vote on such race or measure shall order~~ a recount shall be ordered of the

votes cast with respect to such office or measure. The *Secretary of State Elections Canvassing Commission* is the board responsible for ordering recounts in federal, state, and multicounty races ~~recounts~~. The county canvassing board or the local board responsible for certifying the election is responsible for ordering recounts in all other races. A recount need not be ordered with respect to the returns for any office, however, if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(a) Each canvassing board responsible for conducting a recount shall put each marksense ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast. If any marksense ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in s. 101.5614(5). Immediately before the start of the recount, a test of the tabulating equipment shall be conducted as provided in s. 101.5612. If the test indicates no error, the recount tabulation of the ballots cast shall be presumed correct and such votes shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error.

(b) Each canvassing board responsible for conducting a recount where touchscreen ballots were used shall examine the counters on the precinct tabulators to ensure that the total of the returns on the precinct tabulators equals the overall election return. If there is a discrepancy between the overall election return and the counters of the precinct tabulators, the counters of the precinct tabulators shall be presumed correct and such votes shall be canvassed accordingly.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure. *The returns shall be filed* no later than 3 p.m. on the 5th ~~5th~~ day after any primary election and no later than 3 p.m. on the 9th ~~ninth~~ day after any general election in which a recount was ordered by the *Secretary of State* ~~conducted pursuant to this subsection~~. If the canvassing board is unable to complete the recount prescribed in this subsection by the deadline, the second set of unofficial returns submitted by the canvassing board shall be identical to the initial unofficial returns and the submission shall also include a detailed explanation of why it was unable to timely complete the recount. However, the canvassing board shall complete the recount prescribed in this subsection, along with any manual recount prescribed in s. 102.166, and certify election returns in accordance with the requirements of this chapter.

(d) The Department of State shall adopt detailed rules prescribing additional recount procedures for each certified voting system, which shall be uniform to the extent practicable.

Section 13. Subsection (1) of section 102.166, Florida Statutes, is amended to read:

102.166 Manual recounts of overvotes and undervotes.—

(1) If the second set of unofficial returns pursuant to s. 102.141 indicates that a candidate for any office was defeated or eliminated by one-quarter of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-quarter of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-quarter of a percent or less of the votes cast on such measure, ~~the board responsible for certifying the results of the vote on such race or measure shall order a manual recount of the overvotes and undervotes cast in the entire geographic jurisdiction of such office or ballot measure shall be ordered unless:—A manual recount may not be ordered, however, if~~

(a) *The candidate or candidates defeated or eliminated from contention by one-quarter of 1 percent or fewer of the votes cast for such office request in writing that a recount not be made; or*

(b) *The number of overvotes and; undervotes, and provisional ballots is fewer than the number of votes needed to change the outcome of the election.*

*The Secretary of State is responsible for ordering a manual recount for federal, state, and multicounty races. The county canvassing board or local board responsible for certifying the election is responsible for ordering a manual recount for all other races.*

And the title is amended as follows:

Delete lines 7-16 and insert: cross-reference; creating s. 97.0115, F.S.; providing that all matters in chapters 97 through 105, F.S., are preempted to the state, unless otherwise specified; amending s. 101.111, F.S.; revising voter challenge oath requirements; providing circumstances under which a challenged voter may execute a change of legal residence, be directed to the proper precinct, or vote a provisional ballot; providing increased penalties for filing a frivolous voter challenge; amending s. 101.56075, F.S.; extending the deadline by which persons with disabilities will be required to vote on voter interface devices meeting specified requirements; amending s. 101.5612, F.S.; requiring the supervisor of elections to publish on his or her website a notice of testing of tabulating equipment; requiring the use of certain ballots and technology for preelection testing of tabulating equipment; amending s. 101.62, F.S.; revising the supervisor of elections' responsibilities for the request and transmittal of absentee ballots; revising the time an absentee ballot request is valid; authorizing the Department of State to prescribe rules for a ballot to be sent to uniformed services voters and overseas voters; amending s. 101.71, F.S.; requiring the supervisor of elections to ensure the provision of adequate supplies, equipment, and personnel when precincts are collocated; requiring the supervisor of elections to publish the relocation of a polling place on his or her website; amending s. 102.012, F.S.; allowing the supervisor of elections to appoint one election board for collocated precincts and requiring the appointment of adequate personnel for the collocated precincts; amending s. 102.111, F.S.; clarifying that the Governor and Cabinet members shall serve ex officio on the Elections Canvassing Commission; establishing meeting times for the commission; amending s. 102.112, F.S.; conforming a cross-reference; amending s. 102.141, F.S.; requiring the supervisor of elections to publish on his or her website notice of the time for canvassing absentee and provisional ballots; requiring a supervisor to report early voting and tabulated absentee results to the Department of State within 30 minutes after the closing of the polls; requiring the supervisor to report updated precinct results at certain intervals; providing circumstances under which the Secretary of State, county canvassing board, or local board is responsible for ordering recounts in elections; specifying the time for filing returns for elections in which a recount was ordered; amending s. 102.166, F.S.; providing circumstances under which the Secretary of State, county canvassing board, or local board is responsible for ordering a manual recount of overvotes and undervotes;

Senator Fasano moved the following amendment to **Amendment 2** which was adopted:

**Amendment 2A (612746) (with title amendment)**—Delete lines 64-164 and insert: challenge of any person's right to vote commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083; however, electors or poll watchers shall not be subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such electors or poll watchers by law. Each instance where any elector or poll watcher files a frivolous challenge of any person's right to vote constitutes a separate offense.

Section 5. Subsection (3) of section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(3) By ~~2012~~ 2016, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

Section 6. Subsections (2) and (5) of section 101.5612, Florida Statutes, are amended to read:

101.5612 Testing of tabulating equipment.—

(2) On any day not more than 10 days prior to the commencement of early voting as provided in s. 101.657, the supervisor of elections shall have the automatic tabulating equipment publicly tested to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. If the ballots to be used at the polling place on election day are not available at the time of the testing, the supervisor may conduct an additional test not more than 10 days before election day. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting the notice in at least four conspicuous places in the county. The supervisor or the municipal elections official may, at the time of qualifying, give written notice of the time and location of the public preelection test to each candidate qualifying with that office and obtain a signed receipt that the notice has been given. The Department of State shall give written notice to each statewide candidate at the time of qualifying, or immediately at the end of qualifying, that the voting equipment will be tested and advise each candidate to contact the county supervisor of elections as to the time and location of the public preelection test. The supervisor or the municipal elections official shall, at least 15 days prior to the commencement of early voting as provided in s. 101.657, send written notice by certified mail to the county party chair of each political party and to all candidates for other than statewide office whose names appear on the ballot in the county and who did not receive written notification from the supervisor or municipal elections official at the time of qualifying, stating the time and location of the public preelection test of the automatic tabulating equipment. The canvassing board shall convene, and each member of the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it. The test shall be open to representatives of the political parties, the press, and the public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

(5) Any tests involving marksense ballots pursuant to this section shall employ ~~test printed ballots created by the supervisor of elections using actual ballots that have been printed for the election.~~; ~~If printed ballots will be used in the election, and ballot-on-demand ballots will be used in the election, the supervisor shall also create test ballots using the~~ ~~if~~ ballot-on-demand technology that will be used to produce ballots in the election, using the same paper stock as will be used for ballots in the election ~~or both.~~

Section 7. Subsections (1), (3), (4), and (5) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall ~~may~~ accept a request for an absentee ballot from an elector in person or in writing. ~~Except as provided in s. 101.694,~~ One request shall be deemed sufficient to receive an absentee ballot for all elections through the next ~~two~~ regularly scheduled general election ~~elections~~, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(b). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.;
2. The elector's address.;
3. The elector's date of birth.;
4. The requester's name.;
5. The requester's address.;

6. The requester's driver's license number, if available;
7. The requester's relationship to the elector; and
8. The requester's signature (written requests only).

And the title is amended as follows:

Delete lines 506 and 507 and insert: a provisional ballot; amending s.

MOTION

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

Senator Justice moved the following amendments to **Amendment 2** which failed:

**Amendment 2B (358312) (with directory and title amendments)**—Between lines 10 and 11 insert:

Section 4. Present subsections (6) and (7) of section 99.012, Florida Statutes, are redesignated as subsections (7) and (8), respectively, and a new subsection (6) is added to that section, to read:

99.012 Restrictions on individuals qualifying for public office.—

(6) *In order to qualify as a candidate for state legislative office, a person must have resided in the district in which he or she is seeking office for at least 1 year prior to the date of the election to such office.*

And the directory clause is amended as follows:

Delete line 497 and insert: Delete lines 2-16

And the title is amended as follows:

Delete lines 499-501 and insert: An act relating to elections; amending s. 97.021, F.S.; defining the term "absent uniformed services voter;" revising the definition of the term "overseas voter;" amending s. 98.0981, F.S., relating to statewide voter information; conforming a cross-reference; creating s. 97.0115, F.S.; providing that all matters in chapters 97 through 105, F.S., are preempted to the state, unless otherwise specified; amending s. 99.012, F.S.; requiring that a person who is seeking election to a state legislative office reside in the district in which he or she is seeking office for at least 1 year prior to the election;

**Amendment 2C (452070) (with title amendment)**—After line 493 insert:

Section 14. Subsection (1) of section 98.015, Florida Statutes, is amended to read:

98.015 Supervisor of elections; election, tenure of office, compensation, custody of registration-related documents, office hours, successor, seal; appointment of deputy supervisors; duties.—

(1) A supervisor of elections shall be elected *in a nonpartisan election* in each county at the general election in each year the number of which is a multiple of four for a 4-year term commencing on the first Tuesday after the first Monday in January succeeding his or her election. Each supervisor shall, before performing any of his or her duties, take the oath prescribed in s. 5, Art. II of the State Constitution.

Section 15. Paragraph (a) of subsection (2) of section 101.151, Florida Statutes, is amended to read:

101.151 Specifications for ballots.—

(2)(a) The ballot shall have headings under which shall appear the names of the offices and the names of the candidates for the respective offices in the following order: the heading "President and Vice President" and thereunder the names of the candidates for President and Vice President of the United States nominated by the political party that received the highest vote for Governor in the last general election of the Governor in this state. Then shall appear the names of other candidates for President and Vice President of the United States who have been properly nominated. Then shall follow the heading "Congressional" and thereunder the offices of United States Senator and Representative in



the appropriate supervisor or supervisors of elections as having qualified for the office sought.

(b) Each candidate seeking to qualify for election to the office of county court judge, the office of supervisor of elections, or the office of school board member from a single county school district pursuant to this section shall submit his or her petition, before prior to noon of the 28th day preceding the first day of the qualifying period for the office sought, to the supervisor of elections of the county for which such petition was circulated. The supervisor shall check the signatures on the petition to verify their status as electors of the county and of the geographic area represented by the office sought. No later than the 7th day before the first date for qualifying, the supervisor shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate. If the required number of signatures has been obtained, the candidate shall, during the time prescribed for qualifying for office, submit a copy of such notice and file his or her qualifying papers and oath prescribed in s. 105.031 with the qualifying officer. Upon receipt of the copy of such notice and qualifying papers, such candidate shall be entitled to have his or her name printed on the ballot.

Section 18. Subsection (4) of section 105.041, Florida Statutes, is amended to read:

105.041 Form of ballot.—

(4) WRITE-IN CANDIDATES.—Space shall be made available on the general election ballot for an elector to write in the name of a write-in candidate for judge of a circuit court or county court, the office of supervisor of elections, or member of a school board if a candidate has qualified as a write-in candidate for such office pursuant to s. 105.031. This subsection shall not apply to the offices of justices and judges seeking retention.

Section 19. Paragraph (a) of subsection (1) of section 105.051, Florida Statutes, is amended to read:

105.051 Determination of election or retention to office.—

(1) ELECTION.—In circuits and counties holding elections:

(a) The name of an unopposed candidate for the office of circuit judge, county court judge, supervisor of elections, or member of a school board shall not appear on any ballot, and such candidate shall be deemed to have voted for himself or herself at the general election.

Section 20. Subsection (3) is added to section 105.061, Florida Statutes, to read:

105.061 Electors qualified to vote.—

(3) The election of the supervisor of elections shall be by vote of the qualified electors of the county.

Section 21. Subsection (1) of section 105.08, Florida Statutes, is amended to read:

105.08 Campaign contribution and expense; reporting.—

(1) A candidate for judicial office, the office of supervisor of elections, or the office of school board member may accept contributions and may incur only such expenses as are authorized by law. Each such candidate shall keep an accurate record of his or her contributions and expenses, and shall file reports pursuant to chapter 106.

Section 22. Section 105.09, Florida Statutes, is amended to read:

105.09 Political activity on behalf of a candidate for judicial office or the office of supervisor of elections limited.—

(1) A No political party or partisan political organization may not shall endorse, support, or assist any candidate in a campaign for election to judicial office or the office of supervisor of elections.

(2) Any person who knowingly, in an individual capacity or as an officer of an organization, violates the provisions of this section commits is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Delete line 552 and insert: undervotes and overvotes; amending s. 98.015, F.S.; requiring that a supervisor of elections in each county be elected in a nonpartisan election; amending s. 101.151, F.S.; deleting a provision requiring that the title “supervisor of elections” and the names of candidates running for such office appear under the heading entitled “County” on election ballots; amending s. 105.031, F.S.; requiring that candidates for the office of supervisor of elections pay a specified qualifying fee, subscribe to an oath, and file certain items with the supervisor of elections before the end of the qualifying period; amending s. 105.035, F.S.; including candidates for the office of supervisor of elections among the list of candidates who may qualify for election by a specified petition process; amending s. 105.041, F.S.; requiring that space be made available on a general election ballot for an elector to write in the name of a write-in candidate for the office of supervisor of elections if such candidate has qualified as a write-in candidate pursuant to state law; amending s. 105.051, F.S.; prohibiting the name of an unopposed candidate for the office of supervisor of elections from appearing on any ballot; amending s. 105.061, F.S.; requiring that the election of a supervisor of elections be by vote of the qualified electors of a county; amending s. 105.08, F.S.; limiting the contributions that may be accepted and the expenses that may be incurred by a candidate for the office of supervisor of elections; requiring such candidates to keep an accurate record of such contributions and expenses; requiring that such information be reported in accordance with state law; amending s. 105.09, F.S.; prohibiting a political party or partisan political organization from endorsing, supporting, or assisting any candidate in a campaign for election to the office of supervisor of elections; providing that it is a second-degree misdemeanor to knowingly commit such acts;

Amendment 2 as amended was adopted.

Pursuant to Rule 4.19, CS for CS for HB 131 as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich, by unanimous consent—

SB 104—A bill to be entitled An act relating to sexual activities involving animals; creating s. 828.126, F.S.; providing definitions; prohibiting knowing sexual conduct or sexual contact with an animal; prohibiting specified related activities; providing penalties; providing that the act does not apply to certain husbandry, conformation judging, and veterinary practices; 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 SB 104 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

CS for CS for SB 2272 and CS for SB 2722—A bill to be entitled An act relating to controlled substances; amending s. 456.037, F.S.; providing that pain-management clinics that are required to be registered with the Department of Health are business establishments; amending s. 456.057, F.S.; providing that the Department of Health is not required to attempt to obtain authorization from a patient for the release of the patient’s medical records under certain circumstances; authorizing the department to obtain patient records without authorization or subpoena if the department has probable cause to believe that certain violations

have occurred or are occurring; repealing s. 458.309(4), (5), and (6), F.S., relating to pain-management clinics; creating s. 458.3265, F.S.; requiring all privately owned pain-management clinics, or offices that primarily engage in the treatment of pain by prescribing or dispensing controlled substance medications or by employing a physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, to register with the Department of Health; providing exceptions; requiring each location of a pain-management clinic to register separately; requiring a clinic to designate a physician who is responsible for complying with requirements related to registration and operation of the clinic; requiring the department to deny registration or revoke the registration of a pain-management clinic for certain conditions; authorizing the department to revoke a clinic's certificate of registration and prohibit physicians associated with the clinic from practicing at the clinic's location; requiring a pain-management clinic to cease operating if its registration certificate is revoked or suspended; requiring certain named persons to remove all signs and symbols identifying the premises as a pain-management clinic; requiring a pain-management clinic that has had its registration revoked or suspended to advise the department of the disposition of the medicinal drugs located on the premises; providing that medicinal drugs that are purchased or held by a pain-management clinic that is not registered may be deemed adulterated; prohibiting any person acting as an individual or as part of a group from applying for a certificate to operate a pain-management clinic for a certain period after the date the person's registration certificate is revoked; providing that a change of ownership of a registered pain-management clinic requires submission of a new registration application; providing the responsibilities of a physician who provides professional services at a pain-management clinic; requiring the department to inspect pain-management clinics and its patient records; providing an exception to inspection by the department; requiring a pain-management clinic to document corrective action; requiring the department and the Board of Medicine to adopt rules; authorizing the department to impose fines, deny a clinic's registration, or revoke a clinic's registration; amending s. 458.327, F.S.; providing that the commission of certain specified acts involving a nonregistered pain-management clinic constitutes a felony of the third degree or a misdemeanor of the first degree; amending s. 458.331, F.S.; providing additional acts that constitute grounds for disciplinary actions against health professional licensees; repealing s. 459.005(3), (4), and (5), F.S., relating to pain-management clinics; creating s. 459.0137, F.S.; requiring all privately owned pain-management clinics, or offices that primarily engage in the treatment of pain by prescribing or dispensing controlled substance medications or by employing an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, to register with the department; providing exceptions; requiring each location of a pain-management clinic to register separately; requiring a clinic to designate an osteopathic physician who is responsible for complying with requirements related to registration and operation of the clinic; requiring the department to deny registration or revoke the registration of a pain-management clinic for certain conditions; authorizing the department to revoke a clinic's certificate of registration and prohibit osteopathic physicians associated with the clinic from practicing at the clinic's location; requiring a pain-management clinic to cease operating if its registration certificate is revoked or suspended; requiring certain named persons to remove all signs and symbols identifying the premises as a pain-management clinic; requiring a pain-management clinic that has had its registration revoked or suspended to advise the department of the disposition of the medicinal drugs located on the premises; providing that medicinal drugs that are purchased or held by a pain-management clinic that is not registered may be deemed adulterated; prohibiting any person acting as an individual or as part of a group from applying for a certificate to operate a pain-management clinic for a certain period after the date the person's registration certificate is revoked; providing that a change of ownership of a registered pain-management clinic requires submission of a new registration application; providing the responsibilities of an osteopathic physician who provides professional services at a pain-management clinic; requiring the department to inspect pain-management clinics and its patient records; providing an exception to inspection by the department; requiring a pain-management clinic to document corrective action; requiring the department and the Board of Osteopathic Medicine to adopt rules; authorizing the department to impose fines, deny a clinic's registration, or revoke a clinic's registration; amending s. 459.013, F.S.; providing that the commission of certain specified acts involving a nonregistered pain-management clinic constitutes a felony of the third degree or a misdemeanor of the first degree;

amending s. 459.015, F.S.; providing additional acts that constitute grounds for disciplinary actions against health professional licensees; amending s. 893.055, F.S.; providing for the prescription drug monitoring program's database to report certain information directly to applicable law enforcement agencies for investigation; requiring the department to adopt rules; amending s. 893.0551, F.S.; providing for disclosure of confidential and exempt information to applicable law enforcement; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment which was adopted:

**Amendment 1 (119032)**—Delete lines 231-244 and insert: 3. *The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;*

4. *The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;*

5. *The clinic does not prescribe or dispense controlled substances for the treatment of pain; or*

6. *The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).*

Senator Fasano moved the following amendment:

**Amendment 2 (866732)**—Delete lines 335-344 and insert: 2. *Effective July 1, 2012, the physician has not successfully completed a pain medicine fellowship that is accredited by the Accreditation Council for Graduate Medical Education or a pain medicine residency that is accredited by the Accreditation Council for Graduate Medical Education or, prior to July 1, 2012, complies with rules adopted by the board.*

*Any physician who qualifies to practice medicine in a pain-management clinic pursuant to rules adopted by the Board of Medicine as of July 1, 2012, may continue to practice medicine in a pain-management clinic as long as the physician continues to meet the qualifications set forth in the board rules. A physician who violates this paragraph is subject to disciplinary action by his or her appropriate medical regulatory board.*

## 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 to **Amendment 2** which was adopted:

**Amendment 2A (433876)**—Delete line 11 and insert: *to July 1, 2012, does not comply with rules adopted by the board.*

**Amendment 2** as amended was adopted.

Senator Fasano moved the following amendment which was adopted:

**Amendment 3 (333296)**—Delete lines 596-609 and insert: 3. *The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;*

4. *The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;*

5. *The clinic does not prescribe or dispense controlled substances for the treatment of pain; or*

6. *The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).*

Senator Fasano moved the following amendment:

**Amendment 4 (284876)**—Delete lines 701-712 and insert: 2. *Effective July 1, 2012, the physician has not successfully completed a pain medicine fellowship that is accredited by the Accreditation Council for*



*Graduate Medical Education or the American Osteopathic Association or a pain medicine residency that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or, prior to July 1, 2012, complies with rules adopted by the board.*

*Any physician who qualifies to practice medicine in a pain-management clinic pursuant to rules adopted by the Board of Osteopathic Medicine as of July 1, 2012, may continue to practice medicine in a pain-management clinic as long as the physician continues to meet the qualifications set forth in the board rules. An osteopathic physician who violates this paragraph is subject to disciplinary action by his or her appropriate medical regulatory board.*

**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 to **Amendment 4** which was adopted:

**Amendment 4A (182852)**—Delete line 11 and insert: *Osteopathic Association or, prior to July 1, 2012, does not comply with*

**Amendment 4** as amended was adopted.

Senator Fasano moved the following amendment which was adopted:

**Amendment 5 (291048) (with title amendment)**—Delete lines 927-959 and insert:

Section 11. Paragraph (j) is added to subsection (1), paragraph (d) is added to subsection (2), and paragraph (f) is added to subsection (7) of section 893.055, Florida Statutes, to read:

893.055 Prescription drug monitoring program.—

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

(j) *“Program manager” means an employee of or a person contracted by the Department of Health who is designated to ensure the integrity of the prescription drug monitoring program in accordance with the requirements established in paragraphs (2)(a) and (b).*

(2)

(d) *The program manager shall work with professional health care licensure boards and the stakeholders listed in paragraph (b) to develop rules appropriate for identifying indicators of controlled substance abuse.*

(7)

(f) *The program manager, upon determining a pattern consistent with the rules established under paragraph (2)(c) and having cause to believe a violation of s. 893.13(7)(a)8., (8)(a), or (8)(b) has occurred, may provide relevant information to the applicable law enforcement agency.*

And the title is amended as follows:

Delete lines 123-128 and insert: professional licensees; amending s. 893.055, F.S.; defining the term “program manager;” requiring that the program manager work with certain licensure boards and stakeholders to develop rules; authorizing the program manager to provide relevant information to law enforcement agencies under certain circumstances; amending s. 893.0551, F.S.; providing for

On motion by Senator Fasano, by two-thirds vote **CS for CS for SB 2272 and CS for SB 2722** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Constantine	Dockery
Altman	Crist	Fasano
Aronberg	Dean	Gaetz
Baker	Detert	Garcia
Bennett	Diaz de la Portilla	Gardiner

Haridopolos	Negron	Smith
Hill	Oelrich	Sobel
Jones	Peaden	Storms
Joyner	Rich	Thrasher
Justice	Ring	Wilson
Lawson	Siplin	Wise

Nays—None

**RECOGNITION OF SENATOR GARCIA**

**SPECIAL PRESENTATION**

The President presented Senator Garcia with a framed copy of the cover pages of the 1997 and 1998 appropriations bills in appreciation of his service to the Florida Senate and the State of Florida.

**President Atwater:** Senator Garcia: A loyal friend and esteemed public servant—one who has truly dedicated his adult life to serving the citizens of Miami-Dade and Floridians everywhere. Senator Garcia, Senator Lawson, and Senator Jones hold the distinction of being the longest consecutively serving legislators in Florida. Senator Garcia has dedicated 26 years to public service. In fact, if memory serves me correctly, Senator, you were one of the youngest elected to state office. Throughout these 26 years, your passion for your community and dedicated work in many policy areas has not wavered nor declined. Your work in community development, commerce—building robust economy; and education—equipping the next generation with the tools to be competitive members of Florida’s workforce.

Senator, our gift for you is a bit unique and different. There are a myriad of bills that you worked on, many which do not bear your name as you have worked largely behind the scenes, more concerned with good policy than public accolades. Today I want to present you with the cover pages of the 1997 and 1998 appropriations bills. In 1996, a Republican majority came into the Florida House and a 34-year-old Republican House member from Miami was appointed with the tremendous task of overseeing the creation of the Florida budget, then Representative Rudy Garcia. This was the first time Republicans had a majority in 122 years, just a bit of pressure for a young, but seasoned legislator. Senator, I am told you tackled the assignment with the same fervor, dedication, and commitment to good public policy that you have demonstrated throughout your legislative service. So, as you move on to your next season of life, fatherhood, the Florida Senate thanks you. We thank you for your service to Florida. This state is a better place because of your service and sacrifice.

**Senator Garcia:** Mr. President, thank you. It was about 26 years ago, when I first got here in 1984, and I’m certain that it was God’s will that I was going to be part of this process. So, I first rise very briefly for a few comments to thank God and thank my family. I especially would like to ask my wife to stand again. She is joined by my Mother, Miriam, who is representing my family, my father that has passed away and my grandmother. Please rise, Mom. My younger brother, Chris Garcia, please stand Chris. Back home, my brother Claudio, his wife Anna, and their children C.J., Lauren and Alex. Suzie Martin is in the office right now. She’s been around for 26 years, serving the people of Florida. Without Suzie and her partner, Jose, and Ana Pereira and her husband, Steve, and David Marin, and all the folks at Atlas Carpet and Tile, Elaine, Piloto and Alex and Daisy, I couldn’t have done it without you.

I was preparing a special project that I want every member on this floor to see, how this institution as a process has affected all of my adult life. Imagine, I’m 47 now and I got here when I was 21. So for my adult life I have done one thing, I’ve been a member of the Florida Legislature. That’s an incredible honor. We are preparing something that hopefully we’ll have ready for Friday, Mr. President. It’s something that I wish to share with all the members. God willing, it’s something that we can do before the end of this week.

With that Mr. President, thank you for the honor, and thank you very much for allowing me to always state my point. Even as late as it may be, Senator Alexander is not here, but Mr. President you know about my 2:00 a.m. phone calls and issues in the appropriations budget that we need to change on behalf of the people that I represent. I couldn’t have done it without the people back home. Imagine anyone trusting a 21 year

old to send them to the Florida Legislature, to be the bridge of the people of Florida. That's the honor that I give back to the people that sent me here. Thank you for the honor.

## RECOGNITION OF SENATOR PEADEN

### SPECIAL PRESENTATION

The President presented Senator Peaden with a framed copy of the bill that created the Florida State University College of Medicine in appreciation of his service to the Florida Senate and the State of Florida.

**President Atwater:** Senator Peaden: Resident Doctor, official Cracker translator, expert on all things medical or relating to the Panhandle and founding member of the Panhandle triplets. Senator Peaden has truly lived a life of service. First, serving as a general practitioner, providing medical care to countless Florida families, children, grandparents and after retiring, he entered another arena of service—legislative service. For 16 years you have sacrificed and worked to ensure Florida has an excellent, affordable, and accessible health care system.

A multi-generational resident of Florida, Senator Peaden, you embody what it means to be a tireless advocate for the sick, weak, and most vulnerable. Our persevering chair of Health and Human Services Appropriations, for the past several years you have been tasked with the difficult job of reducing spending within HHS. I want to say, you were best suited for the task—no one else has the compassion, dedication, and firsthand experiential knowledge of the industry like you.

Your work in the arena is not limited just to the provision of services, you also champion first-class medical training. Florida is indebted to you for your foresight to establish medical schools to train the next generation of Florida medical providers—equipping Florida's children to enter the health care arena and serve their fellow man. As a small token of Florida's appreciation and to memorialize your incredible service to this State, we present you with a framed copy of the FSU Medical School bill.

**Senator Peaden:** Thank you for allowing me to serve in this position. You know, the first time Speaker Webster put me on this committee, I went to two meetings and I said, "Has anybody ever asked to be taken off of Appropriations?" Over in the House, everyone wanted to get on the Appropriations Committee and I went twice and I said, "Oh my goodness, you can never solve all these problems." Senator Haridopolos has learned what I'm talking about. So I got off and I got on General Government. Every time we had a conference committee, they put me as a runner, and I guess I ran back and forth trying to solve some of the problems. I couldn't stay on it all the time, it's too harsh. Thank you for allowing me to sit there.

I'll tell you what, you appointed some great people to be on this committee. It's amazing to watch them learn about this process. They are like sponges. They have learned a lot. These guys sitting back here, Senators Haridopolos, Negron, and Rich; they have kept me in line. Senator Sobel is never without a question. She has learned so much. We tried to help solve the problems with the little money we had.

My family has allowed me to serve. I didn't know I wanted to be in the Legislature when I met this lady 28 years ago. I walked down the hospital hall and I said, "I don't know who that woman is, but I'm going to marry her." And I did. One night I was working in the emergency room and I had two clinics, a nursing home, and a fifteen-man emergency room group. I noticed that I couldn't see straight, my eyes were kind of crossed; I saw things popping out. It was the nature of fibrillation from working three days straight and drinking a lot of coffee. I went to the emergency room. They sent me to Pensacola, and I spent the night in the intensive care unit. I said to Nancy, "We are going to get married." We got married that same day. You wouldn't believe it. Mr. President, you know, I had to go back to work that night in the emergency room. That lady tolerated it and she didn't shoot me.

It was the same way with the Legislature. I never woke up any morning when I was a kid and said "I want to go to the Legislature." I woke up every morning and said, "I want to be a country doctor." They gave me this test when I was in school that said the three things I was supposed to be. It said I was supposed to be a preacher, and I failed that one, I'm sorry to say. The second one was a writer, and I failed that one because nobody could read my writing. The third one was a doctor, and I

finally passed that one. Then I went on to law school at her suggestion. Her father was such an amazing man of integrity, I wanted to go to law school. One day, I was sitting in my office working, seeing about 60 patients a day and some lawyer from Fort Walton called me. He said, "You know the guy from our district who has been in the Legislature since 1956, except for two years, is going to quit. A bunch of lawyers want several lawyers to run, but we want you to run." I had not thought about it before, but I decided to run. I ran against five people, and one of them was the nephew of a guy that had been here for 50 years. I won and we prevailed. I was a Democrat, but I saw some light at the end of the tunnel. John Thrasher and people like that beat on me. Jim King should be here. He was kind of like a halo over my head. Of course, he had a large bat, too. Senator Webster and others converted me.

My folks have been in the Legislature over the years. They have represented three counties in Florida, yet they've lived within six miles since 1842. They have also represented three parties in Florida since 1842. These folks up here really supported me. Next to my wife, is my sister-in-law, Gail, and my brother, John, who was raised in the middle of a cow pasture in Crestview raising bulls. My three boys are up there. The bald ones with a lot of sunshine on their heads, that's Trey, Tyler and Taylen; my grandson, Jonathon; and my daughter-in-law, Cindy. They have all supported me. They are non-political. They can't even spell Democrat or Republican, they are so non-political. They have been with me.

Mr. President, thank you all for helping me. Other folks that have really been part of my family are Mike Hanson, who Governor Bush stole away from me; Paul Belcher, who taught me everything I know. He's survived about five governors, and Lane Peters, sitting next to him, who served four or five governors. My staff, Ann and Tammy, have supported me all along. Thank you everybody in here. Dennis Jones, people like you have taught me so much. I can't spell education but I know to ask the little guy over here in the short caucus. My triple brother, we lost our little man, Senator Clary, but my big brother here makes sure I am fed well. Thank you for allowing me to serve in the Florida Legislature. I hope that someone from my family will be in the Legislature sometime in the next 100 years. I'm not sure it will be this crew. It might be a granddaughter. Thank you, Mr. President.

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## SENATOR DIAZ DE LA PORTILLA PRESIDING

### THE PRESIDENT PRESIDING

## SPECIAL ORDER CALENDAR, continued

On motion by Senator Alexander, by unanimous consent—

**CS for SB 902**—A bill to be entitled An act relating to the public trust; amending s. 106.25, F.S.; authorizing the Florida Elections Commission to determine whether a person's conduct was willful in an informal hearing following a finding of probable cause; amending s. 125.69, F.S.; authorizing a county to specify by ordinance penalties for a violation of certain county ordinances; amending s. 216.011, F.S.; defining the term "lease or lease-purchase of equipment;" amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency's legislative budget request; amending s. 216.311, F.S.; defining the terms "contract" and "agreement;" prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; requiring that the Department of Transportation implement the work program approved by the Legislature by entering into contracts and agreements subject to certain requirements; requiring that the department provide written notification to the Governor and the Legislature within a specified number of days before advertising for proposals if the

department intends to procure a contract pursuant to s. 334.30, F.S.; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing an exception; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; providing for application; creating s. 775.0876, F.S.; providing for the reclassification of criminal offenses committed “under color of law;” providing an exception; amending s. 838.022, F.S.; criminalizing certain acts by public servants that constitute official misconduct; prescribing penalties; providing definitions; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for SB 902** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**CS for CS for SB 2188**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 97.0585, F.S., relating to an exemption from public-records requirements for certain information regarding voters and voter registration and for signatures of voters and voter registration applicants; saving the exemption from repeal under the Open Government Sunset Review Act; creating a public-records exemption for specified personal identifying information of stalking victims held by the Attorney General or contained in voter registration and voting records held by the supervisor of elections or the Department of State; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; repealing s. 3 of chapter 2005-279, Laws of Florida, which provides for repeal of the exemption for information regarding voters and voter registration; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 2188** to **HB 7079**.

Pending further consideration of **CS for CS for SB 2188** as amended, on motion by Senator Alexander, by two-thirds vote **HB 7079** was

withdrawn from the Committees on Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

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

**HB 7079**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 97.0585, F.S., which provides an exemption from public records requirements for certain information regarding voters and voter registration and which provides an exemption from the copying requirements for signatures of voters and voter registrants; making clarifying changes; repealing s. 3, ch. 2005-279, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2188** as amended and read the second time by title.

Senator Alexander moved the following amendment which was adopted:

**Amendment 1 (500176) (with title amendment)**—Delete lines 35-39 and insert:

(3) *The names, addresses, and telephone numbers of persons who are victims of stalking or aggravated stalking are exempt from s. 119.071(1) and s. 24(a), Art. I of the State Constitution in the same manner that the names, addresses, and telephone numbers of participants in the Address Confidentiality Program for Victims of Domestic Violence which are held by the Attorney General under s. 741.465 are exempt from disclosure, provided that the victim files a sworn statement of stalking with the Office of the Attorney General and otherwise complies with the procedures in ss. 741.401-741.409.*

(4)(3) This section applies to information held by an agency before, on, or after the effective date of this exemption.

(5) *Subsection (3) is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *Section 3 of chapter 2005-279, Laws of Florida, is repealed.*

Section 3. *The Legislature finds that it is a public necessity that the names, addresses, and telephone numbers of victims of stalking or aggravated stalking, which are held by the Office of the Attorney General or contained in voter registration records and voting records held by the Department of State or the supervisor of elections, be made exempt from public-records requirements. The victims, who may be members of the voting public, must be afforded the ability to participate in the election process. However, the department and supervisor of elections must maintain a verifiable address in order to place the voter in the proper voting precinct and to maintain accurate records for compliance with state and federal requirements. The public-records exemption for the name is a public necessity because access to such name narrows the location of a stalking victim to a specific, geographic voting precinct. In addition, access to the address and telephone number provides specific location and contact information for the victim. Therefore, access to the name, address, and telephone number defeats the goal of providing safety and security. Allowing victims of stalking or aggravated stalking to use a substitute mailing address designated by the Office of the Attorney General facilitates the goal of providing safety and security. Thus, the Legislature finds that it is a public necessity to make exempt from public disclosure the names, addresses, and telephone numbers of victims of stalking or aggravated stalking held by the Office of the Attorney General, by the department, or by a supervisor of elections.*

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete line 8 and insert: registrants; making clarifying changes; creating a public-records exemption for specified personal identifying information of stalking victims held by the Attorney General or contained in voter registration and voting records held by the supervisor of elections or the Department of State; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; repealing s. 3,

On motion by Senator Alexander, by two-thirds vote **HB 7079** as amended was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

On motion by 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.

—was read the second time by title.

Senator Alexander moved the following amendments which were adopted:

**Amendment 1 (839926)**—Delete lines 92-98 and insert: 3. *Structures or improvements used for horticultural production, which are for frost and freeze protection and consistent with the Department of Agriculture and Consumer Services' interim measures or best management practices adopted pursuant to ss. 570.085 and 403.067(2)(c), shall be assessed pursuant to the methodology described in subparagraph 1.*

**Amendment 2 (917248)**—Delete lines 92-98 and insert: 3. *Structures or improvements used for horticultural production, which are for frost and freeze protection and consistent with the Department of Agriculture and Consumer Services' interim measures or best management practices adopted pursuant to s. 570.085 or s. 403.067(7)(c), shall be assessed pursuant to the methodology described in subparagraph 1.*

**Amendment 3 (689924) (with title amendment)**—Between lines 283 and 284 insert:

Section 10. Section 601.07, Florida Statutes, is amended to read:

601.07 Location of executive offices.—The executive offices of the Department of Citrus shall be established and maintained at *Bartow Lakeland*.

And the title is amended as follows:

Delete line 43 and insert: industry; amending s. 601.07, F.S.; providing that the executive offices of the Department of Citrus are located in Bartow; providing an effective date.

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Alexander, the Senate reconsidered the vote by which **Amendment 1 (839926)** was adopted. **Amendment 1** was withdrawn.

Pursuant to Rule 4.19, **CS for CS for CS for SB 2182** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**SB 2250**—A bill to be entitled An act relating to the Florida Financial Management Information System; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; repealing s. 570.07(41), F.S., relating to the Department of Agriculture and Consumer Services' exemption from using the state online procurement system; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **SB 2250** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Baker	Dean
Alexander	Bennett	Detert
Altman	Constantine	Diaz de la Portilla
Aronberg	Crist	Dockery

Fasano	Justice	Siplin
Gaetz	Lawson	Smith
Garcia	Lynn	Sobel
Gardiner	Negron	Storms
Haridopolos	Oelrich	Thrasher
Hill	Peaden	Wilson
Jones	Rich	Wise
Joyner	Ring	

Nays—None

On motion by Senator Alexander, by unanimous consent—

**CS for SB 2408**—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding additional information to the state’s official website for displaying financial information; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget within the Executive Office of the Governor to maintain the state’s financial data on the state website for a specified period; requiring any certified public accountant conducting an audit of a unit of local government to report compliance with the Transparency Florida Act; requiring the Legislative Auditing Committee to adopt guidelines for administering the Transparency Florida Act; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for SB 2408** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

On motion by Senator Gaetz—

**CS for SB 1948**—A bill to be entitled An act relating to road designations; designating Perdido Key Parkway in Escambia County; designating Colonel Bud Day Boulevard in Okaloosa County; directing the Department of Transportation to erect markers; providing an effective date.

—was read the second time by title.

Senator Gaetz moved the following amendment which was adopted:

**Amendment 1 (805068) (with title amendment)**—Between lines 25 and 26 insert:

Section 3. *Orange Bowl Way designated; Department of Transportation to erect suitable markers.*—

(1) *Northwest 77th Court in Miami Lakes in Miami-Dade County 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).*

And the title is amended as follows:

Between lines 4 and 5 insert: designating Orange Bowl Way in Miami-Dade County;

Pursuant to Rule 4.19, **CS for SB 1948** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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

**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.

—which was previously considered and amended April 23. Pending **Amendment 3 (903442)** by Senator Constantine was withdrawn.

Senator Constantine moved the following amendment which was adopted:

**Amendment 4 (891904) (with title amendment)**—Delete lines 854-925 and insert:

Section 10. Subsection (1) of section 403.7145, Florida Statutes, is amended, and subsections (3) and (4) are added to that section, to read:

403.7145 Recycling.—

(1) The Capitol and the House and Senate office buildings constitute the Capitol recycling area. The Florida House of Representatives, the Florida Senate, and the Office of the Governor, the Secretary of State, and each Cabinet officer who heads a department that occupies office space in the Capitol, shall institute a recycling program for their respective offices in the House and Senate office buildings and the Capitol. Provisions shall be made to collect and sell wastepaper and empty ~~aluminum~~ beverage containers ~~and~~ generated by employee activities in these offices. The collection and sale of such materials shall be reported to Leon County using the department's designated reporting format and coordinated with Department of Management Services recycling activities to maximize the efficiency and economy of this program. The Governor, the Speaker of the House of Representatives, the President of the Senate, the Secretary of State, and the Cabinet officers may authorize the use of proceeds from recyclable material sales for employee benefits and other purposes, in order to provide incentives to their respective employees for participation in the recycling program. Such proceeds may also be used to offset any costs of the recycling program. As a demonstration of leading by example, the Capitol Building's recycling rates shall be posted on the website of the Department of Management Services and shall include the details of the recycling rates for each Department of Management Services pool facility. The Department of Environmental Protection shall post recycling rates of each state-owned facility reported to the Department of Management Services.

(3) The department shall develop and contract for an innovative recycling pilot project for the Capitol recycling area. The project shall be designed to collect recyclable materials and create a more sustainable recycling system. Components of the project shall be designed to increase convenience, incentivize and measure participation, reduce material volume, and assist in achieving the recycling goals enumerated in s. 403.706.

(4) Each public airport operating in this state shall, to the greatest extent practicable, collect beverage containers and recyclable plastic and glass from the airlines and other entities doing business at the airport and offer such materials for recycling and may retain the economic benefit of these activities to offset the costs associated with such collection. Airport administration offices, airport vendors, and airlines are encouraged to coordinate the collection of recyclable waste to the greatest extent practicable. The provisions of this subsection are not intended to interfere with any established recycling activity.

Section 11. Paragraph (m) is added to subsection (1) of section 553.77, Florida Statutes, to read:

553.77 Specific powers of the commission.—

(1) The commission shall:

(m) Develop recommendations that increase residential and commercial recycling and composting, and strongly encourages the use of recyclable materials and the recycling of construction and demolition debris.

Section 12. Subsection (5) of section 403.7049, Florida Statutes, is amended to read:

403.7049 Determination of full cost for solid waste management; local solid waste management fees.—

(5) In order to assist in achieving the municipal solid waste recycling reduction goal and the recycling provisions of s. 403.706(2) ~~and~~ 403.706(4), a county or a municipality which owns or operates a solid waste management facility is hereby authorized to charge solid waste disposal fees which may vary based on a number of factors, including, but not limited to, the amount, characteristics, and form of recyclable materials present in the solid waste that is brought to the county's or the municipality's facility for processing or disposal.

And the title is amended as follows:

Delete line 63 and insert: beverage containers and recyclable plastic and

#### MOTION

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

Senator Constantine moved the following amendments which were adopted:

**Amendment 5 (335584) (with title amendment)**—Delete lines 640-677 and insert:

Section 8. Subsection (9) of section 403.707, Florida Statutes, is amended to read:

403.707 Permits.—

(9) The department shall establish a separate category for solid waste management facilities that accept only construction and demolition debris for disposal or recycling. The department shall establish a reasonable schedule for existing facilities to comply with this section to avoid undue hardship to such facilities. However, a permitted solid waste disposal unit that receives a significant amount of waste prior to the compliance deadline established in this schedule shall not be required to be retrofitted with liners or leachate control systems.

(a) The department shall establish reasonable construction, operation, monitoring, recordkeeping, financial assurance, and closure requirements for such facilities. The department shall take into account the nature of the waste accepted at various facilities when establishing these requirements, and may impose less stringent requirements, including a system of general permits or registration requirements, for facilities that accept only a segregated waste stream which is expected to pose a minimal risk to the environment and public health, such as clean debris. The Legislature recognizes that incidental amounts of other types of solid waste are commonly generated at construction or demolition projects. In any enforcement action taken pursuant to this section, the department shall consider the difficulty of removing these incidental amounts from the waste stream.

(b) The department shall ~~not~~ require liners and leachate collection systems at individual disposal units and lateral expansions of existing disposal units that have not received a department permit authorizing construction or operation prior to July 1, 2010, facilities unless the owner or operator ~~is~~ demonstrates, based upon the types of waste received, the methods for controlling types of waste disposed of, the proximity of groundwater and surface water, and the results of the hydrogeological and geotechnical investigations, that the facility is ~~not reasonably~~ expected to result in violations of groundwater standards and criteria if built without a liner otherwise.

And the title is amended as follows:

Delete line 50 and insert: for new construction and demolition debris landfills under certain conditions;

#### SENATOR FASANO PRESIDING

**Amendment 6 (754784) (with title amendment)**—Delete lines 449-639 and insert:

Section 6. Subsections (2), (6), (4), (7), and (21) of section 403.706, Florida Statutes, are amended to read:

403.706 Local government solid waste responsibilities.—

(2)(a) Each county shall implement a recyclable materials recycling program that shall have a goal of recycling solid waste by 40 percent by December 31, 2012, 50 percent by December 31, 2014, 60 percent by December 31, 2016, 70 percent by December 31, 2018, and 75 percent by December 31, 2020. Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs.

(b) In order to assist in attaining the goals provided in this paragraph (a), the Legislature finds that the recycling of construction and demolition debris is in the state's interest. Each county shall implement a program

with the following goals for recycling construction and demolition debris: 40 percent by December 31, 2012; 50 percent by December 31, 2014; 60 percent by December 31, 2016; 70 percent by December 31, 2018; and 75 percent by December 31, 2020.

(c) Newly developed property receiving a building permit or its functional equivalent on or after March 1, 2011, which is used for multifamily residential purposes or for commercial purposes, must provide adequate space and an adequate receptacle for recycling by the tenant or owner of the property. This provision is limited to counties and cities that have an established commercial recycling program which provides recycling receptacles to multifamily residential properties and commercial properties and also provides regular pick-up service for those receptacles.

(d) If, by January 1 of 2013, 2015, 2017, 2019, or 2021, the county, as determined by the department in accordance with applicable rules, has not reached the recycling goals provided in paragraph (a), the department may direct the county to develop a plan to expand recycling programs to existing commercial and multifamily dwellings, including, but not limited to, apartment complexes.

(e) If the state's recycling rate for the 2013 calendar year is below 40 percent, or below 50 percent by January 1, 2015, or below 60 percent by January 1, 2017, or below 70 percent by January 1, 2019, or below 75 percent by January 1, 2021, the department shall provide a report to the Legislature. The report shall identify those additional programs or statutory changes needed to achieve the goals provided in this subsection. The report shall be provided no later than 30 days prior to the Regular Session of the Legislature. If the state reaches its recycling goals as described in this paragraph, the department shall not provide a report to the Legislature.

(f)(b) Such programs shall be designed to recover a significant portion of at least four of the following materials from the solid waste stream prior to final disposal at a solid waste disposal facility and to offer these materials for recycling: newspaper, aluminum cans, steel cans, glass, plastic bottles, cardboard, office paper, and yard trash. Local governments which operate permitted waste-to-energy facilities may retrieve ferrous and nonferrous metal as a byproduct of combustion.

(g)(e) Local governments are encouraged to separate all plastics, metal, and all grades of paper for recycling prior to final disposal and are further encouraged to recycle yard trash and other mechanically treated solid waste into compost available for agricultural and other acceptable uses.

(h) The department shall adopt rules establishing the method and criteria to be used by a county in calculating the recycling rates pursuant to this subsection.

~~(d) By July 1, 2010, each county shall develop and implement a plan to achieve a goal to compost organic materials that would otherwise be disposed of in a landfill. The goal shall provide that up to 10 percent and no less than 5 percent of organic material would be composted within the county and the municipalities within its boundaries. The department may reduce or modify the compost goal if the county demonstrates to the department that achievement of the goal would be impractical given the county's unique demographic, urban density, or inability to separate normally compostable material from the solid waste stream. The composting plan is encouraged to address partnership with the private sector.~~

(i)(e) Each county is encouraged to consider plans for composting or mulching organic materials that would otherwise be disposed of in a landfill. The composting or mulching plans are encouraged to address partnership with the private sector.

~~(4)(a) A county's solid waste management and recycling programs shall be designed to provide for sufficient reduction of the amount of solid waste generated within the county and the municipalities within its boundaries in order to meet goals for the reduction of municipal solid waste prior to the final disposal or the incineration of such waste at a solid waste disposal facility. The goals shall provide, at a minimum, that the amount of municipal solid waste that would be disposed of within the county and the municipalities within its boundaries is reduced by at least 30 percent.~~

~~(a)(b) A county may receive credit for one-half of the recycling goal in subsection (2) for waste reduction from the use of yard trash, or other clean wood waste or paper waste, in innovative programs including, but not limited to, programs that produce alternative clean-burning fuels such as ethanol or that provide for the conversion of yard trash or other clean wood waste or paper waste to clean-burning fuel for the production of energy for use at facilities other than a waste-to-energy facility as defined in s. 403.7061. The provisions of this paragraph apply only if a county can demonstrate that:~~

1. The county has implemented a yard trash mulching or composting program, and

2. As part of the program, compost and mulch made from yard trash is available to the general public and in use at county-owned or maintained and municipally owned or maintained facilities in the county and state agencies operating in the county as required by this section.

~~(b)(e) A county with a population of 100,000 or less may provide its residents with the opportunity to recycle in lieu of achieving the goal set forth in this section paragraph (a). For the purposes of this section subsection, the "opportunity to recycle" means that the county:~~

1.a. Provides a system for separating and collecting recyclable materials prior to disposal that is located at a solid waste management facility or solid waste disposal area; or

b. Provides a system of places within the county for collection of source-separated recyclable materials.

2. Provides a public education and promotion program that is conducted to inform its residents of the opportunity to recycle, encourages source separation of recyclable materials, and promotes the benefits of reducing, reusing, recycling, and composting materials.

(6) The department may reduce or modify the municipal solid waste recycling reduction goal that a county is required to achieve pursuant to subsection (2) (4) if the county demonstrates to the department that:

(a) The achievement of the goal set forth in subsection (2) (4) would have an adverse effect on the financial obligations of a county or a city that are directly related to a waste-to-energy facility owned or operated by or on behalf of the county or the city; and

(b) The county or the city cannot remove normally combustible materials from solid waste that is to be processed at a waste-to-energy facility because of the need to maintain a sufficient amount of solid waste to ensure the financial viability of the facility.

The goal shall not be waived entirely and may only be reduced or modified to the extent necessary to alleviate the adverse effects of achieving the goal on the financial viability of a county's waste-to-energy facility. Nothing in this subsection shall exempt a county from developing and implementing a recycling program pursuant to this act.

(7) In order to assess the progress in meeting the goal established in subsection (2) (4), each county shall, by April 1 November each year, provide information to the department regarding its annual solid waste management program and recycling activities. The information by the county must, at a minimum, include:

(a) The amount of municipal solid waste disposed of at solid waste disposal facilities, by type of waste such as yard trash, white goods, clean debris, tires, and unseparated solid waste;

(b) The amount and type of materials from the municipal solid waste stream that were recycled; and

(c) The percentage of the population participating in various types of recycling activities instituted.

(d) Beginning with the data for the 2012 calendar year, the department shall annually, by July 1, post on its website the recycling rates of each county for the prior calendar year.

(21) Local governments are authorized to enact ordinances that require and direct all residential properties, multifamily dwellings, and apartment complexes and industrial, commercial, and institutional establishments as defined by the local government to establish programs

for the separation of recyclable materials designated by the local government, which recyclable materials are specifically intended for purposes of recycling and for which a market exists, and to provide for their collection. Such ordinances may include, but are not limited to, provisions that prohibit any person from knowingly disposing of recyclable materials designated by the local government and that ensure the collection of recovered materials as necessary to protect public health and safety.

Section 7. Paragraph (c) of subsection (3) of section 403.7061, Florida Statutes, is amended to read:

403.7061 Requirements for review of new waste-to-energy facility capacity by the Department of Environmental Protection.—

(3) An applicant must provide reasonable assurance that the construction of a new waste-to-energy facility or the expansion of an existing waste-to-energy facility will comply with the following criteria:

(c) The county in which the facility is located has implemented and maintains a solid waste management and recycling program that is designed to achieve ~~a the waste recycling reduction goal of 30 percent set forth in s. 403.706(4)~~. For the purposes of this section, the provisions of s. 403.706(4)(c) for counties having populations of 100,000 or fewer ~~do not apply~~.

And the title is amended as follows:

Delete lines 33-41 and insert: programs by counties; providing legislative intent; providing requirements for the provision of recycling services; 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 for waivers

**Amendment 7 (616154) (with title amendment)**—Delete lines 436-448 and insert:

Section 5. Paragraph (c) of subsection (2) and subsection (3) of section 403.705, Florida Statutes, are amended and a new subsection (4) is created to read:

403.705 State solid waste management program.—

(2) The state solid waste management program shall include, at a minimum:

(c) Planning guidelines and technical assistance to counties and municipalities to aid in meeting the municipal solid waste ~~recycling reduction~~ goals established in s. 403.706(2) ~~s. 403.706(4)~~.

(3) The department shall ~~periodically seek information from counties to~~ evaluate and report to the Legislature ~~biennially~~ on the state's success in meeting the solid waste ~~recycling reduction~~ goal as described in s. 403.706(2).

(4) *The department shall adopt rules creating a voluntary certification program for materials recovery facilities. The certification criteria shall be based upon the amount and type of materials recycled and the compliance record of the facility, and may vary depending on the location in the state and the available markets for the materials that are processed. Any materials recovery facility seeking certification shall file an application to modify its permit, or shall include a certification application as part of its original permit application, which application shall not require an additional fee. The department shall adopt a form for certification applications, and shall require at least annual reports to verify the continued qualification for certification. After January 1, 2012, a county or city may consider utilizing a certified recycler when renewing or entering into a contract with a materials recovery facility to accept or process solid waste. In order to assist in the development of the certification program the department shall appoint a technical advisory committee.*

And the title is amended as follows:

Delete line 30 and insert: in meeting solid waste reduction goals; providing for the creation of a voluntary recyclers certification program; amending s.

**Amendment 8 (915602)**—Delete lines 705-725 and insert:

(g) *By January 1, 2012, the amount of construction and demolition debris processed and recycled prior to disposal at a permitted materials recovery facility or at any other permitted disposal facility shall be reported by the county of origin to the department and to the county on an annual basis in accordance with rules adopted by the department. The rules shall establish criteria to ensure accurate and consistent reporting for purposes of determining the recycling rate in s. 403.706. The rule also shall provide that, to the extent economically feasible, all construction and demolition debris must be processed prior to disposal, either at a permitted waste processing facility or a permitted disposal facility. The rule also shall provide for uniform criteria and methodologies that are to be utilized, by the department, a city or a county, or an owner or operator of a facility, when determining or evidencing that the processing of construction and demolition debris is not economically feasible. This requirement does not apply to any recovered materials that have been source separated and offered for recycling or to materials that have been previously processed. As part of the rule development process, the department shall appoint a technical advisory committee including a representative from the Florida Association of Counties, the Florida League of Cities, the construction and demolition debris industry, the Florida Home Builders Association, the Florida Sunshine Chapter of the Solid Wastes Association of North America, the Florida Chapter of the National Solid Wastes Management Association, and the Florida Recyclers Association to aid in the development of such rules. It is the policy of the Legislature to encourage facilities to recycle. The department shall establish criteria and guidelines that encourage recycling where practical and provide for the use of recycled materials in a manner that protects the public health and the environment. Facilities are authorized to recycle, provided such activities do not conflict with such criteria and guidelines.*

Pursuant to Rule 4.19, **CS for CS for SB 570** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1882** was deferred.

**CS for CS for SB 2074**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act," providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of drivers' licenses; 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; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "non-residential farm building;" exempting nonresidential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning;



providing certain limitations on open burning; providing an effective date.

—was read the second time by title.

**MOTION**

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

Senator Peaden moved the following amendment:

**Amendment 1 (603150) (with title amendment)**—Between lines 315 and 316 insert:

Section 8. Subsection (9) of section 790.06, Florida Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(12) A ~~No~~ license issued pursuant to this section ~~may not shall~~ authorize any person to carry a concealed weapon or firearm into any place of nuisance as defined in s. 823.05; any police, sheriff, or highway patrol station; any detention facility, prison, or jail; any courthouse; any courtroom, except that ~~nothing in this section would preclude~~ a judge ~~may not be precluded~~ from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom; any polling place; any meeting of the governing body of a county, public school district, municipality, or special district; any meeting of the Legislature or a committee thereof; any school, college, or professional athletic event not related to firearms; any school administration building; any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose; any elementary or secondary school facility; any career center; any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and ~~the weapon~~ does not fire a dart or projectile; inside the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or any place where the carrying of firearms is prohibited by federal law. *However, a licensee may not be prevented from transporting or storing a lawful firearm in a private vehicle for lawful purposes if the vehicle is otherwise lawfully present.* Any person who willfully violates any provision of this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

After line 49 insert: amending s. 790.06, F.S.; clarifying that prohibitions against carrying a weapon in certain places does not prohibit a licensee from lawfully transporting a firearm in a private vehicle;

**POINT OF ORDER**

Senator Joyner raised a point of order that pursuant to Rule 7.1 **Amendment 1 (603150)** was not germane to the bill.

The President referred the point of order and the amendment to the Committee on Rules.

On motion by Senator Peaden, further consideration of **CS for CS for SB 2074** with pending **Amendment 1 (603150)** and pending point of order by Senator Joyner was deferred.

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Consideration of **CS for CS for SB 2434** was deferred.

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On motion by Senator Oelrich—

**CS for 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 212** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SB 220** was deferred.

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On motion by Senator Wilson—

**SB 340**—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 768.096, F.S.; requiring an employer to review the results of a criminal background investigation; requiring an employer not to place an employee who has a criminal record in a position where conduct similar to the employee's past criminal conduct would be facilitated; requiring an employer to determine that the criminal background investigation does not demonstrate that the employee is unsuitable for the particular work to be performed or the context of the employment in general; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

—was read the second time by title.

**MOTION**

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

Senator Wilson moved the following amendments which were adopted:

**Amendment 1 (807390) (with title amendment)**—Delete lines 39-730 and insert:

Section 1. Section 943.0585, Florida Statutes, is amended to read:

943.0585 Court-ordered expunction of criminal history records.—The courts of this state have jurisdiction over their own procedures, including the maintenance, expunction, and correction of judicial records containing criminal history information to the extent such procedures are not inconsistent with the conditions, responsibilities, and duties established by this section. Any court of competent jurisdiction may order a criminal justice agency to expunge the criminal history record of a minor or an adult who complies with the requirements of this section. The court shall not order a criminal justice agency to expunge a criminal history record until the person seeking to expunge a criminal history record has applied for and received a certificate of eligibility for expunction pursuant to subsection (2). A criminal history record that relates to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a pre-

dicade offense for registration as a sexual predator pursuant to s. 775.21, without regard to whether that offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435, may not be expunged, without regard to whether adjudication was withheld, if the defendant was found guilty of or pled guilty or nolo contendere to the offense, or if the defendant, as a minor, was found to have committed, or pled guilty or nolo contendere to committing, the offense as a delinquent act. The court may only order expunction of a criminal history record pertaining to one arrest or one incident of alleged criminal activity, except as provided in this section. The court may, at its sole discretion, order the expunction of a criminal history record pertaining to more than one arrest if the additional arrests directly relate to the original arrest. If the court intends to order the expunction of records pertaining to such additional arrests, such intent must be specified in the order. A criminal justice agency may not expunge any record pertaining to such additional arrests if the order to expunge does not articulate the intention of the court to expunge a record pertaining to more than one arrest. This section does not prevent the court from ordering the expunction of only a portion of a criminal history record pertaining to one arrest or one incident of alleged criminal activity. Notwithstanding any law to the contrary, a criminal justice agency may comply with laws, court orders, and official requests of other jurisdictions relating to expunction, correction, or confidential handling of criminal history records or information derived therefrom. This section does not confer any right to the expunction of any criminal history record, and any request for expunction of a criminal history record may be denied at the sole discretion of the court.

(1) **PETITION TO EXPUNGE A CRIMINAL HISTORY RECORD.**—Each petition to a court to expunge a criminal history record is complete only when accompanied by:

(a) A valid certificate of eligibility for expunction issued by the department pursuant to subsection (2).

(b) The petitioner's sworn statement attesting that the petitioner:

1. Has never, prior to the date on which the petition is filed, been adjudicated guilty of a criminal offense or comparable ordinance violation, or been adjudicated delinquent for committing any felony or a misdemeanor specified in s. 943.051(3)(b).

2. Has not been adjudicated guilty of, or adjudicated delinquent for committing, any of the acts stemming from the arrest or alleged criminal activity to which the petition pertains.

3. Has never secured a prior sealing or expunction, *except as provided in subsection (5) and s. 943.059(5)*, of a criminal history record under this section, former s. 893.14, former s. 901.33, or former s. 943.058, or from any jurisdiction outside the state, unless expunction is sought of a criminal history record previously sealed for 10 years pursuant to paragraph (2)(h) and the record is otherwise eligible for expunction.

4. Is eligible for such an expunction to the best of his or her knowledge or belief and does not have any other petition to expunge or any petition to seal pending before any court.

Any person who knowingly provides false information on such sworn statement to the court commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) **CERTIFICATE OF ELIGIBILITY FOR EXPUNCTION.**—Prior to petitioning the court to expunge a criminal history record, a person seeking to expunge a criminal history record shall apply to the department for a certificate of eligibility for expunction. The department shall, by rule adopted pursuant to chapter 120, establish procedures pertaining to the application for and issuance of certificates of eligibility for expunction. A certificate of eligibility for expunction is valid for 12 months after the date stamped on the certificate when issued by the department. After that time, the petitioner must reapply to the department for a new certificate of eligibility. Eligibility for a renewed certification of eligibility must be based on the status of the applicant and the law in effect at the time of the renewal application. The department shall issue a certificate of eligibility for expunction to a person who is the subject of a criminal history record if that person:

(a) Has obtained, and submitted to the department, a written, certified statement from the appropriate *clerk of court state attorney or statewide prosecutor* which indicates:

1. That an indictment, information, or other charging document was not filed or issued in the case.

2. That an indictment, information, or other charging document, if filed or issued in the case, was dismissed or nolle prosequi by the state attorney or statewide prosecutor, or was dismissed by a court of competent jurisdiction, and that none of the charges related to the arrest or alleged criminal activity to which the petition to expunge pertains resulted in a trial, without regard to whether the outcome of the trial was other than an adjudication of guilt.

3. That the criminal history record does not relate to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a predicate offense for registration as a sexual predator pursuant to s. 775.21, without regard to whether that offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435, where the defendant was found guilty of, or pled guilty or nolo contendere to any such offense, or that the defendant, as a minor, was found to have committed, or pled guilty or nolo contendere to committing, such an offense as a delinquent act, without regard to whether adjudication was withheld.

(b) Remits a \$75 processing fee to the department for placement in the Department of Law Enforcement Operating Trust Fund, unless such fee is waived by the executive director.

(c) Has submitted to the department a certified copy of the disposition of the charge to which the petition to expunge pertains.

(d) Has never, prior to the date on which the application for a certificate of eligibility is filed, been adjudicated guilty of a criminal offense or comparable ordinance violation, or been adjudicated delinquent for committing any felony or a misdemeanor specified in s. 943.051(3)(b).

(e) Has not been adjudicated guilty of, or adjudicated delinquent for committing, any of the acts stemming from the arrest or alleged criminal activity to which the petition to expunge pertains.

(f) Has never secured a prior sealing or expunction, *except as provided in subsection (5) and s. 943.059(5)*, of a criminal history record under this section, former s. 893.14, former s. 901.33, or former s. 943.058, unless expunction is sought of a criminal history record previously sealed for 10 years pursuant to paragraph (h) and the record is otherwise eligible for expunction.

(g) Is no longer under court supervision applicable to the disposition of the arrest or alleged criminal activity to which the petition to expunge pertains.

(h) Has previously obtained a court order sealing the record under this section, former s. 893.14, former s. 901.33, or former s. 943.058 for a minimum of 10 years because adjudication was withheld or because all charges related to the arrest or alleged criminal activity to which the petition to expunge pertains were not dismissed prior to trial, without regard to whether the outcome of the trial was other than an adjudication of guilt. The requirement for the record to have previously been sealed for a minimum of 10 years does not apply when a plea was not entered or all charges related to the arrest or alleged criminal activity to which the petition to expunge pertains were dismissed prior to trial.

(3) **PROCESSING OF A PETITION OR ORDER TO EXPUNGE.**—

(a) In judicial proceedings under this section, a copy of the completed petition to expunge shall be served upon the appropriate state attorney or the statewide prosecutor and upon the arresting agency; however, it is not necessary to make any agency other than the state a party. The appropriate state attorney or the statewide prosecutor and the arresting agency may respond to the court regarding the completed petition to expunge.

(b) If relief is granted by the court, the clerk of the court shall certify copies of the order to the appropriate state attorney or the statewide

prosecutor and the arresting agency. The arresting agency is responsible for forwarding the order to any other agency to which the arresting agency disseminated the criminal history record information to which the order pertains. The department shall forward the order to expunge to the Federal Bureau of Investigation. The clerk of the court shall certify a copy of the order to any other agency which the records of the court reflect has received the criminal history record from the court.

(c) For an order to expunge entered by a court prior to July 1, 1992, the department shall notify the appropriate state attorney or statewide prosecutor of an order to expunge which is contrary to law because the person who is the subject of the record has previously been convicted of a crime or comparable ordinance violation or has had a prior criminal history record sealed or expunged, *except as provided in subsection (5) and s. 943.059(5)*. Upon receipt of such notice, the appropriate state attorney or statewide prosecutor shall take action, within 60 days, to correct the record and petition the court to void the order to expunge. The department shall seal the record until such time as the order is voided by the court.

(d) On or after July 1, 1992, the department or any other criminal justice agency is not required to act on an order to expunge entered by a court when such order does not comply with the requirements of this section. Upon receipt of such an order, the department must notify the issuing court, the appropriate state attorney or statewide prosecutor, the petitioner or the petitioner's attorney, and the arresting agency of the reason for noncompliance. The appropriate state attorney or statewide prosecutor shall take action within 60 days to correct the record and petition the court to void the order. No cause of action, including contempt of court, shall arise against any criminal justice agency for failure to comply with an order to expunge when the petitioner for such order failed to obtain the certificate of eligibility as required by this section or such order does not otherwise comply with the requirements of this section.

(4) **EFFECT OF CRIMINAL HISTORY RECORD EXPUNCTION.**—Any criminal history record of a minor or an adult which is ordered expunged by a court of competent jurisdiction pursuant to this section must be physically destroyed or obliterated by any criminal justice agency having custody of such record; except that any criminal history record in the custody of the department must be retained in all cases. A criminal history record ordered expunged that is retained by the department is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution and not available to any person or entity except upon order of a court of competent jurisdiction. A criminal justice agency may retain a notation indicating compliance with an order to expunge.

(a) The person who is the subject of a criminal history record that is expunged under this section or under other provisions of law, including former s. 893.14, former s. 901.33, and former s. 943.058, may lawfully deny or fail to acknowledge the arrests covered by the expunged record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;
2. Is a defendant in a criminal prosecution;
3. Concurrently or subsequently petitions for relief under this section or s. 943.059;
4. Is a candidate for admission to The Florida Bar;
5. Is seeking to be employed or licensed by or to contract with the Department of Children and Family Services, the Agency for Health Care Administration, the Agency for Persons with Disabilities, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the developmentally disabled, the aged, or the elderly as provided in s. 110.1127(3), s. 393.063, s. 394.4572(1), s. 397.451, s. 402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(4), chapter 916, s. 985.644, chapter 400, or chapter 429;
6. Is seeking to be employed or licensed by the Department of Education, any district school board, any university laboratory school, any charter school, any private or parochial school, or any local governmental entity that licenses child care facilities; or

7. Is seeking authorization from a seaport listed in s. 311.09 for employment within or access to one or more of such seaports pursuant to s. 311.12.

(b) Subject to the exceptions in paragraph (a), a person who has been granted an expunction under this section, former s. 893.14, former s. 901.33, or former s. 943.058 may not be held under any provision of law of this state to commit perjury or to be otherwise liable for giving a false statement by reason of such person's failure to recite or acknowledge an expunged criminal history record.

(c) Information relating to the existence of an expunged criminal history record which is provided in accordance with paragraph (a) is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the department shall disclose the existence of a criminal history record ordered expunged to the entities set forth in subparagraphs (a)1., 4., 5., 6., and 7. for their respective licensing, access authorization, and employment purposes, and to criminal justice agencies for their respective criminal justice purposes. It is unlawful for any employee of an entity set forth in subparagraph (a)1., subparagraph (a)4., subparagraph (a)5., subparagraph (a)6., or subparagraph (a)7. to disclose information relating to the existence of an expunged criminal history record of a person seeking employment, access authorization, or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment, access authorization, or licensure decisions. Any person who violates this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) **EXPUNCTION OF CRIMINAL HISTORY RECORD AFTER PRIOR SEALING OR EXPUNCTION.**—

(a) *A court may expunge a person's criminal history record after a prior criminal history record has been sealed or expunged only if the person obtains a certificate from the department to expunge the criminal history record. The department shall issue the certificate for a second expunction only if:*

1. *The person has had only one prior expunction of his or her criminal history record under this section or one prior expunction following the sealing of the same arrest or alleged criminal activity that was expunged;*
2. *The person has not been arrested in this state during the 10-year period prior to the date on which the application for the certificate is filed; and*
3. *The person has not previously sealed or expunged a criminal history record that involved the same offense to which the petition to expunge pertains.*

(b) *All other provisions and requirements of this section apply to an application to expunge a second criminal history record.*

(6)(5) **STATUTORY REFERENCES.**—Any reference to any other chapter, section, or subdivision of the Florida Statutes in this section constitutes a general reference under the doctrine of incorporation by reference.

Section 2. Section 943.059, Florida Statutes, is amended to read:

943.059 Court-ordered sealing of criminal history records.—The courts of this state shall continue to have jurisdiction over their own procedures, including the maintenance, sealing, and correction of judicial records containing criminal history information to the extent such procedures are not inconsistent with the conditions, responsibilities, and duties established by this section. Any court of competent jurisdiction may order a criminal justice agency to seal the criminal history record of a minor or an adult who complies with the requirements of this section. The court shall not order a criminal justice agency to seal a criminal history record until the person seeking to seal a criminal history record has applied for and received a certificate of eligibility for sealing pursuant to subsection (2). A criminal history record that relates to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a predicate offense for registration as a sexual predator pursuant to s. 775.21, without

regard to whether that offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435, may not be sealed, without regard to whether adjudication was withheld, if the defendant was found guilty of or pled guilty or nolo contendere to the offense, or if the defendant, as a minor, was found to have committed or pled guilty or nolo contendere to committing the offense as a delinquent act. The court may only order sealing of a criminal history record pertaining to one arrest or one incident of alleged criminal activity, except as provided in this section. The court may, at its sole discretion, order the sealing of a criminal history record pertaining to more than one arrest if the additional arrests directly relate to the original arrest. If the court intends to order the sealing of records pertaining to such additional arrests, such intent must be specified in the order. A criminal justice agency may not seal any record pertaining to such additional arrests if the order to seal does not articulate the intention of the court to seal records pertaining to more than one arrest. This section does not prevent the court from ordering the sealing of only a portion of a criminal history record pertaining to one arrest or one incident of alleged criminal activity. Notwithstanding any law to the contrary, a criminal justice agency may comply with laws, court orders, and official requests of other jurisdictions relating to sealing, correction, or confidential handling of criminal history records or information derived therefrom. This section does not confer any right to the sealing of any criminal history record, and any request for sealing a criminal history record may be denied at the sole discretion of the court.

(1) **PETITION TO SEAL A CRIMINAL HISTORY RECORD.**—Each petition to a court to seal a criminal history record is complete only when accompanied by:

(a) A valid certificate of eligibility for sealing issued by the department pursuant to subsection (2).

(b) The petitioner's sworn statement attesting that the petitioner:

1. Has never, prior to the date on which the petition is filed, been adjudicated guilty of a criminal offense or comparable ordinance violation, or been adjudicated delinquent for committing any felony or a misdemeanor specified in s. 943.051(3)(b).

2. Has not been adjudicated guilty of or adjudicated delinquent for committing any of the acts stemming from the arrest or alleged criminal activity to which the petition to seal pertains.

3. Has never secured a prior sealing or expunction, *except as provided in subsection (5)*, of a criminal history record under this section, former s. 893.14, former s. 901.33, former s. 943.058, or from any jurisdiction outside the state.

4. Is eligible for such a sealing to the best of his or her knowledge or belief and does not have any other petition to seal or any petition to expunge pending before any court.

Any person who knowingly provides false information on such sworn statement to the court commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) **CERTIFICATE OF ELIGIBILITY FOR SEALING.**—Prior to petitioning the court to seal a criminal history record, a person seeking to seal a criminal history record shall apply to the department for a certificate of eligibility for sealing. The department shall, by rule adopted pursuant to chapter 120, establish procedures pertaining to the application for and issuance of certificates of eligibility for sealing. A certificate of eligibility for sealing is valid for 12 months after the date stamped on the certificate when issued by the department. After that time, the petitioner must reapply to the department for a new certificate of eligibility. Eligibility for a renewed certification of eligibility must be based on the status of the applicant and the law in effect at the time of the renewal application. The department shall issue a certificate of eligibility for sealing to a person who is the subject of a criminal history record provided that such person:

(a) Has submitted to the department a certified copy of the disposition of the charge to which the petition to seal pertains.

(b) Remits a \$75 processing fee to the department for placement in the Department of Law Enforcement Operating Trust Fund, unless such fee is waived by the executive director.

(c) Has never, prior to the date on which the application for a certificate of eligibility is filed, been adjudicated guilty of a criminal offense or comparable ordinance violation, or been adjudicated delinquent for committing any felony or a misdemeanor specified in s. 943.051(3)(b).

(d) Has not been adjudicated guilty of or adjudicated delinquent for committing any of the acts stemming from the arrest or alleged criminal activity to which the petition to seal pertains.

(e) Has never secured a prior sealing or expunction, *except as provided in subsection (5)*, of a criminal history record under this section, former s. 893.14, former s. 901.33, or former s. 943.058.

(f) Is no longer under court supervision applicable to the disposition of the arrest or alleged criminal activity to which the petition to seal pertains.

(3) **PROCESSING OF A PETITION OR ORDER TO SEAL.**—

(a) In judicial proceedings under this section, a copy of the completed petition to seal shall be served upon the appropriate state attorney or the statewide prosecutor and upon the arresting agency; however, it is not necessary to make any agency other than the state a party. The appropriate state attorney or the statewide prosecutor and the arresting agency may respond to the court regarding the completed petition to seal.

(b) If relief is granted by the court, the clerk of the court shall certify copies of the order to the appropriate state attorney or the statewide prosecutor and to the arresting agency. The arresting agency is responsible for forwarding the order to any other agency to which the arresting agency disseminated the criminal history record information to which the order pertains. The department shall forward the order to seal to the Federal Bureau of Investigation. The clerk of the court shall certify a copy of the order to any other agency which the records of the court reflect has received the criminal history record from the court.

(c) For an order to seal entered by a court prior to July 1, 1992, the department shall notify the appropriate state attorney or statewide prosecutor of any order to seal which is contrary to law because the person who is the subject of the record has previously been convicted of a crime or comparable ordinance violation or has had a prior criminal history record sealed or expunged, *except as provided in subsection (5)*. Upon receipt of such notice, the appropriate state attorney or statewide prosecutor shall take action, within 60 days, to correct the record and petition the court to void the order to seal. The department shall seal the record until such time as the order is voided by the court.

(d) On or after July 1, 1992, the department or any other criminal justice agency is not required to act on an order to seal entered by a court when such order does not comply with the requirements of this section. Upon receipt of such an order, the department must notify the issuing court, the appropriate state attorney or statewide prosecutor, the petitioner or the petitioner's attorney, and the arresting agency of the reason for noncompliance. The appropriate state attorney or statewide prosecutor shall take action within 60 days to correct the record and petition the court to void the order. No cause of action, including contempt of court, shall arise against any criminal justice agency for failure to comply with an order to seal when the petitioner for such order failed to obtain the certificate of eligibility as required by this section or when such order does not comply with the requirements of this section.

(e) An order sealing a criminal history record pursuant to this section does not require that such record be surrendered to the court, and such record shall continue to be maintained by the department and other criminal justice agencies.

(4) **EFFECT OF CRIMINAL HISTORY RECORD SEALING.**—A criminal history record of a minor or an adult which is ordered sealed by a court of competent jurisdiction pursuant to this section is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution and is available only to the person who is the subject of the record, to the subject's attorney, to criminal justice agencies for their respective criminal justice purposes, which include conducting a criminal history background check for approval of firearms purchases or transfers as authorized by state or federal law, to judges in the state courts system for the purpose of assisting them in their case-related decisionmaking responsibilities, as set forth in s. 943.053(5), or to those

entities set forth in subparagraphs (a)1., 4., 5., 6., and 8. for their respective licensing, access authorization, and employment purposes.

(a) The subject of a criminal history record sealed under this section or under other provisions of law, including former s. 893.14, former s. 901.33, and former s. 943.058, may lawfully deny or fail to acknowledge the arrests covered by the sealed record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;
2. Is a defendant in a criminal prosecution;
3. Concurrently or subsequently petitions for relief under this section or s. 943.0585;
4. Is a candidate for admission to The Florida Bar;
5. Is seeking to be employed or licensed by or to contract with the Department of Children and Family Services, the Agency for Health Care Administration, the Agency for Persons with Disabilities, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the developmentally disabled, the aged, or the elderly as provided in s. 110.1127(3), s. 393.063, s. 394.4572(1), s. 397.451, s. 402.302(3), s. 402.313(3), s. 409.175(2)(i), s. 415.102(4), s. 415.103, chapter 916, s. 985.644, chapter 400, or chapter 429;
6. Is seeking to be employed or licensed by the Department of Education, any district school board, any university laboratory school, any charter school, any private or parochial school, or any local governmental entity that licenses child care facilities;
7. Is attempting to purchase a firearm from a licensed importer, licensed manufacturer, or licensed dealer and is subject to a criminal history check under state or federal law; or
8. Is seeking authorization from a Florida seaport identified in s. 311.09 for employment within or access to one or more of such seaports pursuant to s. 311.12.

(b) Subject to the exceptions in paragraph (a), a person who has been granted a sealing under this section, former s. 893.14, former s. 901.33, or former s. 943.058 may not be held under any provision of law of this state to commit perjury or to be otherwise liable for giving a false statement by reason of such person's failure to recite or acknowledge a sealed criminal history record.

(c) Information relating to the existence of a sealed criminal record provided in accordance with the provisions of paragraph (a) is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the department shall disclose the sealed criminal history record to the entities set forth in subparagraphs (a)1., 4., 5., 6., and 8. for their respective licensing, access authorization, and employment purposes. It is unlawful for any employee of an entity set forth in subparagraph (a)1., subparagraph (a)4., subparagraph (a)5., subparagraph (a)6., or subparagraph (a)8. to disclose information relating to the existence of a sealed criminal history record of a person seeking employment, access authorization, or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment, access authorization, or licensure decisions. Any person who violates the provisions of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

**(5) SEALING OF CRIMINAL HISTORY RECORD AFTER PRIOR SEALING OR EXPUNCTION.—**

(a) A court may seal a person's criminal history record after a prior criminal history record has been sealed or expunged only if the person obtains a certificate from the department to seal the criminal history record. The department shall issue the certificate for a second sealing only if:

1. The person has had only one prior expunction or sealing of his or her criminal history record under s. 943.0585 or this section or one prior expunction following the sealing of the same arrest or alleged criminal activity that was expunged;

2. The person has not been arrested in this state during the 5-year period prior to the date on which the application for the certificate is filed; and

3. The person has not previously sealed or expunged a criminal history record that involved the same offense to which the petition to seal pertains.

(b) All other provisions and requirements of this section apply to an application to seal a second criminal history record.

~~(6)(5)~~ STATUTORY REFERENCES.—Any reference to any other chapter, section, or subdivision of the Florida Statutes in this section constitutes a general reference under the doctrine of incorporation by reference.

Section 3. This act shall take effect July 1, 2010.

And the title is amended as follows:

Delete lines 2-33 and insert: An act relating to sealing and expunging criminal history records; providing a short title; amending s. 943.0585, F.S.; authorizing a court to expunge a criminal history record of a person who had a prior criminal history record sealed or expunged in certain circumstances; amending s. 943.059, F.S.; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged in certain circumstances; providing an effective date.

**Amendment 2 (211172)**—Delete line 37 and insert:

Section 1. *This act may be cited as the "Jim King Keep Florida*

Pursuant to Rule 4.19, **SB 340** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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Consideration of **CS for SB 448** was deferred.

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On motion by 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.

—was read the second time by title.

Senator Bennett moved the following amendments which were adopted:

**Amendment 1 (396084) (with title amendment)**—Delete lines 220-235.

And the title is amended as follows:

Delete lines 30 and 31 and insert: amending

**Amendment 2 (126730) (with title amendment)**—Between lines 295 and 296 insert:

Section 13. Subsection (83) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(83) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any self-balancing, ~~two non-tandem wheeled~~ device, designed to transport only one person, with an electric propulsion system with average power of *no more than* 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in this section.

Section 14. Subsection (7) is added to section 316.008, Florida Statutes, to read:

316.008 Powers of local authorities.—

(7) *A county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law. The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas, when such use is permitted under federal law.*

Section 15. Section 316.1995, Florida Statutes, is amended to read:

316.1995 Driving upon sidewalk or bicycle path.—

(1) *Except as provided in s. 316.008 or s. 316.212(8), a person may not ~~shall~~ drive any vehicle other than by human power upon a bicycle path, sidewalk, or sidewalk area, except upon a permanent or duly authorized temporary driveway.*

(2) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

(3) *This section does not apply to motorized wheelchairs.*

Section 16. Subsection (8) of section 316.212, Florida Statutes, is amended to read:

316.212 Operation of golf carts on certain roadways.—The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

(8) A local governmental entity may enact an ordinance *relating to:*

(a) ~~Regarding~~ Golf cart operation and equipment which is more restrictive than those enumerated in this section. Upon enactment of such ordinance, the local governmental entity shall post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory. An ordinance referred to in this section must apply only to an unlicensed driver.

(b) *Golf cart operation on sidewalks adjacent to specific segments of municipal streets, county roads, or state highways within the jurisdictional territory of the local governmental entity if:*

1. *The local governmental entity determines, after considering the condition and current use of the sidewalks, the character of the sur-*

*rounding community, and the locations of authorized golf cart crossings, that golf carts, bicycles, and pedestrians may safely share the sidewalk;*

2. *The local governmental entity consults with the Department of Transportation before adopting the ordinance;*

3. *The ordinance restricts golf carts to a maximum speed of 15 miles per hour and permits such use on sidewalks adjacent to state highways only if the sidewalks are at least 8 feet wide;*

4. *The ordinance requires the golf carts to meet the equipment requirements in subsection (6). However, the ordinance may require additional equipment, including horns or other warning devices required by s. 316.271; and*

5. *The local governmental entity posts appropriate signs or otherwise informs residents that the ordinance exists and applies to such sidewalks.*

Section 17. Section 316.2128, Florida Statutes, is amended to read:

316.2128 Operation of motorized scooters and miniature motorcycles; requirements for sales.—

(1) A person who engages in the business of, serves in the capacity of, or acts as a commercial seller of motorized scooters or miniature motorcycles in this state must prominently display at his or her place of business a notice that such vehicles are not legal to operate on public roads, ~~or sidewalks and~~ may not be registered as motor vehicles, *and may not be operated on sidewalks unless authorized by an ordinance enacted pursuant to s. 316.008(7) or s. 316.212(8).* The required notice must also appear in all forms of advertising offering motorized scooters or miniature motorcycles for sale. The notice and a copy of this section must also be provided to a consumer prior to the consumer's purchasing or becoming obligated to purchase a motorized scooter or a miniature motorcycle.

(2) Any person selling or offering a motorized scooter or a miniature motorcycle for sale in violation of this section commits an unfair and deceptive trade practice as defined in part II of chapter 501.

And the title is amended as follows:

Delete line 45 and insert: project; amending s. 316.003, F.S.; redefining the term "electric personal assistive mobility device" to include additional devices for transporting one person; amending s. 316.008, F.S.; authorizing local governments to regulate certain vehicles and other motorized devices operating on sidewalks; amending s. 316.1995, F.S.; conforming provisions to changes made by the act; exempting motorized wheelchairs from certain ordinances; amending s. 316.212, F.S.; authorizing local governments to enact ordinances permitting the use of golf carts on sidewalks; amending s. 316.2128, F.S.; conforming provisions relating to notices required to be displayed by certain sellers of motorized scooters and motorcycles; providing an effective date.

**Amendment 3 (280706) (with title amendment)**—Between lines 295 and 296 insert:

Section 13. Section 319.241, Florida Statutes, is amended to read:

319.241 Removal of lien from records.—The owner of a motor vehicle or mobile home upon which a lien has been filed with the department or noted upon a certificate of title for a period of 5 years may apply to the department in writing for such lien to be removed from the department files or from the certificate of title. The application shall be accompanied by evidence satisfactory to the department that the applicant has notified the lienholder by certified mail, not less than 20 days prior to the date of the application, of his or her intention to apply to the department for removal of the lien. Ten days after receipt of the application, the department may remove the lien from its files or from the certificate of title, as the case may be, if no statement in writing protesting removal of the lien is received by the department from the lienholder within the 10-day period. If, however, the lienholder files with the department within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien until the lienholder presents a satisfaction of lien to the department. *Ten days after the receipt of an application for a derelict motor vehicle certificate and notification to the lienholder, the department may remove the lien from the derelict motor vehicle record if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period.*

Section 14. Subsections (1) and (2), paragraph (b) of subsection (3), paragraph (a) of subsection (7), and subsection (8) of section 319.30, Florida Statutes, are amended to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

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

(a) “Certificate of destruction” means the certificate issued pursuant to s. 713.78(11) or s. 713.785(7)(a).

(b) “Certificate of registration number” means the certificate of registration number issued by the Department of Revenue of the State of Florida pursuant to s. 538.25.

(c) “Certificate of title” means a record that serves as evidence of ownership of a vehicle, whether such record is a paper certificate authorized by the department *or by a motor vehicle department authorized to issue titles in another state* or a certificate consisting of information stored in electronic form in the department’s database.

(d) “Derelict” means any material which is or may have been a motor vehicle or mobile home, which is not a major part or major component part, which is inoperable, and which is in such condition that its highest or primary value is in its sale or transfer as scrap metal.

(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.*

(f) “Derelict motor vehicle certificate” means a certificate *issued by the department which serves as evidence that a derelict motor vehicle will be dismantled or converted to scrap metal. This certificate may be obtained by completing a derelict motor vehicle certificate application authorized by the department.* ~~completed by the derelict motor vehicle owner, the owner’s authorized transporter when different from the owner, and the licensed salvage motor vehicle dealer or the registered secondary metals recycler and submitted to the department for cancellation of the title record of the derelict motor vehicle.~~ A derelict motor vehicle certificate may be reassigned only one time if the derelict motor vehicle certificate was completed by a licensed salvage motor vehicle dealer and the derelict motor vehicle was sold to *another licensed salvage motor vehicle dealer or a secondary metals recycler.*

(g) “Junk” means any material which is or may have been a motor vehicle or mobile home, with or without all component parts, which is inoperable and which material is in such condition that its highest or primary value is either in its sale or transfer as scrap metal or for its component parts, or a combination of the two, except when sold or delivered to or when purchased, possessed, or received by a secondary metals recycler or salvage motor vehicle dealer.

(h) “Major component parts” means:

1. For motor vehicles other than motorcycles, ~~any fender the front end assembly (fenders, hood, grill, and bumper), cowl assembly, rear body section (both quarter panel panels, trunk lid, door, decklid, and bumper), floor pan, door assemblies, engine, frame, transmission, catalytic converter, or and~~ *any fender (fenders, hood, grill, and bumper), cowl assembly, rear body section (both quarter panel panels, trunk lid, door, decklid, and bumper), floor pan, door assemblies, engine, frame, transmission, catalytic converter, or and* ~~airbag.~~

2. For trucks, in addition to those parts listed in subparagraph 1., any truck bed, including dump, wrecker, crane, mixer, cargo box, or any bed which mounts to a truck frame.

3. For motorcycles, the body assembly, frame, fenders, gas tanks, engine, cylinder block, heads, engine case, crank case, transmission, drive train, front fork assembly, and wheels.

4. For mobile homes, the frame.

(i) “Major part” means the front-end assembly, cowl assembly, or rear body section.

(j) “Materials” means motor vehicles, derelicts, and major parts that are not prepared materials.

(k) “Mobile home” means mobile home as defined in s. 320.01(2).

(l) “Motor vehicle” means motor vehicle as defined in s. 320.01(1).

(m) “Parts” means parts of motor vehicles or combinations thereof that do not constitute materials or prepared materials.

~~(n) “Personal identification card” means personal identification card as defined in s. 538.18(5).~~

~~(o)(e)~~ (n) “Prepared materials” means motor vehicles, mobile homes, derelict motor vehicles, major parts, or parts that have been processed by mechanically flattening or crushing, or otherwise processed such that they are not the motor vehicle or mobile home described in the certificate of title, or their only value is as scrap metal.

~~(o)(p)~~ (o) “Processing” means the business of performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value, or the purchase of materials, prepared materials, or parts therefor.

~~(p)(q)~~ (p) “Recreational vehicle” means a motor vehicle as defined in s. 320.01(1).

~~(q)(r)~~ (q) “Salvage” means a motor vehicle or mobile home which is a total loss as defined in paragraph (3)(a).

~~(r)(s)~~ (r) “Salvage certificate of title” means a salvage certificate of title issued by the department or by another motor vehicle department authorized to issue titles in another state.

~~(s)(t)~~ (s) “Salvage motor vehicle dealer” means salvage motor vehicle dealer as defined in s. 320.27(1)(c)5.

~~(t)(u)~~ (t) “Secondary metals recycler” means secondary metals recycler as defined in s. 538.18(8).

(u) “Seller” means the owner of record or a person who has physical possession and responsibility for a derelict motor vehicle and attests that possession of the vehicle was obtained through lawful means along with all ownership rights. A seller does not include a towing company, repair shop, or landlord unless the towing company, repair shop, or landlord has obtained title, salvage title, or a certificate of destruction in the name of the towing company, repair shop, or landlord.

(2)(a) Each person mentioned as owner in the last issued certificate of title, when such motor vehicle or mobile home is dismantled, destroyed, or changed in such manner that it is not the motor vehicle or mobile home described in the certificate of title, shall surrender his or her certificate of title to the department, and thereupon the department shall, with the consent of any lienholders noted thereon, enter a cancellation upon its records. Upon cancellation of a certificate of title in the manner prescribed by this section, the department may cancel and destroy all certificates in that chain of title. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b)1. When a motor vehicle, recreational vehicle, or mobile home is sold, transported, ~~or~~ delivered to, or received by a salvage motor vehicle dealer, it shall be accompanied by:

a. A valid certificate of title issued in the name of the seller or properly endorsed, *as required in s. 319.22*, over to the seller;

b. A valid salvage certificate of title issued in the name of the seller or properly endorsed, *as required in s. 319.22*, over to the seller; or

c. A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller.

2. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph by selling, transporting, delivering, purchasing, or receiving a motor vehicle, recreational vehicle, or mobile home without obtaining a properly endorsed certificate of title, salvage certificate of title, or certificate of destruction from the owner commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c)1. When a derelict motor vehicle is sold, transported, or delivered to a licensed salvage motor vehicle dealer, the purchaser shall record the date of purchase and the name, address, and *valid Florida driver's license number or valid Florida identification card number, or a valid driver's license number or identification card number issued by another state, personal identification card number* of the person selling the derelict motor vehicle, and it shall be accompanied by:

a. A valid certificate of title issued in the name of the seller or properly endorsed over to the seller;

b. A valid salvage certificate of title issued in the name of the seller or properly endorsed over to the seller; or

c. A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller.

2. If a ~~valid~~ certificate of title, salvage certificate of title, or certificate of destruction is not available, a derelict motor vehicle certificate application shall be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, and the licensed salvage motor vehicle dealer at the time of sale, transport, or delivery to the licensed salvage motor vehicle dealer. The derelict motor vehicle certificate application shall be used by the seller or owner, the seller's or owner's authorized transporter, and the licensed salvage motor vehicle dealer to obtain a derelict motor vehicle certificate from the department. *The derelict motor vehicle certificate application must be accompanied by a legible copy of the seller's or owner's valid Florida driver's license or Florida identification card, or a valid driver's license or identification card issued by another state. If the seller is not the owner of record of the vehicle being sold, the dealer shall, at the time of sale, acquire a smudge-free right thumbprint, or other digit if the seller has no right thumb, of the seller is imprinted upon the derelict motor vehicle certificate application and that a legible copy of the seller's driver's license or identification card is affixed to the application and transmitted to the department.* The licensed salvage motor vehicle dealer shall secure the derelict motor vehicle ~~or mobile home~~ for 3 full business days, excluding weekends and holidays, *if there is no active lien or a lien of 3 years or more on the department's records* before destroying or dismantling the derelict motor vehicle and shall follow all reporting procedures established by the department, including electronic notification to the department or delivery of the original derelict motor vehicle certificate application to an agent of the department within 24 hours after receiving the derelict motor vehicle. *If there is an active lien of 3 years or less on the derelict motor vehicle, the licensed salvage motor vehicle dealer shall secure the derelict motor vehicle for 10 days. The department shall notify the lienholder that a derelict motor vehicle certificate has been issued and shall notify the lienholder of its intention to remove the lien. Ten days after receipt of the motor vehicle derelict certificate application, the department may remove the lien from its records if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period. However, if the lienholder files with the department and the licensed salvage motor vehicle dealer within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien and shall place an administrative hold on the record for 30 days to allow the lienholder to apply for title to the vehicle or a repossession certificate under s. 319.28. The licensed salvage motor vehicle dealer must secure the derelict motor vehicle until the department's administrative stop is removed, the lienholder submits a lien satisfaction, or the lienholder takes possession of the vehicle.*

3. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph by selling, transporting, delivering, purchasing, or receiving a derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle

certificate application; enters false or fictitious information on a derelict motor vehicle certificate application; does not complete the derelict motor vehicle certificate application as required; *does not obtain a legible copy of the seller's or owner's valid driver's license or identification card when required;* ~~or~~ does not make the required notification to the department; or destroys or dismantles a derelict motor vehicle without waiting the required *time as set forth in subparagraph 2. 3 full business days* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3)

(b) The owner, including persons who are self-insured, of any motor vehicle or mobile home which is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company which pays money as compensation for total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home and, within 72 hours after receiving such certificate of title, shall forward such title to the department for processing. The owner or insurance company, as the case may be, may not dispose of a vehicle or mobile home that is a total loss before it has obtained a salvage certificate of title or certificate of destruction from the department. When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 80 percent or more of the current retail cost of the vehicle, as established in any official used car or used mobile home guide, the department shall declare the vehicle un-rebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle or mobile home described therein. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of "insurance-declared total loss." The certificate of destruction shall be reassignable a maximum of two times before dismantling or destruction of the vehicle shall be required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title, and, thereafter, the department shall refuse issuance of any certificate of title for that vehicle. Nothing in this subsection shall be applicable when a vehicle is worth less than \$1,500 retail in undamaged condition in any official used motor vehicle guide or used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph or falsifies any document to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(7)(a) In the event of a purchase by a secondary metals recycler, that has been issued a certificate of registration number, of:

1. Materials, prepared materials, or parts from any seller for purposes other than the processing of such materials, prepared materials, or parts, the purchaser shall obtain such documentation as may be required by this section and shall record the seller's name and address, date of purchase, and the personal identification card number of the person delivering such items.

2. Parts or prepared materials from any seller for purposes of the processing of such parts or prepared materials, the purchaser shall record the seller's name and address and date of purchase and, in the event of a purchase transaction consisting primarily of parts or prepared materials, the personal identification card number of the person delivering such items.

3. Materials from another secondary metals recycler for purposes of the processing of such materials, the purchaser shall record the seller's name and address and date of purchase.



4.a. Motor vehicles, recreational vehicles, mobile homes, or derelict motor vehicles from other than a secondary metals recycler for purposes of the processing of such motor vehicles, recreational vehicles, mobile homes, or derelict motor vehicles, the purchaser shall record the date of purchase and the name, address, and personal identification card number of the person selling such items and shall obtain the following documentation from the seller with respect to each item purchased:

(I) A valid certificate of title issued in the name of the seller or properly endorsed, *as required in s. 319.22*, over to the seller;

(II) A valid salvage certificate of title issued in the name of the seller or properly endorsed, *as required in s. 319.22*, over to the seller;

(III)~~(H)~~ A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller; or

(IV)~~(H)~~ A valid derelict motor vehicle certificate *obtained from the department* ~~completed~~ by a licensed salvage motor vehicle dealer and properly reassigned to the secondary metals recycler.

b. If a valid certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate is not available and the motor vehicle or mobile home is a derelict motor vehicle, a derelict motor vehicle certificate *application* shall be completed by the *seller* or owner of the motor vehicle or mobile home, the *seller's* or owner's authorized transporter, and the registered secondary metals recycler at the time of sale, transport, or delivery to the registered secondary metals recycler *to obtain a derelict motor vehicle certificate from the department. The derelict motor vehicle certificate application must be accompanied by a legible copy of the seller's or owner's valid Florida driver's license or Florida identification card, or a valid driver's license or identification card from another state. If the seller is not the owner of record of the vehicle being sold, the recycler shall, at the time of sale, acquire a smudge-free right thumbprint, or other digit if the seller has no right thumb, of the seller is imprinted upon the derelict motor vehicle certificate application, and that the legible copy of the seller's driver's license or identification card is affixed to the application and transmitted to the department.* The derelict motor vehicle certificate shall be used by the owner, the owner's authorized transporter, and the registered secondary metals recycler. The registered secondary metals recycler shall secure the derelict motor vehicle for 3 full business days, excluding weekends and holidays, *if there is no active lien or a lien of 3 years or more on the department's records* before destroying or dismantling the derelict motor vehicle and shall follow all reporting procedures established by the department, including electronic notification to the department or delivery of the original derelict motor vehicle certificate *application* to an agent of the department within 24 hours after receiving the derelict motor vehicle. *If there is an active lien of 3 years or less on the derelict motor vehicle, the registered secondary metals recycler shall secure the derelict motor vehicle for 10 days. The department shall notify the lienholder of the application for a derelict motor vehicle certificate and shall notify the lienholder of its intention to remove the lien. Ten days after receipt of the motor vehicle derelict application, the department may remove the lien from its records if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period. However, if the lienholder files with the department and the registered secondary metals recycler within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien and shall place an administrative hold on the record for 30 days to allow the lienholder to apply for title to the vehicle or a repossession certificate under s. 319.28. The registered secondary metals recycler must secure the derelict motor vehicle until the department's administrative stop is removed, the lienholder submits a lien satisfaction, or the lienholder takes possession of the vehicle.*

c. Any person who ~~knowingly willfully and deliberately~~ violates this subparagraph by selling, transporting, delivering, purchasing, or receiving a motor vehicle, recreational motor vehicle, mobile home, or derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate; enters false or fictitious information on a derelict motor vehicle certificate *application*; does not complete the derelict motor vehicle certificate *application* as required or does not make the required notification to the department; *does not obtain a legible copy of the seller's or owner's driver's license or identification card when required*; or destroys or dismantles a derelict motor vehicle without waiting the required time *as set forth in sub-subparagraph b. 3 full business days* commits a felony

of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

5. Major parts from other than a secondary metals recycler for purposes of the processing of such major parts, the purchaser shall record the seller's name, address, date of purchase, and the personal identification card number of the person delivering such items, as well as the vehicle identification number, if available, of each major part purchased.

(8)(a) Secondary metals recyclers and salvage motor vehicle dealers shall return to the department on a monthly basis all certificates of title and salvage certificates of title that are required by this section to be obtained. Secondary metals recyclers and salvage motor vehicle dealers may elect to notify the department electronically through procedures established by the department when they receive each motor vehicle or mobile home, salvage motor vehicle or mobile home, or derelict motor vehicle with a certificate of title or salvage certificate of title through procedures established by the department. The department may adopt rules and establish fees as it deems necessary or proper for the administration of the electronic notification service.

(b) Secondary metals recyclers and salvage motor vehicle dealers shall keep originals, or a copy in the event the original was returned to the department, of all certificates of title, salvage certificates of title, certificates of destruction, derelict motor vehicle certificates, and all other information required by this section to be recorded or obtained, on file in the offices of such secondary metals recyclers or salvage motor vehicle dealers for a period of 3 years after the date of purchase of the items reflected in such certificates of title, salvage certificates of title, certificates of destruction, or derelict motor vehicle certificates. These records shall be maintained in chronological order.

(c) For the purpose of enforcement of this section, the department or its agents and employees have the same right of inspection as law enforcement officers as provided in s. 812.055.

(d) Whenever the department, its agent or employee, or any law enforcement officer has reason to believe that a stolen or fraudulently titled motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle is in the possession of a salvage motor vehicle dealer or secondary metals recycler, the department, its agent or employee, or the law enforcement officer may issue *an extended* a hold notice, not to exceed 5 *additional* business days, excluding weekends and holidays, to the salvage motor vehicle dealer or registered secondary metals recycler.

(e) Whenever a salvage motor vehicle dealer or registered secondary metals recycler is notified by the department, its agent or employee, or any law enforcement officer to hold a motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle that is believed to be stolen or fraudulently titled, the salvage motor vehicle dealer or registered secondary metals recycler shall hold the motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle and may not dismantle or destroy the motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle until it is recovered by a law enforcement officer, the hold is released by the department or the law enforcement officer placing the hold, or the *extended 5 additional business* ~~working~~ days have passed since being notified of the hold.

(f) *This section does not authorize any person who is engaged in the business of recovering, towing, or storing vehicles pursuant to s. 713.78, and who is claiming a lien for performing labor or services on a motor vehicle or mobile home pursuant to s. 713.58, or is claiming that a motor vehicle or mobile home has remained on any premises after tenancy has terminated pursuant to s. 715.104, to use a derelict motor vehicle certificate application for the purpose of transporting, selling, disposing, or delivering of a motor vehicle at a salvage motor vehicle dealer or metal recycler without obtaining the title or certificate of destruction required under s. 713.58, s. 713.78, or s. 715.104.*

(g) *The department shall accept all properly endorsed and completed derelict motor vehicle certificate applications and shall issue a derelict motor vehicle certificate having an effective date that authorizes when a derelict motor vehicle is eligible for dismantling or destruction. The electronic information obtained from the derelict motor vehicle certificate application shall be stored electronically and shall be made available to*

authorized persons after issuance of the derelict motor vehicle certificate in the Florida Real Time Vehicle Information System.

(h)(~~f~~) The department is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 establishing policies and procedures to administer and enforce this section.

(i)(~~g~~) The department shall charge a fee of \$3 for each derelict motor vehicle certificate delivered to the department or one of its agents for processing and shall mark the title record canceled. A service charge may be collected under s. 320.04.

(j) *The licensed salvage motor vehicle dealer or registered secondary metals recycler shall make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record on file with the department by check or money order made payable to the seller and may not make payment to the authorized transporter. The licensed salvage motor vehicle dealer or registered secondary metals recycler may not cash the check that such dealer or recycler issued to the seller.*

And the title is amended as follows:

Delete line 45 and insert: project; 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.

Pursuant to Rule 4.19, **CS for CS for SB 482** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

**CS for SB 448**—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law;” providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; providing a definition; providing exceptions; specifying information admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver's license for the unlawful use of a wireless communications device resulting in a crash; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 448** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring, by two-thirds vote **HB 11** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Ring—

**HB 11**—A bill to be entitled An act relating to crimes against homeless persons; amending s. 775.085, F.S.; reclassifying offenses evidencing prejudice based on the homeless status of the victim; providing a definition; providing an effective date.

—a companion measure, was substituted for **SB 506** and read the second time by title.

Pursuant to Rule 4.19, **HB 11** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

**CS for CS for SB 690**—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff's proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county's website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendment to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a

financial report from a local government entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the website of the district or related county; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; revising obsolete accounting terminology; providing an effective date.

—was read the second time by title.

Senator Dean moved the following amendments which were adopted:

**Amendment 1 (599336)**—Delete lines 164-184 and insert: *accounting system chart of accounts* prescribed by the Department of Financial Services, as follows:

1. ~~Personnel~~ Personal services.
2. Operating expenses.
3. Capital outlay.
4. Debt service.
5. ~~Grants and aids Nonoperating disbursements and contingency reserves.~~
6. *Other uses.*

(d)(e) The sheriff shall submit to the board of county commissioners for consideration and inclusion in the county budget, as deemed appropriate by the county, requests for construction, repair, or capital improvement of county buildings operated or occupied by the sheriff.

(3) The sheriff shall furnish to the board of county commissioners or the budget commission, if there is a budget commission in the county, all relevant and pertinent information concerning expenditures made in previous fiscal years and to the proposed expenditures which the such board or commission deems necessary, *including expenditures at the subobject code level in accordance with the uniform accounting system prescribed by the*

**Amendment 2 (749794)**—Delete lines 602 and 603 and insert: *the subobject code level in accordance with the uniform accounting system prescribed by the Department of Financial Services. The*

**Amendment 3 (413618)**—Delete lines 767-810 and insert: *of time as established by the local general-purpose government or governments in which the special district is located or the local governing authority to which the district is dependent, transmit the tentative budget or final budget to the manager or administrator of the local general-purpose government or the local governing authority. The manager or administrator shall post the tentative budget or final budget on the website of the local general-purpose government or governing authority. This subsection and subsection (3) do not apply to water management districts as defined in s. 373.019.*

(5)(4) The proposed budget of a dependent special district ~~shall be presented in accordance with generally accepted accounting principles~~, contained within the general budget of the local governing au-

thority *to which it is dependent*; and be clearly stated as the budget of the dependent district. However, with the concurrence of the local governing authority, a dependent district may be budgeted separately. *The dependent district must provide any budget information requested by the local governing authority at the time and place designated by the local governing authority.*

(6)(5) The governing body of each special district at any time within a fiscal year or within ~~up to~~ 60 days following the end of the fiscal year may amend a budget for that year *as follows*:-

(a) *Appropriations for expenditures within a fund may be decreased or increased by motion recorded in the minutes if the total appropriations of the fund do not change.*

(b) *The governing body may establish procedures by which the designated budget officer may authorize certain budget amendments if the total appropriations of the fund is not changed.*

(c) *If a budget amendment is required for a purpose not specifically authorized in paragraph (a) or paragraph (b), the budget amendment must be adopted by resolution.*

(7) *If the governing body of a special district amends the budget pursuant to paragraph (6)(c), the adopted amendment must be posted on the official website of the special district within 5 days after adoption. If the special district does not operate an official website, the special district must, within a reasonable period of time as established by the local general-purpose government or governments in which the special district is located or the local governing authority to which the district is dependent, transmit the adopted amendment to the manager or administrator of the local general-purpose government or governing authority. The*

**Amendment 4 (453464) (with title amendment)**—Delete lines 991-995 and insert:

(6) *Each property appraiser and tax collector must post their final approved budget on their official website within 30 days after adoption. Each county's official website must have a link to the websites of the property appraiser or tax collector where the final approved budget is posted. If the property appraiser or tax collector does not have an official website, the final approved budget must be posted on the county's official website.*

And the title is amended as follows:

Delete line 71 and insert: on their respective website or, if not available, the county's website; amending s. 218.32, F.S.;

**Amendment 5 (368822)**—Delete lines 1075 and 1076 and insert: *subobject code level in accordance with the uniform accounting system prescribed by the Department of Financial Services.*

**Amendment 6 (453546)**—Delete line 1333 and insert: *the district is located, transmit the adopted amendment to the*

Pursuant to Rule 4.19, **CS for CS for SB 690** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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

**CS for CS for SB 2074**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act;" providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the

Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of drivers' licenses; 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; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "non-residential farm building;" exempting nonresidential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (603150)** by Senator Peaden and pending point of order by Senator Joyner.

### RULING ON POINT OF ORDER

On recommendation of Senator Aronberg, Vice Chair of the Committee on Rules, the President ruled the point well taken and the amendment out of order.

Pursuant to Rule 4.19, **CS for CS for SB 2074** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

**CS for SB 814**—A bill to be entitled An act relating to Lifeline telecommunications service; amending s. 364.10, F.S.; authorizing any commercial mobile radio service provider designated as an eligible telecommunications carrier to offer Lifeline services; authorizing the Department of Children and Family Services, the Department of Education, the Public Service Commission, and the Office of Public Counsel to exchange certain information with eligible telecommunications carriers and certain commercial mobile radio service providers so the carriers and providers can identify and enroll an eligible person in the Lifeline and Link-Up programs; maintaining confidentiality of the information; requiring that the commission, the Department of Children and Family Services, the Office of Public Counsel, and each eligible telecommunications carrier convene a Lifeline Workgroup by a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 814** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 838** was deferred.

On motion by Senator Aronberg, by two-thirds vote **HB 525** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

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

**HB 525**—A bill to be entitled An act relating to statutes of limitation for sexual battery; amending ss. 95.11 and 775.15, F.S.; eliminating statutes of limitations to the institution of criminal or civil actions relating to sexual battery of a child if the victim is under 16 years of age at the time of the offense; providing applicability; providing an effective date.

—a companion measure, was substituted for **SB 870** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 525** was placed on the calendar of Bills on Third Reading.

### RECONSIDERATION OF BILL

On motion by Senator Aronberg, the Senate recalled—

**CS for SB 814**—A bill to be entitled An act relating to Lifeline telecommunications service; amending s. 364.10, F.S.; authorizing any commercial mobile radio service provider designated as an eligible telecommunications carrier to offer Lifeline services; authorizing the Department of Children and Family Services, the Department of Education, the Public Service Commission, and the Office of Public Counsel to exchange certain information with eligible telecommunications carriers and certain commercial mobile radio service providers so the carriers and providers can identify and enroll an eligible person in the Lifeline and Link-Up programs; maintaining confidentiality of the information; requiring that the commission, the Department of Children and Family Services, the Office of Public Counsel, and each eligible telecommunications carrier convene a Lifeline Workgroup by a specified date; providing an effective date.

—for further consideration.

On motion by Senator Aronberg, by two-thirds vote **CS for SB 814** 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	Gaetz	Rich
Altman	Gardiner	Ring
Aronberg	Haridopolos	Siplin
Baker	Hill	Smith
Bennett	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Dean	Lawson	Wilson
Detert	Lynn	Wise
Diaz de la Portilla	Negron	
Dockery	Oelrich	

Nays—None

On motion by Senator Smith, by two-thirds vote **CS for HB 1551** was withdrawn from the Committees on Commerce; Governmental Oversight and Accountability; and Transportation and Economic Development Appropriations.

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

**CS for HB 1551**—A bill to be entitled An act relating to the Black Business Investment Board, Inc.; amending s. 288.707, F.S.; deleting a description of the board as a public-private entity; requiring the board to assist the Office of Tourism, Trade, and Economic Development in creating a long-range strategic policy for the Black Business Loan Program; revising the entities with whom the board may create partnerships for the development and expansion of black business enterprises; revising the membership of the board of directors; providing for certain members to be ex officio, nonvoting members; revising requirements for the selection, removal, and terms of the chair and vice chair; amending s. 288.709, F.S.; requiring that upon dissolution of the board, an asset that was not acquired through the use of state funds be returned to the donor who provided the asset or the funding or resources to acquire the asset; amending s. 288.7091, F.S.; requiring the board to aid the development and expansion of black business enterprises by leveraging federal, state, local, and private funds; requiring the board to collaborate with agencies of the federal, state, and local governments, private entities, nonprofit organizations, and national organizations; amending s. 288.7102, F.S.; revising the dates by which applications for loans from the Black Business Loan Program must be received and processed by the Office of Tourism, Trade, and Economic Development; revising eligibility requirements for new and existing program recipients; revising the date by

which the Office of Tourism, Trade, and Economic Development must distribute appropriations to program recipients; deleting provisions providing for the board to recommend the certification of eligible recipients for loans; revising the percentages of program funds that a program recipient may use for technical support for black business enterprises or direct administrative costs; amending s. 288.71025, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to bring a civil action against an entity that unlawfully holds itself out as a black business investment corporation; amending s. 288.712, F.S.; deleting a provision relating to the black contractors bonding program, which requires the board to provide assistance to the Office of Supplier Diversity within the Department of Management Services; amending s. 288.714, F.S.; requiring that recipients of loans from the Black Business Loan Program provide quarterly reports to the Office of Tourism, Trade, and Economic Development; requiring that the Office of Tourism, Trade, and Economic Development compile a summary of quarterly reports from loan recipients and provide a copy of the summary to the board; requiring that the Office of Tourism, Trade, and Economic Development and the board provide annual reports to the Governor and Legislature by a certain date; providing an effective date.

—a companion measure, was substituted for **CS for SB 1720** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1551** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert, by two-thirds vote **HB 7037** was withdrawn from the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

On motion by Senator Detert—

**HB 7037**—A bill to be entitled An act relating to education; amending s. 413.20, F.S.; redefining and deleting terms relating to vocational rehabilitation programs; replacing an obsolete term; amending s. 413.30, F.S.; revising provisions relating to eligibility for vocational rehabilitation services; providing for an individualized plan for employment; requiring the Division of Vocational Rehabilitation in the Department of Education to conduct trial work experiences before determining that an individual is incapable of benefiting from services; requiring the division to refer an individual to other services if the division determines that the individual is ineligible for vocational rehabilitation services; requiring the division to serve those having the most significant disabilities first under specified circumstances; conforming provisions to changes made by the act; amending s. 413.341, F.S.; allowing confidential records to be released for audit, program evaluation, or research purposes; amending s. 413.371, F.S.; requiring the division to administer an independent living program; conforming provisions to changes made by the act; repealing the division's authority to contract for specified services; amending s. 413.393, F.S.; correcting references and conforming provisions to changes made by the act; amending s. 413.40, F.S.; revising the division's powers to administer the independent living program; authorizing the division to employ specified individuals and to contract for services in accordance with the state plan for independent living; conforming provisions to changes made by the act; amending s. 413.405, F.S.; revising the membership of the Florida Rehabilitation Council; providing that Department of Education employees may serve only as nonvoting members; revising provisions relating to terms of office; revising council functions; correcting references and replacing obsolete cross-references; amending s. 413.407, F.S.; correcting a reference; repealing s. 413.206, F.S., relating to a 5-year plan for the division; repealing s. 413.39, F.S., relating to administration of the independent living program; repealing ss. 413.70 and 413.72, F.S., relating to the limiting disabilities program; repealing s. 413.73, F.S., relating to the disability assistance program; repealing s. 1013.05, F.S., relating to the Office of Educational Facilities and SMART Schools Clearinghouse; amending ss. 163.31777, 1001.20, and 1013.04, F.S.; deleting obsolete references; amending s. 1013.21, F.S.; deleting obsolete references; requiring the Office of Educational Facilities in the Department of Education to monitor district facilities work programs; amending ss. 1013.33 and 1013.35, F.S.; deleting obsolete references; amending s. 1013.41, F.S.; deleting obsolete references; requiring the Office of Educational Facilities to assist school districts in building SMART schools; amending s. 1013.42, F.S.; deleting obsolete references; specifying criteria for the prioritization of School Infrastructure Thrift Program awards; amending s. 1013.72, F.S.; revising the cost per student station for purposes of

School Infrastructure Thrift Program awards; deleting obsolete references; amending s. 1013.73, F.S.; deleting an obsolete reference; requiring the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to make conforming changes to address past legislation amending terminology relating to the Florida College System; repealing s. 1004.87, F.S., relating to Florida College System Task Force; repealing s. 1002.335, F.S., relating to the Florida Schools of Excellence Commission; amending s. 1002.33, F.S.; conforming provisions to changes made by the act; repealing s. 1003.413(5), F.S., relating to the Secondary School Improvement Award Program; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending ss. 1011.69 and 1013.64, F.S.; conforming provisions to changes made by the act; repealing ss. 1003.63 and 1008.345(7), F.S., relating to the deregulated public schools pilot program; amending s. 1004.68, F.S.; conforming a cross-reference; repealing s. 1006.67, F.S., relating to the reporting of campus crime statistics; amending s. 1013.11, F.S.; conforming provisions to changes made by the act; repealing ss. 1009.63 and 1009.631, F.S., relating to the occupational therapist or physical therapist critical shortage program; repealing s. 1009.632, F.S., relating to the Critical Occupational Therapist or Physical Therapist Shortage Student Loan Forgiveness Program; repealing s. 1009.633, F.S., relating to the Critical Occupational Therapist or Physical Therapist Shortage Scholarship Loan Program; repealing s. 1009.634, F.S., relating to the Critical Occupational Therapist or Physical Therapist Shortage Tuition Reimbursement Program; repealing s. 1009.64, F.S., relating to the Certified Education Paraprofessional Welfare Transition Program; amending ss. 1009.40 and 1009.94, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1806** and read the second time by title.

Pursuant to Rule 4.19, **HB 7037** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 2100** and **CS for CS for CS for SB 2138** was deferred.

**CS for 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; providing that the required reports be terminated after a specified date; 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; providing for severability; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 2166** to **CS for CS for HB 325**.

Pending further consideration of **CS for CS for SB 2166** as amended, on motion by Senator Altman, by two-thirds vote **CS for CS for HB 325** was withdrawn from the Committees on Transportation; and Community Affairs; and the Policy and Steering Committee on Ways and Means.

On motion by Senator Altman—

**CS for CS for HB 325**—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; amending s. 316.008, F.S.; authorizing counties and municipalities to use traffic infraction detectors under certain circumstances; 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 authorization of a traffic infraction enforcement officer to issue and enforce a citation for such violation; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; requiring the notification to include certain information about the owner's right to review evidence; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of violations detected through the use of a traffic infraction detector; providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; prohibiting the use of such detectors to enforce a violation when a driver fails to stop prior to making a right or left turn; 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.; revising a provision that requires certain remotely operated traffic control devices to meet certain specifications; creating s. 316.07456, F.S.; requiring traffic infraction detectors to 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 when permitted by and under the specifications of the department; requiring that if the state, county, or 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 posted at the intersection meet the specifications for uniform signals and devices adopted by the Department of Transportation; requiring that traffic infraction detectors meet specifications established by the Department of Transportation; requiring a public awareness campaign if such detectors are to be used; 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 officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; 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; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of violations detected through the use of a traffic infraction detector; creating s. 321.50, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver's license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates; requiring the retention of certain penalty proceeds collected prior to the Department of Revenue's ability to receive and distribute such funds; providing an appropriation and for carryforward of any unexpended balance; providing for severability; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 2166** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 325** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for CS for SB 2400** was deferred.

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On motion by Senator Bennett—

**CS for SB 2448**—A bill to be entitled An act relating to vehicle operation; amending s. 316.003, F.S.; redefining the term “electric personal assistive mobility device” to include additional devices for transporting one person; amending s. 316.008, F.S.; authorizing local governments to regulate certain vehicles and other motorized devices operating on sidewalks; amending s. 316.1995, F.S.; conforming provisions to changes made by the act; exempting motorized wheelchairs from certain ordinances; amending s. 316.212, F.S.; authorizing local governments to enact ordinances permitting the use of golf carts on sidewalks; amending s. 316.2128, F.S.; conforming provisions relating to notices required to be displayed by certain sellers of motorized scooters and motorcycles; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2448** was placed on the calendar of Bills on Third Reading.

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**SB 2544**—A bill to be entitled An act relating to civil citations; amending s. 985.12, F.S.; requiring the expungement of the nonjudicial arrest record of a minor who successfully completes a civil citation program; amending s. 943.0582, F.S.; requiring the Department of Law Enforcement to expunge the nonjudicial record of the arrest of a minor who successfully completes a civil citation program; setting forth the conditions that apply in order for the department to expunge the record;

authorizing the department to charge a processing fee; providing an effective date.

—was read the second time by title. On motion by Senator Joyner, by two-thirds vote **SB 2544** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Alexander	Fasano	Oelrich
Altman	Gaetz	Peaden
Aronberg	Gardiner	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Siplin
Constantine	Jones	Smith
Crist	Joyner	Sobel
Dean	Justice	Storms
Detert	Lawson	Thrasher
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

On motion by Senator Wise, by two-thirds vote **CS for HB 889** was withdrawn from the Committees on Health Regulation; Higher Education; and Health and Human Services Appropriations.

On motion by Senator Wise—

**CS for HB 889**—A bill to be entitled An act relating to biomedical research; repealing s. 381.0404, F.S., relating to the Center for Health Technologies; repealing s. 381.85, F.S., relating to the Florida Biomedical and Social Research Act; amending s. 381.855, F.S., relating to the Florida Center for Universal Research to Eradicate Disease; revising advisory council membership to conform to changes made by the act; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; repealing s. 381.92, F.S., relating to the Florida Cancer Council; transferring and amending s. 381.921, F.S., relating to Florida Cancer Council mission and duties to conform to changes made by the act; amending s. 381.922, F.S., relating to the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program, to conform to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 2100** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 889** was placed on the calendar of Bills on Third Reading.

On motion by Senator Altman—

**CS for SB 2584**—A bill to be entitled An act relating to handbill distribution; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term “contraband;” providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2584** was placed on the calendar of Bills on Third Reading.

On motion by Senator Altman—

**CS for SB 1126**—A bill to be entitled An act relating to permitting; amending s. 403.973, F.S.; clarifying duties of the Office of Tourism, Trade, and Economic Development to approve expedited permitting and comprehensive plan amendments; providing additional authority to the Secretary of Environmental Protection; revising criteria for businesses submitting permit applications or local comprehensive plan amendments; providing that permit applications and local comprehensive plan amendments for specified biofuel and renewable energy projects are eligible for the expedited permitting process; providing for the establishment of regional permit action teams through the execution of memoranda of agreement developed by permit applicants and the secretary; providing for the appeal of a local government’s approval of an expedited permit or comprehensive plan amendment; requiring such appeals to be consolidated with challenges to state agency actions; specifying the form of the memoranda of agreement developed by the secretary; revising the deadline by which certain final orders must be issued; specifying additional requirements for recommended orders; providing for challenges to state agency action related to expedited permitting for specified renewable energy projects; revising provisions relating to the review of sites proposed for the location of facilities eligible for the Innovation Incentive Program; providing that electrical power projects using renewable fuels are eligible for expedited review; providing an effective date.

—was read the second time by title.

Senator Altman moved the following amendment which was adopted:

**Amendment 1 (665944) (with title amendment)**—Between lines 34 and 35 insert:

Section 1. Present subsections (1), (2), and (3) of section 220.1845, Florida Statutes, are renumbered as subsections (2), (3), and (4), respectively, and a new subsection (1) is added to that section, to read:

220.1845 Contaminated site rehabilitation tax credit.—

(1) *APPLICATION FOR TAX CREDIT.*—A site rehabilitation application must be received by the Division of Waste Management of the Department of Environmental Protection by January 31 of the year after the calendar year for which site rehabilitation costs are being claimed in a tax credit application. All site rehabilitation costs claimed must have been for work conducted between January 1 and December 31 of the year for which the application is being submitted. All payment requests must be received and all costs must be paid before submission of the tax credit application, but no later than January 31 of the year after the calendar year for which site rehabilitation costs are claimed.

Section 2. Paragraph (a) of subsection (5), paragraph (c) of subsection (6), and subsections (9) and (10) of section 376.30781, Florida Statutes, are amended to read:

376.30781 Tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(5) To claim the credit for site rehabilitation or solid waste removal, each tax credit applicant must apply to the Department of Environmental Protection for an allocation of the \$2 million annual credit by filing a tax credit application with the Division of Waste Management on a form developed by the Department of Environmental Protection in cooperation with the Department of Revenue. The form shall include an affidavit from each tax credit applicant certifying that all information contained in the application, including all records of costs incurred and claimed in the tax credit application, are true and correct. If the application is submitted pursuant to subparagraph (3)(a)2., the form must include an affidavit signed by the real property owner stating that it is not, and has never been, the owner or operator of the drycleaning facility where the contamination exists. Approval of tax credits must be accomplished on a first-come, first-served basis based upon the date and time complete applications are received by the Division of Waste Management, subject to the limitations of subsection (14). To be eligible for a tax credit, the tax credit applicant must:

(a) For site rehabilitation tax credits, have entered into a voluntary cleanup agreement with the Department of Environmental Protection for a drycleaning-solvent-contaminated site or a Brownfield Site Rehabilitation Agreement, as applicable, and have paid all deductibles

pursuant to s. 376.3078(3)(e) for eligible drycleaning-solvent-cleanup program sites, as applicable. A site rehabilitation tax credit applicant must submit only a single completed application per site for each calendar year's site rehabilitation costs. A site rehabilitation application must be received by the Division of Waste Management of the Department of Environmental Protection by January 31 of the year after the calendar year for which site rehabilitation costs are being claimed in a tax credit application. *All site rehabilitation costs claimed must have been for work conducted between January 1 and December 31 of the year for which the application is being submitted. All payment requests must be received and all costs must be paid before submission of the tax credit application, but no later than January 31 of the year after the calendar year for which site rehabilitation costs are claimed.*

(6) To obtain the tax credit certificate, the tax credit applicant must provide all pertinent information requested on the tax credit application form, including, at a minimum, the name and address of the tax credit applicant and the address and tracking identification number of the eligible site. Along with the tax credit application form, the tax credit applicant must submit the following:

(c) Proof that the documentation submitted pursuant to paragraph (b) has been reviewed and verified by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants. Specifically, a certified public accountant's report must be submitted and the certified public accountant must attest to the accuracy and validity of the costs ~~incurred and paid during the time period covered~~ in the application by conducting an independent review of the data presented by the tax credit applicant. Accuracy and validity of costs incurred and paid shall be determined after the level of effort is certified by an appropriate professional registered in this state in each contributing technical discipline. The certified public accountant's report must also attest that the costs included in the application form are not duplicated within the application, *that all payment requests were received and all costs were paid before submission of the tax credit application, and, for site rehabilitation tax credits, that all costs claimed are for work conducted between January 1 and December 31 of the year for which the application is submitted.* A copy of the accountant's report shall be submitted to the Department of Environmental Protection in addition to the accountant's certification form in the tax credit application; and

(9) On or before May 1, the Department of Environmental Protection shall inform each tax credit applicant that is subject to the January 31 annual application deadline of the applicant's eligibility status and the amount of any tax credit due. The department shall provide each eligible tax credit applicant with a tax credit certificate that must be submitted with its tax return to the Department of Revenue to claim the tax credit or be transferred pursuant to s. 220.1845(2)(g) ~~s. 220.1845(1)(g)~~. The May 1 deadline for annual site rehabilitation tax credit certificate awards shall not apply to any tax credit application for which the department has issued a notice of deficiency pursuant to subsection (8). The department shall respond within 90 days after receiving a response from the tax credit applicant to such a notice of deficiency. Credits may not result in the payment of refunds if total credits exceed the amount of tax owed.

(10) For solid waste removal, new health care facility or health care provider, and affordable housing tax credit applications, the Department of Environmental Protection shall inform the applicant of the department's determination within 90 days after the application is deemed complete. Each eligible tax credit applicant shall be informed of the amount of its tax credit and provided with a tax credit certificate that must be submitted with its tax return to the Department of Revenue to claim the tax credit or be transferred pursuant to s. 220.1845(2)(g) ~~s. 220.1845(1)(g)~~. Credits may not result in the payment of refunds if total credits exceed the amount of tax owed.

Section 3. Section 376.85, Florida Statutes, is amended to read:

376.85 Annual report.—The Department of Environmental Protection shall prepare *and submit an annual report to the President of the Senate and the Speaker of the House of Representatives by August 1 of each year a report that includes* ~~Legislature, beginning in December 1998, which shall include~~, but is not be limited to, the number, size, and locations of brownfield sites: that have been remediated under the provisions of this act; that are currently under rehabilitation pursuant to a negotiated site rehabilitation agreement with the department or a de-

legated local program; where alternative cleanup target levels have been established pursuant to s. 376.81(1)(g)3.; and, where engineering and institutional control strategies are being employed as conditions of a "no further action order" to maintain the protections provided in s. 376.81(1)(g)1. and 2.

And the title is amended as follows:

Delete line 2 and insert: An act relating to permitting; amending ss. 220.1845 and 376.30781, F.S.; providing requirements for claiming certain site rehabilitation costs in applications for contaminated site rehabilitation tax credits; conforming cross-references; amending s. 376.85, F.S.; revising requirements for the Department of Environmental Protection's annual report regarding site rehabilitation; amending s. 403.973,

#### 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 2 (632426) (with title amendment)**—Between lines 360 and 361 insert:

Section 2. (1) *The Legislature finds that the ability of the pilot communities designated under the Energy Economic Zone Pilot Program pursuant to s. 377.809, Florida Statutes, to provide incentives is essential to these communities attracting clean technology industries and investments to the state and establishing the base information necessary to assess whether to revise state policies and expand the pilot program to other communities.*

(2) *By February 1, 2011, the Department of Community Affairs and the Office of Tourism, Trade, and Economic Development, in consultation with the Florida Energy and Climate Commission, shall submit recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives of appropriate incentives and statutory revisions necessary to provide the pilot communities with the tools for accomplishing the goals of the pilot program. In developing their recommendations, the Department of Community Affairs and the Office of Tourism, Trade, and Economic Development, at a minimum, shall consider:*

(a) *Fiscal and regulatory incentives.*

(b) *A jobs tax credit and corporate property tax credit pursuant to chapter 220, Florida Statutes.*

(c) *Refunds and exemptions from the sales and use tax in chapter 212, Florida Statutes, for job creation, building materials, business property, and products used for clean technology businesses and investments within the designated energy economic zones.*

(3) *The Department of Community Affairs and the Office of Tourism, Trade, and Economic Development shall also coordinate with the pilot communities and clean technology industries in identifying incentives and strategies that will help attract emerging clean technology industries and investments to the state.*

And the title is amended as follows:

Delete line 31 and insert: expedited review; providing legislative findings; requiring that the Department of Community Affairs and the Office of Tourism, Trade, and Economic Development, in consultation with the Florida Energy and Climate Commission, submit recommendations to the Governor and Legislature relating to the Energy Economic Zone Pilot Program; requiring coordination with the pilot communities and clean technology industries in developing certain recommendations; providing an effective date.

#### 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 which failed:



**Amendment 3 (721200) (with title amendment)**—Between lines 34 and 35 insert:

Section 1. Section 376.30702, Florida Statutes, is amended to read:

376.30702 Contamination notification.—

(1) **FINDINGS; INTENT; APPLICABILITY.**—The Legislature finds ~~and declares~~ that when contamination is discovered by any person as a result of site rehabilitation activities conducted pursuant to the risk-based corrective action provisions found in s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701, or pursuant to an administrative or court order, it is in the public's best interest that potentially affected persons be notified of the existence of such contamination. Therefore, persons discovering such contamination shall notify the department ~~and those identified under this section of the~~ such discovery in accordance with the requirements of this section, ~~and the department shall be responsible for notifying the affected public.~~ The Legislature intends ~~that for the provisions of this section to govern the notice requirements for early notification of the discovery of contamination.~~

(2) **INITIAL NOTICE OF CONTAMINATION BEYOND PROPERTY BOUNDARIES.**—

(a) If at any time during site rehabilitation conducted pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, ~~or s. 376.30701, or an administrative or court order~~ the person responsible for site rehabilitation, the person's authorized agent, or another representative of the person discovers from laboratory analytical results that comply with appropriate quality assurance protocols specified in department rules that contamination as defined in applicable department rules exists in any ground water, surface water, or soil medium beyond the boundaries of the property at which site rehabilitation was initiated ~~pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701~~, the person responsible for site rehabilitation shall give actual notice as soon as possible, but no later than 10 days ~~after the~~ ~~from such~~ discovery, to the Division of Waste Management at the department's Tallahassee office. The actual notice ~~must~~ ~~shall~~ be provided on a form adopted by department rule and mailed by certified mail, return receipt requested. The person responsible for site rehabilitation shall simultaneously ~~provide mail~~ a copy of ~~the~~ such notice to the appropriate department district office ~~and~~; county health department, ~~and all known lessees and tenants of the source property.~~

(b) The notice ~~must~~ ~~shall~~ include the following information:

1.~~(a)~~ The location of the property at which site rehabilitation was initiated ~~pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701~~ and contact information for the person responsible for site rehabilitation, the person's authorized agent, or another representative of the person.

2.~~(b)~~ A listing of all record owners of ~~the~~ any real property, ~~other than the property at which site rehabilitation was initiated pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701~~, at which contamination has been discovered; the parcel identification number for ~~any~~ such ~~real~~ property; the owner's address listed in the current county property tax office records; and the owner's telephone number. ~~The requirements of this paragraph do not apply to the notice to known tenants and lessees of the source property.~~

3.~~(c)~~ Separate tables ~~for~~ ~~by~~ ~~medium~~, such as groundwater, soil, and surface water ~~which, or sediment, that~~ list sampling locations ~~identified on the vicinity map described in subparagraph 4.~~; sampling dates; names of contaminants detected above cleanup target levels; their corresponding cleanup target levels; the contaminant concentrations; and whether the cleanup target level is based on health, nuisance, organoleptic, or aesthetic concerns.

4.~~(d)~~ A vicinity map that shows each sampling location with corresponding laboratory analytical results ~~described in subparagraph 3. and the date on which the sample was collected~~ and that identifies the property boundaries of the property at which site rehabilitation was initiated ~~pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701~~ and ~~any~~ the other properties at which contamination has been discovered during such site rehabilitation. *If available, a contaminant plume map signed and sealed by a state-licensed professional engineer or geologist may be included with the vicinity map.*

(3) DEPARTMENT'S NOTICE RESPONSIBILITIES.—

(a) *After receiving the initial notice required under subsection (2), the department shall notify the following persons of the contamination:*

1. *The mayor, the chair of the county commission, or the comparable senior elected official representing the affected area.*

2. *The city manager, the county administrator, or the comparable senior administrative official representing the affected area.*

3. *The school district superintendent representing the affected area.*

4. *The state senator, state representative, and United States Representative representing the affected area and both United States Senators.*

5. *All real property owners, presidents of any condominium associations, or sole owners of condominiums, lessees, and the tenants of record for:*

a. *The property at which site rehabilitation is being conducted, if different from the person responsible for site rehabilitation;*

b. *Any properties within a 500-foot radius of each sampling point at which contamination is discovered, if site rehabilitation was initiated pursuant to s. 376.30701 or an administrative or court order; and*

c. *Any properties within a 250-foot radius of each sampling point at which contamination is discovered or any properties identified on a contaminant plume map provided pursuant to subparagraph (2)(b)4. if site rehabilitation was initiated pursuant to s. 376.3071(5), s. 376.3078(4), or s. 376.81, or at, or in connection with, a permitted solid waste management facility subject to a groundwater monitoring plan.*

(b) *The notice provided to:*

1. *Local government officials shall be mailed by certified mail, return receipt requested, and must advise the local government of its responsibilities under subsection (4).*

2. *Real property owners, presidents of any condominium associations or sole owners of condominiums, lessees, and tenants of record may be delivered by certified mail, return receipt requested, first-class mail, hand delivery, or door hanger.*

(c) ~~Within 30 days after receiving the initial actual notice required under pursuant to subsection (2), or within 30 days of the effective date of this act if the department already possesses information equivalent to that required by the notice, the department shall verify that the person responsible for site rehabilitation has complied with the notice requirements of this section send a copy of such notice, or an equivalent notification, to all record owners of any real property, other than the property at which site rehabilitation was initiated pursuant to s. 376.3071(5), s. 376.3078(4), s. 376.81, or s. 376.30701, at which contamination has been discovered. If the person responsible for site rehabilitation has not complied with the notice requirements, the department may pursue enforcement as provided under this chapter and chapter 403.~~

(d)1. If the property at which contamination has been discovered is the site of a school as defined in s. 1003.01, the department shall ~~mail~~ ~~also send~~ a copy of the notice to the ~~superintendent chair of the school board of the school district in which the property is located and direct the superintendent said school board~~ to provide actual notice annually to teachers and parents or guardians of students attending the school during the period of site rehabilitation.

2. *If the property at which contamination has been discovered is the site of a private K-12 school or a child care facility as defined in s. 402.302, the department shall mail a copy of the notice to the governing board, principal, or owner of the school or child care facility and direct the governing board, principal, or owner to provide actual notice annually to teachers and parents or guardians of students or children attending the school or child care facility during the period of site rehabilitation.*

3. *After receiving the initial notice required under subsection (2), if any property within a 500-foot radius of the property at which contamination has been discovered during site rehabilitation pursuant to s. 376.30701 or an administrative or court order is the site of a school as*

defined in s. 1003.01, the department shall mail a copy of the notice to the superintendent of the school district in which the property is located and direct the superintendent to provide actual notice annually to the principal of the school.

4. After receiving the initial notice required under subsection (2), if any property within a 250-foot radius of the property at which contamination has been discovered during site rehabilitation pursuant to s. 376.3071(5), s. 376.3078(4), or s. 376.81, or at, or in connection with, a permitted solid waste management facility subject to a groundwater monitoring plan, is the site of a school as defined in s. 1003.01, the department shall mail a copy of the notice to the superintendent of the school district in which the property is located and direct the superintendent to provide actual notice annually to the principal of the school.

(e) Along with the copy of the notice or its equivalent, the department shall include a letter identifying sources of additional information about the contamination and a telephone number to which further inquiries should be directed. The department may collaborate with the Department of Health to develop such sources of information and to establish procedures for responding to public inquiries about health risks associated with contaminated sites.

(4) **LOCAL GOVERNMENT'S NOTICE RESPONSIBILITIES.**—If contact information is available, within 30 days after receiving notice under subsection (3), the local government shall mail a copy of the notice to the president or equivalent officer of each homeowners' association or neighborhood association within the potentially affected area described in subsection (3).

(5) **RECOVERY OF NOTIFICATION COSTS.**—The department and the local government shall recover the costs of postage, materials, and labor associated with providing notification from the responsible party, unless site rehabilitation is eligible for state-funded cleanup pursuant to the risk-based corrective action provisions found in s. 376.3071(5) or s. 376.3078(4).

(6)(4) **RULEMAKING AUTHORITY.**—The department shall adopt rules and forms pursuant to ss. 120.536(1) and 120.54 to administer ~~implement~~ the requirements of this section.

Section 2. *The Legislature finds that section 1 of this act fulfills an important state interest.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to growth management; amending s. 376.30702, F.S.; revising contamination notification provisions; requiring individuals responsible for site rehabilitation to provide notice of site rehabilitation to specified entities; revising provisions relating to the content of such notice; requiring the Department of Environmental Protection to provide notice of site rehabilitation to specified entities and certain property owners; providing an exemption; requiring the department to verify compliance with notice requirements; authorizing the department to pursue enforcement measures for non-compliance with notice requirements; revising the department's contamination notification requirements for certain public schools; requiring the department to provide specified notice to private K-12 schools and child care facilities; requiring the department to provide specified notice to public schools within a specified area; providing notice requirements, including directives to extend such notice to certain other persons; requiring local governments to provide specified notice of site rehabilitation; authorizing the local government and the department to recover notification costs from responsible parties; providing a statement of important state interest; amending s. 403.973,

Pursuant to Rule 4.19, **CS for SB 1126** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

**CS for CS for SB 1952**—A bill to be entitled An act relating to water management districts; amending s. 373.1961, F.S.; authorizing water management districts to use certain moneys in the Water Protection and Sustainability Program Trust Fund for water resource development projects; amending s. 373.0693, F.S.; revising provisions relating to the membership of basin boards; specifying the terms of service for basin

board members designated by district governing board chairs; providing that basin board members designated by district governing board chairs are voting members and counted for quorum purposes; providing for designated district governing board members to serve as basin board chairs and co-chairs; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendments which were adopted:

**Amendment 1 (491614)**—Delete lines 48-51 and insert:

(b) No subdistrict or basin in the St. Johns River Water Management District other than established by this act ~~is shall become~~ effective until approved by the Legislature.

**Amendment 2 (858482) (with title amendment)**—Delete line 108 and insert:

(c) *If a vacancy occurs on a basin board, a quorum of the total remaining members may continue to transact official business until a successor is appointed.*

(d)(b) Basin boards within the Southwest Florida Water

And the title is amended as follows:

After line 14 insert: providing that a quorum of remaining members may conduct business if there is a vacancy on the board;

**Amendment 3 (944872) (with directory and title amendments)**—Between lines 119 and 120 insert:

(7) ~~At 11:50 p.m. on December 31, 1976, the Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water Management District, which is annexed to the Southwest Florida Water Management District by change of its boundaries pursuant to chapter 76-243, Laws of Florida, shall be formed into a subdistrict or basin of the Southwest Florida Water Management District, subject to the same provisions as the other basins in such district. Such subdistrict shall be designated initially as the Manasota Basin. The members of the governing board of the Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water Management District shall become members of the governing board of the Manasota Basin of the Southwest Florida Water Management District. Notwithstanding other provisions in this section, beginning on July 1, 2010 2001, the membership of the Manasota Basin Board shall be comprised of two members from Manatee County, and two members from Sarasota County, and a member of the district governing board designated by the chair of the district governing board pursuant to subsection (6). Matters relating to tie votes shall be resolved pursuant to subsection (6) by the chair designated by the governing board to vote in case of a tie vote.~~

Section 3. Subsection (5) is added to section 373.171, Florida Statutes, to read:

373.171 Rules.—

(5) ~~Cooperative funding programs are not subject to the rulemaking requirements of chapter 120. However, any portion of an approved program which affects the substantial interests of a party is subject to s. 120.569.~~

Section 4. Section 373.228, Florida Statutes, is amended to read:

373.228 Landscape irrigation design.—

(1) The Legislature finds that multiple areas throughout the state have been identified by water management districts as water resource caution areas, which indicates that in the near future water demand in those areas will exceed the current available water supply and that conservation is one of the mechanisms by which future water demand will be met.

(2) The Legislature finds that landscape irrigation comprises a significant portion of water use and that current typical landscape irrigation systems, and Florida-friendly landscaping designs, and landscape irrigation restrictions offer significant potential water conservation benefits.

(3) It is the intent of the Legislature to improve landscape irrigation water use efficiency by ensuring that landscape irrigation systems meet or exceed minimum design criteria and that, pursuant to s. 373.609, the landscape irrigation restrictions of a water management district may be implemented by ordinance of the applicable local governments.

(4) The water management districts shall work with the Florida Nursery, Growers and Landscape Association, the Florida Native Plant Society, the Florida Chapter of the American Society of Landscape Architects, the Florida Irrigation Society, the Department of Agriculture and Consumer Services, the Institute of Food and Agricultural Sciences, the Department of Environmental Protection, the Department of Transportation, the Florida League of Cities, the Florida Association of Counties, and the Florida Association of Community Developers to develop landscape irrigation and Florida-friendly landscaping design standards for new construction which incorporate a landscape irrigation system and develop scientifically based model guidelines for urban, commercial, and residential landscape irrigation, including drip irrigation, for plants, trees, sod, and other landscaping. The standards must shall be based on the irrigation code defined in the Florida Building Code, Plumbing Volume, Appendix F. Local governments shall use the standards and guidelines when developing landscape irrigation and Florida-friendly landscaping ordinances. By January 1, 2011, the agencies and entities specified in this subsection shall review the standards and guidelines to determine whether new research findings require a change or modification of the standards and guidelines.

(5) Notwithstanding s. 373.217, local governments may adopt ordinances that implement landscape irrigation restrictions set forth in water management district rules or orders. In evaluating water use applications from public water suppliers, water management districts shall consider whether the applicable local government has adopted ordinances for landscaping and irrigation systems consistent with the Florida-friendly landscaping provisions of s. 373.185.

And the directory clause is amended as follows:

Delete line 39 and insert:

Section 2. Subsections (1) through (7) of section

And the title is amended as follows:

Before line 15 insert: revising provisions relating to the membership of the Manasota Basin Board; providing for the designation of a member of the district governing board to serve on the basin board; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.228, F.S.; revising legislative intent relating to landscape irrigation restrictions; providing that local governments may adopt restrictions set forth in district rules or orders;

Pursuant to Rule 4.19, CS for CS for SB 1952 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Bennett, the Senate recalled from Engrossing—

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.

—for further consideration as amended.

On motion by Senator Bennett, by two-thirds vote CS for CS for SB 482 was read the third time by title. On motion by Senator Bennett, further consideration of CS for CS for SB 482 was deferred.

RECONSIDERATION OF BILL

On motion by Senator Aronberg, the Senate recalled—

HB 525—A bill to be entitled An act relating to statutes of limitation for sexual battery; amending ss. 95.11 and 775.15, F.S.; eliminating statutes of limitations to the institution of criminal or civil actions relating to sexual battery of a child if the victim is under 16 years of age at the time of the offense; providing applicability; providing an effective date.

—for further consideration.

On motion by Senator Aronberg, by two-thirds vote HB 525 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	Gaetz	Rich
Altman	Gardiner	Ring
Aronberg	Haridopolos	Siplin
Baker	Hill	Smith
Bennett	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Dean	Lawson	Wilson
Detert	Lynn	Wise
Diaz de la Portilla	Negron	
Dockery	Oelrich	

Nays—None

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

BILLS ON THIRD READING

On motion by Senator Altman, by two-thirds vote HB 281 was withdrawn from the Committees on Communications, Energy, and Public Utilities; Community Affairs; and Finance and Tax; and the Policy and Steering Committee on Ways and Means.

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

HB 281—A bill to be entitled An act relating to communications services taxes; amending s. 202.29, F.S.; authorizing dealers to report a credit for bad debt by netting the credit against the tax due; authorizing dealers to use a proportionate allocation method or other reasonable method in determining the amount of bad debt attributable to the state or local jurisdiction; providing for retroactive operation; specifying that

the act is remedial in nature and not a basis for certain refunds of tax; providing an effective date.

—a companion measure, was substituted for **SB 344** and by two-thirds vote read the second time by title.

On motion by Senator Altman, by two-thirds vote **HB 281** 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	Gaetz	Rich
Altman	Gardiner	Ring
Aronberg	Haridopolos	Siplin
Baker	Hill	Smith
Bennett	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Dean	Lawson	Wilson
Detert	Lynn	Wise
Diaz de la Portilla	Negron	
Dockery	Oelrich	

Nays—None

On motion by Senator Justice, by two-thirds vote **CS for HB 751** was withdrawn from the Committees on Commerce; and Judiciary.

On motion by Senator Justice by two-thirds vote—

**CS for HB 751**—A bill to be entitled An act relating to automatic renewal of service contracts; providing definitions; requiring sellers that sell, lease, or offer to sell or lease any services to consumers pursuant to certain contracts to disclose automatic renewal provisions; providing disclosure requirements; providing exceptions to the disclosure requirements; providing that certain violations will render an automatic renewal provision void and unenforceable; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1332** and by two-thirds vote read the second time by title.

On motion by Senator Justice, by two-thirds vote **CS for HB 751** 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
Altman	Gaetz	Rich
Aronberg	Gardiner	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—1

Oelrich

On motion by Senator Altman, by two-thirds vote **CS for HB 33** was withdrawn from the Committees on Regulated Industries; Criminal Justice; and Criminal and Civil Justice Appropriations.

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

**CS for HB 33**—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age;

amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing a defense; providing an effective date.

—a companion measure, was substituted for **CS for SB 1068** and by two-thirds vote read the second time by title.

On motion by Senator Altman, by two-thirds vote **CS for HB 33** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**CS for CS for CS for SB 1202**—A bill to be entitled An act relating to prepaid wireless telecommunications; amending s. 365.172, F.S.; deleting an obsolete provision relating to a study of the feasibility of collecting a fee for prepaid wireless service; delaying the collection of such fee; amending s. 365.173, F.S.; revising the percentage of total funds that a county may carry forward to pay certain costs associated with the county's E911 or 911 system, to contract for E911 services, and to reimburse wireless telephone service providers for costs incurred to provide such services; providing an effective date.

—was read the third time by title.

An amendment was considered and adopted to conform **CS for CS for CS for SB 1202** to **CS for CS for HB 163**.

Pending further consideration of **CS for CS for CS for SB 1202** as amended, on motion by Senator Bennett, by two-thirds vote **CS for CS for HB 163** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Community Affairs; Judiciary; Finance and Tax; and General Government Appropriations.

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

**CS for CS for HB 163**—A bill to be entitled An act relating to prepaid wireless telecommunications service; amending s. 365.172, F.S.; removing provisions for a study of the feasibility of collecting an E911 fee on the sale of prepaid wireless telecommunications service; prohibiting collection of the fee until after a certain date; amending s. 365.173, F.S.; revising a limitation on the amount of funds received by a county from the E911 fee which may be carried forward to the following year; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1202** as amended and by two-thirds vote read the second time by title.

On motion by Senator Bennett, by two-thirds vote **CS for CS for HB 163** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bennett	Diaz de la Portilla
Alexander	Constantine	Dockery
Altman	Crist	Fasano
Aronberg	Dean	Gaetz
Baker	Detert	Gardiner

Gelber	Lynn	Smith
Haridopolos	Negron	Sobel
Hill	Oelrich	Storms
Jones	Peaden	Thrasher
Joyner	Rich	Wilson
Justice	Ring	Wise
Lawson	Siplin	

Nays—None

**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; providing an effective date.

—was read the third time by title.

**MOTION**

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

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

**Amendment 1 (931882) (with title amendment)**—Delete lines 41-43 and insert:

*(11) Failure by the landlord or mortgagor or its agent to comply with the provisions of subsection (1) or subsection (10) constitutes a theft as defined in and punishable under s. 812.014 if the failure to comply is done knowingly and with the intent to deprive the tenant of a right to the funds or a benefit from the funds or to appropriate the funds for the landlord’s, mortgagor’s, or agent’s own use or the use of a person not entitled to the use of the funds.*

And the title is amended as follows:

Delete line 12 and insert: with certain specified provisions of law; providing for penalties; creating s.

On motion by Senator Gelber, **CS for SB 606** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Dockery	Negron
Alexander	Fasano	Peaden
Altman	Gardiner	Rich
Aronberg	Gelber	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Wilson
Dean	Justice	Wise
Detert	Lawson	

Nays—5

Gaetz	Oelrich	Thrasher
Lynn	Storms	

**MOTIONS**

On motion by Senator Aronberg, by two-thirds vote **CS for CS for SB 1856** was placed on the Special Order Calendar for Tuesday, April 27.

On motion by Senator Aronberg, by two-thirds vote all bills remaining on the Special Order Calendar this day with the exception of **CS for SB 1882** were placed on the Special Order Calendar for Tuesday, April 27.

On motion by Senator Aronberg, by two-thirds vote **SB 2276** was removed from the Special Order Calendar for Tuesday, April 27.

On motion by Senator Aronberg, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Tuesday, April 27.

**MOTIONS RELATING TO COMMITTEE MEETINGS**

On motion by Senator Aronberg, the rules were waived and the Special Order Calendar Group was granted permission to meet 15 minutes after recess.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Bennett, by two-thirds vote **CS for SB 2410** and **SB 2734** were withdrawn from the Committee on Commerce.

On motion by Senator Gaetz, by two-thirds vote **CS for SB 2410** was withdrawn from the Committee on Judiciary.

On motion by Senator Aronberg, by two-thirds vote **CS for SB 1144** was withdrawn from Communications, Energy, and Public Utilities; **CS for SB 736** was withdrawn from the Committee on Rules; **SB 1976** was withdrawn from the Committee on General Government Appropriations; **CS for CS for SB 1256** and **CS for SB 1912** were withdrawn from the Policy and Steering Committee on Ways and Means; and **CS for SB 2410** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

**REPORTS OF COMMITTEES**

Pursuant to Rule 4.17(2), the President Pro Tempore, the Minority Leader, and the Chair of the Policy and Steering Committee on Ways and Means submit the following bills to be placed on the Special Order Calendar for Monday, April 26, 2010: **CS for CS for SB 2074**, **CS for CS for SB 2434**, **SB 104**, **CS for CS for CS for SB 212**, **CS for SB 220**, **SB 340**, **CS for SB 448**, **CS for CS for SB 482**, **SB 506**, **CS for CS for SB 690**, **CS for SB 814**, **SB 838**, **SB 870**, **CS for CS for SB 1604**, **CS for SB 1720**, **CS for SB 1806**, **CS for SB 2100**, **CS for CS for CS for SB 2138**, **CS for CS for SB 2166**, **CS for CS for SB 2272** and **CS for SB 2722**, **CS for CS for CS for SB 2400**, **CS for SB 2408**, **CS for SB 2448**, **SB 2544**, **CS for SB 2584**, **CS for SB 1126**, **CS for CS for SB 1952**.

Respectfully submitted,  
 Mike Fasano, President Pro Tempore  
 Alfred “Al” Lawson, Jr., Minority Leader  
 JD Alexander, Chair, Policy and Steering  
 Committee on Ways and Means

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Richter—

**SB 1162**—A bill to be entitled An act relating to Collier County; providing a short title; creating an independent special district to provide children’s services in the county; providing for a governing board; providing for membership, terms, and powers and duties of the board; authorizing reimbursement for per diem and travel expenses; requiring

certain reports and audits; specifying a fiscal year; providing financial requirements and budget procedures; authorizing the levy of ad valorem assessments and providing a millage cap; requiring a surety bond of certain persons; providing requirements for amendment or dissolution of the district; providing for referendums; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 1164-1210**—Previously Referenced.

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By Senator Alexander—

**SB 1212**—A bill to be entitled An act relating to the Peace Creek Drainage District, Polk County; abolishing the district; providing for transfer of assets and indebtedness; repealing special acts relating to the district; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 1214-1224**—Previously Referenced.

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**SB 1226**—Not Referenced.

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**Senate Bills 1228-2178**—Previously Referenced.

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By Senator Jones—

**SB 2180**—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; providing for use of specified city-owned property for recreational and commercial working waterfronts; providing for use of revenue from specified city-owned property; providing for development of specified city-owned property consistent with the Florida Coastal Management Program, the Waterfronts Florida Program, the city comprehensive plan and code of ordinances, and other applicable law; providing for preservation of referendum requirement of use of certain city-owned property; requiring a referendum for lease, license, sale, or transfer of certain land and for any alteration to existing public land use map designation for such land; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 2182-2358**—Previously Referenced.

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By Senator Crist—

**SB 2360**—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida, relating to the Public Transportation Commission; redefining the terms “basic life support ambulance” and “wrecker;” clarifying provisions; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 2362-2508**—Previously Referenced.

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By Senator Joyner—

**SB 2510**—A bill to be entitled An act relating to Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the Children’s Museum of Tampa, Inc., to use within the museum’s building and on its grounds; providing that the license may be used only for special events; providing for payment of the license fee; providing for sale of beverages for consumption within the museum’s building and on its grounds; prohibiting sales for consumption off premises; providing for removal from the premises of partially consumed, open containers; authorizing transfer and providing for subsequent re-

version of the license under certain circumstances; providing an effective date.

—was referred to the Committee on Rules.

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By Senator Richter—

**SB 2512**—A bill to be entitled An act relating to the Lee County Sheriff’s Office; amending chapter 74-522, Laws of Florida, as amended; providing that the sheriff has the burden of proving just cause in an appeal of disciplinary action; providing that certain retirement health insurance benefits shall not be available to employees commencing employment after a specified date; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 2514-2754**—Previously Referenced.

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By Senator Alexander—

**SB 2756**—A bill to be entitled An act relating to Spring Lake Improvement District, Highlands County; amending chapter 2005-342, Laws of Florida; deleting obsolete language and language inconsistent with or repetitive of general law; providing for minimum charter requirements; amending board, election, and term of office provisions; amending the compensation for board members to comply with general law; deleting obsolete district powers and providing additional district powers including mosquito control, fire and emergency services, construction and maintenance of school facilities, and enforcement of deed restrictions; providing for applicability of general laws; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 2758-2772**—Previously Referenced.

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By Senator Fasano—

**SB 2774**—A bill to be entitled An act relating to the Spring Hill Fire Rescue and Emergency Medical Services District, Hernando County; amending chapter 2009-261, Laws of Florida; revising district boundaries; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 2776-2782**—Previously Referenced.

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By Senator Crist—

**SB 2784**—A bill to be entitled An act relating to the Lake Padgett Estates Independent Special District, Pasco County; amending chapter 2006-317, Laws of Florida; correcting the legal description of the boundaries of the district; providing an effective date.

—was referred to the Committee on Rules.

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**Senate Bills 2786-2812**—Previously Referenced.

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By Senator Storms—

**SB 2814**—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida; clarifying that administrative determination by the Division of Administrative Hearings of the Department of Management Services of the invalidity of rules or proposed rules of the Hillsborough County Public Transportation Commission is authorized; providing an effective date.

—was referred to the Committee on Rules.

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

By the Committee on Judiciary; and Senators Fasano and Baker—

**CS for SB 290**—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 782.071, F.S.; defining the term “unborn child” for purposes of vehicular homicide; revising terminology to refer to “unborn child” rather than “viable fetus;” providing legislative intent; amending s. 782.09, F.S.; revising terminology; providing that certain offenses relating to the killing of an unborn child by injury to the mother do not require specified knowledge or intent; amending ss. 316.193, 435.03, 435.04, and 921.0022, F.S.; conforming terminology; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1580**—A bill to be entitled An act relating to public education; creating s. 1003.4505, F.S.; prohibiting district school boards, administrative personnel, and instructional personnel from taking affirmative action that infringes or waives the rights or freedoms afforded by the First Amendment to the United States Constitution in the absence of express written consent; providing an effective date.

—was placed on the Calendar.

**MESSAGES FROM THE GOVERNOR AND  
OTHER EXECUTIVE COMMUNICATIONS**

**EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY  
THE SENATE:**

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

*Office and Appointment*

*For Term  
Ending*

Board of Dentistry  
Appointee: Kochenour, William Lewis II, Palm Harbor 10/31/2013

**Referred to the Committee on Ethics and Elections.**

**MESSAGES FROM THE HOUSE  
OF REPRESENTATIVES**

**FIRST READING**

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 31, CS for HB 33, HB 281, CS for CS for CS for HB 303, CS for CS for HB 423, HB 431, CS for CS for HB 435, CS for HB 449, CS for HB 491, CS for CS for HB 511, HB 525, CS for HB 615, CS for CS for CS for HB 713, CS for HB 751, HB 759, CS for HB 795, CS for CS for CS for HB 831, CS for HB 843, HB 851, CS for HB 859, HB 937, CS for HB 955, CS for HB 957, CS for HB 1003, CS for HB 1035, HB 1045, HB 1047, HB 1049, HB 1051, HB 1053, HB 1055, HB 1121, CS for HB 1129, CS for HB 1209, HB 1215, CS for CS for HB 1237, CS for HB 1247, HB 1249, HB 1295, CS for CS for HB 1389, CS for HB 1403, CS for HB 1473, CS for CS for HB 1483, HB 1485, CS for HB 1487, HB 1519, CS for HB 1547, CS for HB 1551, CS for HB 1621, HB 1625, CS for HB 1627, HB 1629, HB 1631, HB 1635, CS for HB 7109, HB 7121, HB 7131; has passed as amended CS for CS for HB 163, CS for HB 451, CS for HB 569, CS for CS for CS for HB 665, CS for CS for HB 723, CS for HB 731, CS for CS for CS for HB 963, CS for CS for HB 965, CS for CS for HB 971, CS for CS for CS for HB 981, CS for CS for HB 1073 and HB 81, CS for CS for CS for HB 1143, CS for HB 1157, CS for HB 1425, CS for CS for HB 1565, CS for HB 7069, CS for HB 7103, CS for HB 7179; has passed by the required constitutional three-fifths vote of the membership HB 7019, HJR 7231; has passed by the required constitutional two-thirds vote of the members present HB 7017; has adopted CS for HM 191 and requests

the concurrence of the Senate; and has passed CS for HB 483 and HB 469 and requests that the Senate pass the bill as passed by the House or agree to conference.

*Robert L. “Bob” Ward, Clerk*

By Policy Council, PreK-12 Policy Committee and Representative(s) Drake, Evers, Burgin, Bush, Carroll, Ford, Fresen, Gaetz, Horner, Murzin, Patronis, Planas, Stargel, Van Zant, Williams, T., Workman—

**CS for CS for HB 31**—A bill to be entitled An act relating to public education; creating s. 1003.4505, F.S.; prohibiting district school boards, administrative personnel, and instructional personnel from taking affirmative action that infringes or waives the rights or freedoms afforded by the First Amendment to the United States Constitution in the absence of certain consent; providing an effective date.

—was referred to the Committee on Education Pre-K - 12.

By Public Safety & Domestic Security Policy Committee and Representative(s) Randolph, Heller, Plakon, Rouson—

**CS for HB 33**—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age; amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing a defense; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Representative(s) Schultz, McBurney—

**HB 281**—A bill to be entitled An act relating to communications services taxes; amending s. 202.29, F.S.; authorizing dealers to report a credit for bad debt by netting the credit against the tax due; authorizing dealers to use a proportionate allocation method or other reasonable method in determining the amount of bad debt attributable to the state or local jurisdiction; providing for retroactive operation; specifying that the act is remedial in nature and not a basis for certain refunds of tax; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Community Affairs; and Finance and Tax; and the Policy and Steering Committee on Ways and Means.

By General Government Policy Council, Government Operations Appropriations Committee, Insurance, Business & Financial Affairs Policy Committee and Representative(s) Hudson, Ambler, Burgin, Gaetz, Garcia, Nehr, O’Toole, Randolph, Rogers, Rouson, Williams, T., Workman—

**CS for CS for CS for HB 303**—A bill to be entitled An act relating to regulation of real estate appraisers and appraisal management companies; amending s. 475.611, F.S.; providing definitions; amending s. 475.613, F.S.; revising the membership of the Florida Real Estate Appraisal Board; amending s. 475.614, F.S.; requiring the board to adopt certain rules; amending s. 475.6147, F.S.; requiring application, registration, and renewal fees for appraisal management companies; creating s. 475.6235, F.S.; requiring appraisal management companies to register with the Department of Business and Professional Regulation; specifying application requirements and procedures; requiring the fingerprinting and criminal history records checks of, and providing qualifications for, certain persons who control appraisal management companies; requiring nonresident appraisal management companies to consent to commencement of actions in this state; requiring the department to adopt rules relating to the renewal of registrations; amending s. 475.624, F.S.; conforming provisions to changes made by the act; creating s. 475.6245, F.S.; providing for the discipline of appraisal management companies by the board; amending s. 475.626, F.S.; providing penalties; conforming provisions to changes made by the act; amending s. 475.629, F.S.; revising requirements for the retention of

appraisal records; requiring appraisal management companies to follow such requirements; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and General Government Appropriations.

By Economic Development & Community Affairs Policy Council, Military & Local Affairs Policy Committee and Representative(s) Dorworth—

**CS for CS for HB 423**—A bill to be entitled An act relating to the Seminole County Port Authority, Seminole County; codifying, amending, reenacting, and repealing chapters 65-2270, 67-2073, 67-2074, 67-2078, 70-946, 71-923, 72-695, 72-696, 75-504, 76-487, and 88-447, Laws of Florida; providing for warrants to be signed by the chairperson, treasurer, or certain other persons; providing that the authority may hold its books open for a specified period after the end of the fiscal year; providing that the authority shall comply with general law for cost of construction and supplies; providing for execution of documents and examination of claims; providing for charter to supersede chapter 315, F.S., in certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Wood—

**HB 431**—A bill to be entitled An act relating to the Peace Creek Drainage District, Polk County; abolishing the district; providing for transfer of assets and indebtedness; repealing special acts relating to the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By General Government Policy Council, Agriculture & Natural Resources Policy Committee and Representative(s) Abruzzo, Grady—

**CS for CS for HB 435**—A bill to be entitled An act relating to marketable record title; amending s. 712.03, F.S.; revising the exceptions to marketability by including any right, title, or interest held by the Board of Trustees of the Internal Improvement Trust Fund, any water management district, or the United States; amending s. 712.04, F.S.; conforming provisions to changes made by the act; amending s. 712.06, F.S.; providing requirements for a recorded notice to preserve a claim of right; providing an effective date.

—was referred to the Committees on Judiciary; and Environmental Preservation and Conservation.

By Criminal & Civil Justice Policy Council and Representative(s) Steinberg—

**CS for HB 449**—A bill to be entitled An act relating to sanctions for certain court pleadings; amending s. 57.105, F.S.; prohibiting a monetary sanction against a represented party for a claim that is presented as a good faith argument but that is found to not be supported by the application of then-existing law to material facts; prohibiting sanctions against a party or its attorneys by a court on its own initiative if the case has already been settled or voluntarily dismissed by that party; providing an effective date.

—was referred to the Committees on Judiciary; and Criminal and Civil Justice Appropriations.

By Health Care Regulation Policy Committee and Representative(s) Bogdanoff, Roberson, Y.—

**CS for HB 491**—A bill to be entitled An act relating to teaching nursing homes; amending s. 430.80, F.S.; revising the term "teaching nursing home" as it relates to the implementation of a teaching nursing

home pilot project; revising the requirements to be designated as a teaching nursing home; amending s. 400.141, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Health and Human Services Appropriations.

By Economic Development & Community Affairs Policy Council, Military & Local Affairs Policy Committee and Representative(s) Hudson, Porth—

**CS for CS for HB 511**—A bill to be entitled An act relating to Collier County; providing a charter; creating an independent special district to provide children's services in the county; providing for a governing board; providing for membership, terms, and powers and duties of the board; authorizing reimbursement for per diem and travel expenses; requiring certain reports and audits; specifying a fiscal year; providing financial requirements and budget procedures; authorizing the levy of ad valorem assessments and providing a millage cap; requiring a surety bond of certain persons; providing requirements for amendment or dissolution of the district; providing for referendums; providing an effective date.

—was referred to the Committee on Rules.

By Representative(s) Dorworth, Fetterman, Pafford, Adkins, Brandenburg, Chestnut, Clarke-Reed, Crisafulli, Drake, Eisnaugle, Ford, Fresen, Gaetz, Glorioso, Holder, Horner, Jenne, Kiar, Kriseman, Long, McBurney, Patronis, Plakon, Porth, Precourt, Rader, Steinberg, Tobia, Weinstein, Wood, Workman—

**HB 525**—A bill to be entitled An act relating to statutes of limitation for sexual battery; amending ss. 95.11 and 775.15, F.S.; eliminating statutes of limitations to the institution of criminal or civil actions relating to sexual battery of a child if the victim is under 16 years of age at the time of the offense; providing applicability; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Public Safety & Domestic Security Policy Committee and Representative(s) Brandenburg, Porth—

**CS for HB 615**—A bill to be entitled An act relating to substantial assistance; creating s. 921.186, F.S.; permitting the state attorney to request the sentencing court to reduce or suspend the sentence of a person who has been convicted of violating any felony offense and who provides substantial assistance in the identification, arrest, or conviction of any accomplice, accessory, coconspirator, or principal of the person or other felon; providing that the arresting agency shall be given an opportunity to be heard in aggravation or mitigation in reference to any such motion; providing that the motion may be filed and heard in camera for good cause shown; providing that a judge may reduce or suspend the sentence if the judge finds that the defendant rendered substantial assistance; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By General Government Policy Council, Government Operations Appropriations Committee, Insurance, Business & Financial Affairs Policy Committee and Representative(s) Workman—

**CS for CS for CS for HB 713**—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; assigning certain programs to regulation by the department's Division of Professions; amending ss. 215.37 and 455.017, F.S.; specifying that the department is responsible for the regulation of certain professions; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue reproductions of driver's licenses to the Department Business and Professional Regulation pursuant to an interagency agreement for a specified purpose; amending s. 455.02, F.S.; authorizing the temporary professional licensure of the



spouses of active duty members of the United States Armed Forces under certain circumstances; providing application requirements; requiring criminal history checks and fees; creating s. 455.2122, F.S.; authorizing distance learning courses to satisfy certain licensing education requirements for community association managers and real estate brokers and sales associates; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.2123, F.S.; authorizing distance learning courses to satisfy certain continuing education requirements for community association managers, home inspectors, mold assessors and remediators, and real estate brokers, sales associates, and appraisers; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.213, F.S.; requiring a licensee to surrender his or her license under certain circumstances; amending s. 455.217, F.S.; revising the departmental unit responsible for administration of certain examinations; limiting an applicant's review of failed examination questions; amending s. 455.2175, F.S.; prohibiting an examinee whose examination materials are confiscated from taking another examination under certain circumstances; repealing s. 455.2226, F.S., relating to continuing education courses on HIV and AIDS required for licensees and certificateholders under the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 455.227, F.S.; revising grounds for the discipline of professional licensees; providing penalties; amending s. 455.228, F.S.; revising terminology for cease and desist notices; amending s. 455.275, F.S.; providing for the service of administrative complaints on certain licensees and publication of certain notices; amending s. 468.83, F.S.; creating the home inspection services licensing program within the department; amending s. 468.8311, F.S.; revising the definition of the term "home inspection services" for purposes of provisions regulating home inspectors; amending s. 468.8312, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8313, F.S.; requiring home inspector license applicants to satisfy certain examination requirements before application for licensure; requiring criminal history checks and fees; amending s. 468.8318, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering home inspection services; amending s. 468.8319, F.S.; prohibiting certain acts relating to home inspection services; delaying implementation of certain prohibited acts; providing penalties; providing an exemption for certain certified contractors; authorizing the department to require certain disclosures on contracts for home repairs performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.832, F.S.; providing an additional ground for discipline of licensed home inspectors; amending s. 468.8324, F.S.; extending the time for licensure of home inspectors under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of home inspection reports submitted for licensure under the grandfather provisions; providing penalties for the submission of false reports; creating s. 468.8325, F.S.; requiring the department to adopt rules; amending s. 468.84, F.S.; creating the mold-related services licensing program within the department; amending s. 468.8412, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8413, F.S.; requiring mold assessor and mold remediation license applicants to satisfy certain examination requirements before application for licensure; revising the educational requirements for licensure as a mold assessor or mold remediation; requiring criminal history checks and fees; amending s. 468.8414, F.S.; specifying that certain insurance coverage is required for licensure by endorsement; amending s. 468.8418, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering mold-related services; amending s. 468.8419, F.S.; prohibiting certain acts relating to mold assessment and remediation; delaying implementation of certain prohibited acts; providing penalties; providing exemptions for certain certified contractors; authorizing the department to require certain disclosures on contracts for mold-related services performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.842, F.S.; providing an additional ground for discipline of licensed mold assessors and mold remediators; amending s. 468.8421, F.S.; revising insurance coverage requirements for mold assessors; amending s. 468.8423, F.S.; extending the time for licensure of mold assessors and mold remediators under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of mold assessments and remediation invoices submitted for licensure under the grandfather provisions; providing penalties for the submission of false assessments or invoices; creating s. 468.8424, F.S.; requiring the

department to adopt rules; amending s. 474.203, F.S.; revising certain exemptions from regulation of veterinary medical practice; amending s. 475.02, F.S.; authorizing certain members of the Florida Real Estate Commission to offer, conduct, and teach courses prescribed or approved by the commission or the department; amending s. 475.175, F.S.; revising the application and fingerprint requirements for real estate broker and sales associate licenses; deleting a requirement that license applicants provide fingerprints in an electronic format; amending s. 475.613, F.S.; revising qualifications of members of the Florida Real Estate Appraisal Board; authorizing certain board members to offer, conduct, and teach courses prescribed or approved by the board or the department; amending s. 477.019, F.S.; deleting time limits for cosmetology license applicants to take the licensure examination; conforming a cross-reference; amending s. 509.211, F.S.; assigning responsibility for the regulation of carbon monoxide hazards in certain public lodging establishments to the Division of State Fire Marshal of the Department of Financial Services; creating s. 548.076, F.S.; authorizing the Department of Business and Professional Regulation to issue and enforce notices to cease and desist from violations of provisions regulating pugilistic exhibitions; providing penalties; amending s. 561.17, F.S.; revising application requirements for alcoholic beverage licenses; reenacting ss. 468.436(2)(a), 468.832(1)(a), 468.842(1)(a), 471.033(1)(a), 473.323(1)(a), 475.25(1)(a), 475.624(1), 476.204(1)(h), 477.029(1)(h), 481.225(1)(a), and 481.325(1)(a), F.S., relating to disciplinary proceedings for community association managers, home inspectors, mold assessors, mold remediators, engineers, certified public accountants, real estate brokers and sales associates, real estate appraisers, barbers, cosmetologists, architects, and landscape architects, to incorporate the amendment made to s. 455.227, F.S., in references thereto; reenacting s. 468.8314(2), F.S., relating to the licensure of home inspectors, to incorporate the amendment made to s. 468.832, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Regulated Industries; and General Government Appropriations.

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By Insurance, Business & Financial Affairs Policy Committee and Representative(s) McBurney—

**CS for HB 751**—A bill to be entitled An act relating to automatic renewal of service contracts; providing definitions; requiring sellers that sell, lease, or offer to sell or lease any services to consumers pursuant to certain contracts to disclose automatic renewal provisions; providing disclosure requirements; providing exceptions to the disclosure requirements; providing that certain violations will render an automatic renewal provision void and unenforceable; providing applicability; providing an effective date.

—was referred to the Committees on Commerce; and Judiciary.

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By Representative(s) Domino—

**HB 759**—A bill to be entitled An act relating to the Northern Palm Beach County Improvement District, Palm Beach County; amending chapter 2000-467, Laws of Florida, as amended; revising procedures for the election of members of the district's board of supervisors; updating obsolete language; revising application of the definition of "electors"; revising board member qualification and residency requirements; excluding certain lands from those lands for which a landowner is entitled to a vote at a meeting of landowners; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Roads, Bridges & Ports Policy Committee and Representative(s) Jones, Bullard, Clarke-Reed, Rogers, Workman—

**CS for HB 795**—A bill to be entitled An act relating to penalties for violations of traffic laws; amending s. 318.14, F.S.; providing for a person charged with a noncriminal traffic infraction to make periodic payments to pay civil penalties and fees; 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 to comply with specified education requirements; amending s. 318.15, F.S.; providing for suspension of a driver's license for failure to enter into or comply with the terms of a penalty payment plan; providing for reinstatement of the suspended license; amending s. 322.331, F.S.; providing for the removal of a habitual traffic offender designation upon proof of compliance with statutory provisions by certain offenders; amending s. 322.34, F.S.; providing alternative citation disposition procedures for the offense of knowingly 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; providing that adjudication shall be withheld under the alternative disposition and that such withholding of adjudication is not a conviction; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Judiciary; and Transportation and Economic Development Appropriations.

By Economic Development & Community Affairs Policy Council, Agriculture & Natural Resources Policy Committee, Military & Local Affairs Policy Committee and Representative(s) Adkins—

**CS for CS for CS for HB 831**—A bill to be entitled An act relating to Nassau County; providing that certain single-family docks located in the Nassau River-St. Johns River Marshes Aquatic Preserve must meet specified criteria; authorizing the Department of Environmental Protection to take action against owners of docks that do not meet such criteria after a specified date; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Finance & Tax Council and Representative(s) Boyd, Adkins, Bemby, Drake, Schultz—

**CS for HB 843**—A bill to be entitled An act relating to rural enterprise zones; requiring the Office of Tourism, Trade, and Economic Development to designate certain rural catalyst sites as rural enterprise zones upon request of a host county; specifying request requirements; specifying effect of designation; specifying reporting requirements for rural catalyst sites designated as a rural enterprise zone; authorizing host county development authorities to enter into memoranda of agreement for certain purposes; providing an effective date.

—was referred to the Committee on Commerce.

By Representative(s) Grady, Adkins, Horner, Lopez-Cantera, McKeel, Nehr, O'Toole, Plakon, Ray, Zapata—

**HB 851**—A bill to be entitled An act relating to the Florida Legal Resource Center; repealing s. 16.58, F.S., relating to the creation and duties of the Florida Legal Resource Center; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Governmental Oversight and Accountability.

By Government Operations Appropriations Committee and Representative(s) Domino—

**CS for HB 859**—A bill to be entitled An act relating to the West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising the definition of the term "salary;" authorizing other fiduciary designees to sign fund drafts; clarifying an exception relating to the adoption of experience tables and interest rates; providing for the adjustment of benefits when changing joint annuitants or beneficiaries; removing the requirement for a spouse's consent to waive a joint and survivor benefit; providing for quarterly adjustment of share accounts; providing an exception to an exclusion for disabled members; revising provisions relating to the payment of certain death benefits; providing for bimonthly refund repayments; requiring the board of trustees to identify and report any holdings in a scrutinized company; requiring divestiture of certain securities within a specified time; limiting board

liability relating to such divestiture; authorizing the withholding of certain retirement funds for certain purposes upon request of a retiree; reducing the amount of small retirement income that may be paid in a lump sum; authorizing certain city police officers to recontribute to the fund; revising provisions relating to determination of creditable service for members who die or become disabled while on active duty military service; providing for distribution of the fund in the event of termination of the pension plan; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Domino—

**HB 937**—A bill to be entitled An act relating to the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising definitions relating to the West Palm Beach Firefighters Pension Fund; revising terms of the board of trustees; providing that an authorized fiduciary may sign drafts for fund disbursements; providing additional requirements for the board relating to certain holdings; deleting certain requirements relating to service pension for normal retirement, including optional transition benefits for certain employees; providing that a retired member may change certain designation of joint annuitant or beneficiary relating to payment of benefits; providing that members who are disabled due to specified military service are not excluded from disability pensions; providing that the board may authorize withholdings from retirement pay under certain circumstances; providing that a firefighter for a federal fire department constitutes prior firefighter service; providing for termination of the fund and distribution of assets; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Military & Local Affairs Policy Committee and Representative(s) Chestnut—

**CS for HB 955**—A bill to be entitled An act relating to Marion County; repealing chapters 85-466 and 88-459, Laws of Florida, relating to the levy of special assessments for road and drainage improvements in certain unincorporated areas; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Military & Local Affairs Policy Committee and Representative(s) Chestnut—

**CS for HB 957**—A bill to be entitled An act relating to Marion County; repealing chapter 85-467, Laws of Florida, relating to municipal service taxing units for road improvements in unincorporated areas and the levying of special assessments within the territorial boundaries of such units; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Agriculture & Natural Resources Policy Committee and Representative(s) Drake, Ambler, Gaetz—

**CS for HB 1003**—A bill to be entitled An act relating to veterans; amending s. 496.406, F.S.; exempting certain veterans' organizations from requirements to file registration statements with the Department of Agriculture and Consumer Services; amending s. 295.187, F.S.; revising the definition of the term "service-disabled veteran" for purposes of the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; amending s. 296.06, F.S.; revising eligibility requirements for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; revising eligibility requirements for admittance into a licensed health care facility operated by the Department of Veterans' Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Oversight and Accountability; and Health and Human Services Appropriations.

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By Insurance, Business & Financial Affairs Policy Committee and Representative(s) Frishe—

**CS for HB 1035**—A bill to be entitled An act relating to elevator safety; amending s. 399.01, F.S.; revising definitions; amending s. 399.02, F.S.; conforming a reference to a safety code; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules; authorizing the division to enter certain buildings; providing for variances; exempting certain elevators from specific code update requirements; providing a phase-in period for such elevators; amending s. 399.035, F.S.; conforming a reference to certain safety standards; amending s. 399.049, F.S.; specifying additional acts by a registered elevator company or certificateholder which are subject to discipline; amending s. 399.061, F.S.; requiring certain licensees to provide written responses to departmental requests relating to inspection reports; amending s. 399.105, F.S.; extending the time within which an elevator owner may comply with certain orders to correct; creating s. 399.16, F.S.; providing procedures related to citations and discipline relating to unlicensed activity; creating s. 399.17, F.S.; providing registration and continuing education requirements for certified elevator inspectors; providing an effective date.

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

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By Representative(s) Brandenburg—

**HB 1045**—A bill to be entitled An act relating to Palm Beach County; amending chapter 59-1698, Laws of Florida, as amended; revising and providing definitions; providing requirements for the operation and licensing of large family child care homes; providing for the issuance of provisional licenses to child care facilities, large family child care homes, and family day care homes; updating obsolete language; revising requirements for Child Care Advisory Council membership; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Frishe—

**HB 1047**—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; providing for use of specified city-owned property for recreational and commercial working waterfronts; providing for use of revenue from specified city-owned property; providing for development of specified city-owned property consistent with the Florida Coastal Management Program, the Waterfronts Florida Program, the city comprehensive plan and code of ordinances, and other applicable law; providing for preservation of referendum requirement of use of certain city-owned property; requiring a referendum for lease, license, sale, or transfer of certain land and for any alteration to existing public land use map designation for such land; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Hays—

**HB 1049**—A bill to be entitled An act relating to the City of Eustis, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Eustis; providing that such events require a street-closure permit from the City of Eustis; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements

in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Hays—

**HB 1051**—A bill to be entitled An act relating to the City of Tavares, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tavares; providing that such events require a street-closure permit from the City of Tavares; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Workman—

**HB 1053**—A bill to be entitled An act relating to the Melbourne-Tillman Water Control District, Brevard County; amending chapter 2001-336, Laws of Florida, as amended; revising the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Tobia—

**HB 1055**—A bill to be entitled An act relating to Brevard County; amending chapter 87-423, Laws of Florida, as amended; changing the name of the Brevard Police Testing and Certification Center to the Brevard Police Testing and Selection Center; providing for change in composition and membership of the board of directors; providing the board has authority to recommend approval of agreements with and acceptance of funds or services from any federal, state, or local governmental entity or political subdivision, any college or university, or any private or civic source; clarifying the center's primary mission; providing for applicant testing, screening, and information services for criminal justice and public safety positions; authorizing certain applicant fees; revising provisions relating to establishment, approval, and use of user fees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Poppell—

**HB 1121**—A bill to be entitled An act relating to the Town of Grant-Valkaria, Brevard County; amending chapter 2006-348, Laws of Florida; specifying certain revenue sources for qualification to receive revenue-sharing funds under shared revenue programs of the state; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Military & Local Affairs Policy Committee and Representative(s) Porth, Clarke-Reed—

**CS for HB 1129**—A bill to be entitled An act relating to City of Tamarac, Broward County; extending and enlarging the corporate limits

of the City of Tamarac to include specified unincorporated lands within such corporate limits; providing for an effective date of annexation; providing for an interlocal agreement; providing for land use and zoning governance; providing legislative findings; providing requirements for the levying of fire rescue special assessments; providing for an assessment methodology review and report on the fire rescue special assessment; prohibiting the charging of certain impact fees; providing applicability to existing contracts; providing for transfer of public roads and rights-of-way; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Military & Local Affairs Policy Committee and Representative(s) Porth—

**CS for HB 1209**—A bill to be entitled An act relating to the City of Fort Lauderdale, Broward County; extending and enlarging the corporate limits of the City of Fort Lauderdale to include specified unincorporated lands within such corporate limits; providing for an effective date of annexation; providing for an interlocal agreement, land use and zoning governance, and residency qualification for candidacies for municipal office; providing applicability to existing contracts; providing for transfer of public roads and rights-of-way; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Porth—

**HB 1215**—A bill to be entitled An act relating to Broward County; amending chapter 98-521, Laws of Florida, as amended; requiring each member of the South Broward Utility Advisory Board appointed by the Town of Southwest Ranches to be a water or sewer user within the service area of the former South Broward Utility; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Criminal & Civil Justice Policy Council, Civil Justice & Courts Policy Committee and Representative(s) Hukill—

**CS for CS for HB 1237**—A bill to be entitled An act relating to probate procedures; amending s. 655.934, F.S.; updating terminology relating to a durable power of attorney; amending s. 655.935, F.S.; imposing additional duties on the lessor of a safe-deposit box relating to the contents of the box when the lessee has died; authorizing the lessor to charge fees for performing such duties; amending s. 731.110, F.S.; revising requirements relating to filing a caveat; providing that a caveat may be filed before or after a person's death; providing for the expiration of the caveat; amending s. 731.201, F.S.; revising the definitions of "formal notice" and "informal notice;" amending s. 731.301, F.S.; revising provisions relating to notice; amending s. 732.2125, F.S.; revising a provision relating to the right of election; amending s. 732.401, F.S.; providing that a decedent's spouse may elect to take an interest in a homestead as a tenant in common rather than a life estate; providing procedures and forms for filing notice of such election; providing that such election is irrevocable; providing for the allocation of expenses relating to the homestead; specifying that the interests of the decedent's descendants in the homestead may not be divested if the spouse's interest is disclaimed; amending s. 732.4015, F.S.; providing that if a spouse's interest in a homestead has been disclaimed, the disclaimed interest passes in accordance with ch. 739, F.S.; creating s. 732.4017, F.S.; providing for the inter vivos transfer of homestead property; providing limitations; amending s. 732.608, F.S.; revising provisions relating to which laws apply when determining intestate succession in certain circumstances; creating s. 732.805, F.S.; denying certain rights or benefits to a surviving spouse who procured a marriage by fraud, duress, or undue influence; providing procedures for challenging a surviving spouse; providing for the award of costs and fees; providing a limitation of liability relating to distributions made without notice of a pending

claim; providing for means of notice; providing a time limitation on bringing such actions; creating s. 733.1051, F.S.; authorizing a court to construe the terms of certain wills for certain purposes under certain circumstances; providing definitions; providing criteria for court construction of a will; providing for nonapplication to certain dispositions; authorizing a personal representative to take certain actions without court order pending a determination of estate distribution; limiting personal representative liability; preserving certain rights to construe a will; providing for retroactive operation; amending s. 733.107, F.S.; providing that, in a will contest, certain affidavits and oaths are prima facie evidence relating to execution and attestation of a will; amending s. 733.2123, F.S.; deleting the requirement for attaching a copy of a will to a notice of a petition for administration; amending s. 733.608, F.S.; specifying the manner for serving notice of the personal representative's lien for expenditures and obligations incurred; amending s. 735.203, F.S.; revising provisions relating to providing notice for a petition for summary administration; amending s. 736.1102, F.S.; clarifying provisions relating to which laws apply when determining intestate succession in certain circumstances; amending s. 744.444, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Judiciary; and Banking and Insurance.

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By Military & Local Affairs Policy Committee and Representative(s) Ambler—

**CS for HB 1247**—A bill to be entitled An act relating to Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the Children's Museum of Tampa, Inc., to use within the museum's building and on its grounds; providing that the license may be used only for special events; providing for payment of the license fee; providing for sale of beverages for consumption within the museum's building and on its grounds; prohibiting sales for consumption off premises; authorizing transfer and providing for subsequent reversion of the license under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Williams, T.—

**HB 1249**—A bill to be entitled An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that the sheriff has the burden of proving just cause in an appeal of disciplinary action; providing that certain retirement health insurance benefits shall not be available to employees commencing employment after a specified date; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Porth—

**HB 1295**—A bill to be entitled An act relating to the City of Lauderdale, Broward County; extending and enlarging the corporate limits of the city to include specified unincorporated lands; providing an effective date of annexation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Finance & Tax Council, Economic Development Policy Committee and Representative(s) Crisafulli, Ambler, Burgin, Chestnut, Culp, Homan, Kreegel, Mayfield, Nehr, Planas, Porth, Tobia, Zapata—

**CS for CS for HB 1389**—A bill to be entitled An act relating to space and aerospace infrastructure; providing a short title; amending s. 288.1088, F.S.; providing legislative findings; authorizing the use of a

specified amount of resources for projects to retain or create high-technology jobs directly associated with developing a more diverse aerospace economy in the state; authorizing Enterprise Florida, Inc., to waive eligibility criteria for projects receiving funds from the Quick Action Closing Fund which would mitigate the impact of the conclusion of the space shuttle program; revising authorized uses of specified Space Florida appropriations; providing an effective date.

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

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By Military & Local Affairs Policy Committee and Representative(s) Holder—

**CS for HB 1403**—A bill to be entitled An act relating to the Sarasota Manatee Airport Authority; amending chapter 2003-309, Laws of Florida; authorizing attendance and participation at certain emergency meetings of the Sarasota Manatee Airport Authority by teleconference under certain circumstances; providing for a quorum; providing for compliance with public meetings requirements; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Military & Local Affairs Policy Committee and Representative(s) Fitzgerald—

**CS for HB 1473**—A bill to be entitled An act relating to Manatee County; amending chapter 30561 (1955), Laws of Florida, as amended; revising the legal boundaries of the City of Anna Maria to remove land that is currently included in the boundaries of the City of Holmes Beach and to include described submerged lands; exempting Manatee County from certain regulations of the City of Anna Maria; revising the boundaries of the City of Holmes Beach to include unincorporated land owned by the Department of Transportation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Finance & Tax Council, Military & Local Affairs Policy Committee and Representative(s) Schenk—

**CS for CS for HB 1483**—A bill to be entitled An act relating to the Spring Hill Fire Rescue and Emergency Medical Services District, Hernando County; amending chapter 2009-261, Laws of Florida; revising district boundaries; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Glorioso, Kriseman—

**HB 1485**—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida, relating to the Public Transportation Commission; revising definitions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Military & Local Affairs Policy Committee and Representative(s) Grimsley—

**CS for HB 1487**—A bill to be entitled An act relating to Spring Lake Improvement District, Highlands County; amending chapter 2005-342, Laws of Florida; deleting obsolete language and language inconsistent with or repetitive of general law; providing for minimum charter requirements; amending board, election, and term of office provisions; amending the compensation for board members to comply with general

law; deleting obsolete district powers and providing additional district powers including mosquito control, fire and emergency services, and construction and maintenance of school facilities; providing for applicability of general laws; providing a ballot statement; requiring a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Holder—

**HB 1519**—A bill to be entitled An act relating to the Sarasota County Tourist Development Council; providing legislative findings; providing for appointment of additional members to the membership of the Sarasota County Tourist Development Council; specifying requirements for the council members; providing for duties, responsibilities, and procedures of the council; providing for superseding certain provisions of general law; providing construction; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Military & Local Affairs Policy Committee and Representative(s) Proctor, Adkins, Weinstein—

**CS for HB 1547**—A bill to be entitled An act relating to the Lake Asbury Municipal Service Benefit District, Clay County; amending chapter 86-392, Laws of Florida; authorizing the board of district trustees to increase the cap on special assessments against lots in the district, subject to voter approval at a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Economic Development Policy Committee and Representative(s) Carroll—

**CS for HB 1551**—A bill to be entitled An act relating to the Black Business Investment Board, Inc.; amending s. 288.707, F.S.; deleting a description of the board as a public-private entity; requiring the board to assist the Office of Tourism, Trade, and Economic Development in creating a long-range strategic policy for the Black Business Loan Program; revising the entities with whom the board may create partnerships for the development and expansion of black business enterprises; revising the membership of the board of directors; providing for certain members to be ex officio, nonvoting members; revising requirements for the selection, removal, and terms of the chair and vice chair; amending s. 288.709, F.S.; requiring that upon dissolution of the board, an asset that was not acquired through the use of state funds be returned to the donor who provided the asset or the funding or resources to acquire the asset; amending s. 288.7091, F.S.; requiring the board to aid the development and expansion of black business enterprises by leveraging federal, state, local, and private funds; requiring the board to collaborate with agencies of the federal, state, and local governments, private entities, nonprofit organizations, and national organizations; amending s. 288.7102, F.S.; revising the dates by which applications for loans from the Black Business Loan Program must be received and processed by the Office of Tourism, Trade, and Economic Development; revising eligibility requirements for new and existing program recipients; revising the date by which the Office of Tourism, Trade, and Economic Development must distribute appropriations to program recipients; deleting provisions providing for the board to recommend the certification of eligible recipients for loans; revising the percentages of program funds that a program recipient may use for technical support for black business enterprises or direct administrative costs; amending s. 288.71025, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to bring a civil action against an entity that unlawfully holds itself out as a black business investment corporation; amending s. 288.712, F.S.; deleting a provision relating to the black contractors bonding program, which requires the board to provide assistance to the Office of Supplier Diversity within the Department of Management Services; amending s.

288.714, F.S.; requiring that recipients of loans from the Black Business Loan Program provide quarterly reports to the Office of Tourism, Trade, and Economic Development; requiring that the Office of Tourism, Trade, and Economic Development compile a summary of quarterly reports from loan recipients and provide a copy of the summary to the board; requiring that the Office of Tourism, Trade, and Economic Development and the board provide annual reports to the Governor and Legislature by a certain date; providing an effective date.

—was referred to the Committees on Commerce; Governmental Oversight and Accountability; and Transportation and Economic Development Appropriations.

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By Military & Local Affairs Policy Committee and Representative(s) Porth—

**CS for HB 1621**—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida; extending and enlarging the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Workman—

**HB 1625**—A bill to be entitled An act relating to Brevard County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the East Coast Zoological Society of Florida, Inc., for use within the Brevard Zoo buildings and grounds; providing for payment of the license fee; providing for sale of beverages for consumption within the zoo buildings and grounds; providing for transfer of the license; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Military & Local Affairs Policy Committee and Representative(s) Troutman—

**CS for HB 1627**—A bill to be entitled An act relating to the Hardee County Economic Development Authority, Hardee County; amending chapter 2004-394, Laws of Florida; revising provisions relating to the authority's purpose and grant application criteria; correcting cross-references; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Glorioso, Kriseman—

**HB 1629**—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida; clarifying that administrative determination by the Division of Administrative Hearings of the Department of Management Services of the invalidity of rules or proposed rules of the Hillsborough County Public Transportation Commission is authorized; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Weatherford—

**HB 1631**—A bill to be entitled An act relating to the Lake Padgett Estates Independent Special District, Pasco County; amending chapter 2006-317, Laws of Florida; correcting the legal description of the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Coley—

**HB 1635**—A bill to be entitled An act relating to Panama City–Bay County Airport and Industrial District; amending chapter 2005-311, Laws of Florida; revising definitions; adding one member to the district governing board who will represent Walton County and be appointed by the Walton County Commission; providing the term for such member; adding two board members who will represent Panama City Beach and be appointed by the Panama City Beach City Council; providing terms for such members; providing for subsequent appointment procedures for such members; revising the quorum requirement; providing that indebtedness of the district for bonds issued shall not be considered a debt of a city or county; providing that issuance of revenue bonds by the district shall not obligate a city or county to levy any ad valorem taxes or to make any appropriations for their payment or for the operation and maintenance of the facilities of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Economic Development & Community Affairs Policy Council, Economic Development Policy Committee and Representative(s) Carroll—

**CS for HB 7109**—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; providing legislative findings and declarations; revising and providing definitions; establishing a schedule for the Office of Tourism, Trade, and Economic Development to review and revise the list of target industries and submit a report to the Governor and Legislature; revising the criteria for evaluating applications for the program; requiring consideration of the state's return on investment in evaluating applications for participation in the program; requiring the Office of Economic and Demographic Research to submit reports to the Legislature evaluating the calculation of the state's return on investment for the program; requiring that additional provisions be included in tax refund agreements; redesignating the economic-stimulus exemption as the "economic recovery extension;" revising the date by which qualified target industry businesses may request economic recovery extensions; authorizing waiver of a requirement that qualified target industry businesses annually provide proof of taxes paid under certain conditions; requiring the Office of Tourism, Trade, and Economic Development to submit reports to the Governor and Legislature concerning the failure of qualified target industry businesses to complete their tax refund agreements; deleting obsolete provisions; revising the date by which a target industry business may be certified as qualified for the program; conforming cross-references; amending ss. 288.1089 and 290.00677, F.S.; conforming provisions to changes made by the act; amending ss. 159.803, 220.191, and 288.107, F.S.; conforming cross-references; providing an effective date.

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

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By Governmental Affairs Policy Committee and Representative(s) Roberson, K.—

**HB 7121**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 627.06292, F.S.; saving from scheduled repeal under the Open Government Sunset Review Act an exemption from public records requirements for specified reports of hurricane loss data and associated exposure data that are specific to a particular insurance company; requiring the Florida International University center that develops, maintains, and updates the public model for hurricane loss projections to publish an annual report summarizing loss data and associated exposure data collected from residential property insurers and licensed rating and advisory organizations; providing for submission of the report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Oversight and Accountability.

By Governmental Affairs Policy Committee and Representative(s) Roberson, K.—

**HB 7131**—A bill to be entitled An act relating to criminal justice; amending s. 775.0877, F.S.; revising obsolete references; amending s. 775.25, F.S.; clarifying a reference to a repealed section; amending s. 784.07, F.S.; removing an outdated reference to certain employees in relation to assault and battery of specified persons; amending s. 831.16, F.S.; clarifying a cross-reference; clarifying that it is a third degree felony for a person to knowingly have in his or her possession fewer than 10 counterfeit coins with the intent to utter or pass such coins; amending s. 831.17, F.S.; clarifying a cross-reference; clarifying that certain subsequent violations of s. 831.16, F.S., are punishable as a second degree felony; amending s. 831.18, F.S.; clarifying that the offense of making or possessing instruments for forging bills is punishable as a third degree felony; amending s. 831.21, F.S.; clarifying that the offense of forging or counterfeiting a doctor's certificate of examination is punishable as a third degree felony; amending s. 831.27, F.S.; correcting a reference relating to the offense of issuing notes; amending s. 838.021, F.S.; correcting grammatical errors; reenacting s. 847.0125, F.S., relating to retail display of materials harmful to minors; amending s. 860.13, F.S.; correcting an obsolete reference; amending s. 865.09, F.S.; correcting a reference; amending s. 893.10, F.S.; removing obsolete language relating to evidence in possession of controlled substances cases; reenacting s. 914.24(2)(a), F.S., relating to victim and witness protection orders; amending ss. 916.12 and 916.3012, F.S.; revising and clarifying provisions; amending s. 918.0155, F.S.; deleting obsolete language directing the Legislature to request the Supreme Court to adopt emergency rules; amending s. 921.0022, F.S.; correcting references in the offense severity ranking chart; reenacting s. 921.141(5)(a), F.S., relating to sentence of death or life imprisonment for capital felonies; amending s. 932.704, F.S.; deleting an obsolete provision relating to the deadline for certifying compliance with the Contraband Forfeiture Act; amending s. 933.18, F.S.; correcting a reference in relation to when a warrant may be issued to search a dwelling; amending s. 933.40, F.S.; replacing obsolete references to "magistrate" with references to "trial court judge;" amending s. 934.03, F.S.; deleting an obsolete cross-reference; defining the term "public utility;" amending s. 938.15, F.S.; clarifying that the term "commission" refers to the Criminal Justice Standards and Training Commission; amending s. 943.051, F.S.; clarifying a reference to a repealed section; amending s. 943.053, F.S.; removing an obsolete reference; amending s. 943.0581, F.S.; clarifying provisions; reenacting s. 943.0582(3)(a) and (5), F.S., relating to prearrest, postarrest, or teen court diversion program expunction; reenacting s. 943.135(4)(b), F.S., relating to requirements for continued employment; amending s. 944.053, F.S.; updating obsolete provisions; reenacting s. 944.28(1), F.S., relating to gain-time; amending ss. 944.708, 944.801, and 945.10, F.S.; replacing obsolete references to the Department of Labor and Employment Security with references to the Agency for Workforce Innovation; reenacting s. 947.06, F.S., relating to when the Florida Parole Commission may meet and act; amending s. 949.071, F.S.; correcting a federal statutory citation; amending s. 957.07, F.S.; replacing an obsolete reference to the Correctional Privatization Commission with a reference to the Department of Management Services; amending s. 985.486, F.S.; correcting references concerning intensive residential treatment programs for offenders less than 13 years of age; amending s. 985.632, F.S.; removing a reference to a repealed provision; removing obsolete provisions; reenacting s. 985.686(2)(b), F.S., relating to county and state responsibility for juvenile detention; amending ss. 815.03, 817.554, 828.17, 831.30, 877.22, 893.02, 921.20, 944.023, 944.474, 947.16, 951.23, 951.231, 960.003, and 984.225, F.S.; correcting cross-references; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Finance & Tax Council, Energy & Utilities Policy Committee and Representative(s) Gibbons—

**CS for CS for HB 163**—A bill to be entitled An act relating to prepaid wireless telecommunications service; amending s. 365.172, F.S.; removing provisions for a study of the feasibility of collecting an E911 fee on the sale of prepaid wireless telecommunications service; prohibiting collection of the fee until after a certain date; amending s. 365.173, F.S.;

revising a limitation on the amount of funds received by a county from the E911 fee which may be carried forward to the following year; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Community Affairs; Judiciary; Finance and Tax; and General Government Appropriations.

By Economic Development Policy Committee and Representative(s) Crisafulli, Ambler, Burgin, Carroll, Chestnut, Homan, Hudson, Nehr, Planas, Zapata—

**CS for HB 451**—A bill to be entitled An act relating to Space Florida; creating s. 331.3081, F.S.; revising provisions for the governing board of Space Florida to terminate the existing board and replace it with a new board meeting the requirements of this section; providing for membership; providing for appointment of certain voting members by the Governor subject to confirmation by the Senate; providing for designation of a chair; providing for appointment of nonvoting members by the President of the Senate and the Speaker of the House of Representatives; providing for terms of the members and organization of the board; providing for reappointment or removal of members; providing for meetings and actions of the board; providing for reimbursement of expenses incurred by members and staff of the board; requiring members to file disclosure of financial interests; repealing s. 331.308, F.S., relating to the board of directors of Space Florida; providing an effective date.

—was referred to the Committees on Commerce; and Governmental Oversight and Accountability.

By Agriculture & Natural Resources Policy Committee and Representative(s) Poppell—

**CS for HB 569**—A bill to be entitled An act relating to landfills; amending s. 403.708, F.S.; authorizing the disposal of yard trash at specified Class I landfills; requiring such landfills to obtain a modified operating permit; requiring permittees to certify certain collection and beneficial use of landfill gas; providing applicability; providing an effective date.

—was referred to the Committee on Environmental Preservation and Conservation.

By Economic Development & Community Affairs Policy Council, Full Appropriations Council on Education & Economic Development, Military & Local Affairs Policy Committee and Representative(s) Aubuchon, Abruzzo, Bovo, Brandenburg, Carroll, Fitzgerald, Gaetz, Mayfield, Nehr, Pafford, Planas, Randolph, Williams, A., Williams, T., Zapata—

**CS for CS for CS for HB 665**—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs;" conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.;

providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

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

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By Education Policy Council, State Universities & Private Colleges Policy Committee and Representative(s) Sachs, Brandenburg, Heller, Jones, Long, Pafford, Rehwinkel Vasilinda, Soto, Steinberg, Williams, A.—

**CS for CS for HB 723**—A bill to be entitled An act relating to postsecondary education; amending s. 1009.26, F.S.; authorizing state universities and community colleges to waive tuition and fees for certain public school classroom teachers for undergraduate courses approved by the Department of Education; requiring State Board of Education rule-making; amending s. 1004.26, F.S.; prohibiting a cause of action against a state university for the actions or decisions of a state university student government; amending s. 501.0117, F.S.; providing that a convenience fee imposed on a student or family making payment by credit card to certain postsecondary institutions is not considered a surcharge for purposes of certain restrictions; amending s. 1009.23, F.S.; authorizing a community college to assess a convenience fee for the processing of automated or online credit card payments; providing a restriction on the amount of the convenience fee and requiring approval by the community college board of trustees; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Higher Education Appropriations.

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By Criminal & Civil Justice Policy Council and Representative(s) Carroll—

**CS for HB 731**—A bill to be entitled An act relating to commercial transactions; amending s. 627.7295, F.S.; revising application of certain provisions relating to motor vehicle insurance contracts; revising and providing provisions of the Uniform Commercial Code relating to electronic documents of title, warehouse receipts, bills of lading, and other documents of title to conform to the revised Article 7 of the Uniform Commercial Code as prepared by the National Conference of Commissioners on Uniform State Laws; amending ss. 668.50 and 671.304, F.S.; correcting cross-references; amending ss. 671.201, 672.103, 672.104, 674.104, 677.102, and 679.1021, F.S.; revising and providing definitions; revising provisions pertaining to definitions applicable to certain provisions of the code, to conform cross-references to revisions made by this act; amending s. 672.310, F.S.; revising time when certain delivery payments are due; amending ss. 559.9232, 672.323, 672.401, 672.503, 672.505, 672.506, 672.509, 672.605, 672.705, 674.2101, 677.201, 677.202, 677.203, 677.205, 677.206, 677.207, 677.208, 677.301, 677.302, 677.304, 677.305, 677.401, 677.402, 677.403, 677.404, 677.502, 677.503, 677.505, 677.506, 677.507, 677.508, 677.509, 677.602, 677.603, 679.2031, 679.2071, 679.3011, 679.3101, 679.3121, 679.3131, 679.3141, 679.3171, 679.338, 680.1031, 680.514, and 680.526, F.S.; revising provisions to conform to changes made by this act; making editorial changes; amending s. 677.103, F.S.; revising and providing application in relation of chapter to treaty, statute, classification, or regulation; amending s. 677.104, F.S.; providing when certain documents of title are nonnegotiable; amending s. 677.105, F.S.; authorizing an issuer of the electronic

document to issue a tangible document of title as a substitute for the electronic document under certain conditions; authorizing an issuer of a tangible document to issue an electronic document of title as a substitute for the tangible document under certain conditions; creating s. 677.106, F.S.; providing when certain persons have control of an electronic document of title; amending s. 677.204, F.S.; revising liability of certain damages; authorizing a warehouse receipt or storage agreement to provide certain requirements; amending s. 677.209, F.S.; revising conditions for a warehouse to establish a lien against a bailor; providing when and against whom the lien is effective; amending s. 677.210, F.S.; revising provisions relating to the enforcement of warehouse's liens; amending s. 677.303, F.S.; prohibiting liability for certain carriers; amending s. 677.307, F.S.; revising conditions under which a carrier has a lien on goods covered by a bill of lading; amending s. 677.308, F.S.; revising provisions relating to the enforcement of a carrier's lien; amending s. 677.309, F.S.; revising provisions relating to the contractual limitation of a carrier's liability; amending s. 677.501, F.S.; providing requirements for negotiable tangible documents of title and negotiable electronic documents of title; amending s. 677.504, F.S.; providing condition under which the rights of the transferee may be defeated; amending s. 677.601, F.S.; revising provisions relating to lost, stolen, or destroyed documents of title; amending s. 678.1031, F.S.; providing that certain documents of title are not financial assets; amending s. 679.2081, F.S.; providing requirements for secured parties having control of an electronic document; providing an effective date.

—was referred to the Committees on Commerce; Banking and Insurance; and Judiciary.

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By Economic Development & Community Affairs Policy Council, Full Appropriations Council on Education & Economic Development, Economic Development Policy Committee and Representative(s) Ray, Adkins, Ambler, Burgin, Carroll, Dorworth, Ford, Fresen, Gaetz, McBurney, Reagan, Rogers, Wood, Zapata—

**CS for CS for CS for HB 963**—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 budget 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; au-



thorizing seaports to enter into public-private agreements for port-related public infrastructure projects; providing effective dates.

—was referred to the Committees on Commerce; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations; and the Policy and Steering Committee on Ways and Means.

By Finance & Tax Council, Military & Local Affairs Policy Committee and Representative(s) McKeel, Fetterman, Kiar, Kriseman, Rader—

**CS for CS for HB 965**—A bill to be entitled An act relating to real property assessment; creating s. 193.1552, F.S.; providing a definition; requiring property appraisers to adjust the assessed value of certain properties affected by imported or domestic drywall under certain circumstances; providing for a nominal just value of \$0 under certain circumstances; providing for application to certain properties; providing for nonapplication to certain property owners; specifying homestead property as damaged for certain purposes; prohibiting consideration of homestead property as abandoned under certain circumstances; providing for assessment of certain property after completion of remediation or repair; providing application; providing for future repeal unless reviewed and reenacted; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance and Tax; and the Policy and Steering Committee on Ways and Means.

By Economic Development & Community Affairs Policy Council, Roads, Bridges & Ports Policy Committee and Representative(s) Aubuchon—

**CS for CS for HB 971**—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 316.003, F.S.; defining the term “tri-vehicle” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.066, F.S.; authorizing law enforcement agencies and county traffic operations to access certain crash reports held by an agency; 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 crossing; providing penalties; amending s. 316.193, F.S.; revising qualifications for an immobilization agency and certain employees of the agency to immobilize vehicles in a judicial circuit; requiring the immobilization agency to verify through a Florida Department of Law Enforcement background check the qualifications of a person hired to immobilize a vehicle; redefining the terms “immobilization agency” and “immobilization agencies;” amending 316.2065, F.S.; requiring bicycles to be ridden in the lane marked for bicycle use except under specified circumstances; providing penalties; amending s. 316.2085, F.S.; permitting certain license tags for motorcycles or mopeds to be affixed perpendicularly to the ground under certain circumstances; amending s. 316.2952, F.S.; authorizing certain satellite reception devices to be attached to the windshield of a motor vehicle; amending s. 316.29545, F.S., relating to window suncreening exclusions; excluding vehicles operated by persons with certain medical conditions from certain window suncreening restrictions; excluding vehicles owned or leased by private investigators or private investigative services from specified window suncreening restrictions; providing rulemaking authority to the Department of Highway Safety and Motor Vehicles regarding suncreening restrictions; amending s. 316.605, F.S.; providing an exception for certain motorcycles or mopeds to a requirement that license plates be affixed and displayed in such a manner that the letters and numerals shall be read from left to right parallel to the ground; amending s. 316.646, F.S.; directing the department 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 specified learner’s driver’s license restrictions; correcting an erroneous reference; requiring a person who commits a traffic violation requiring a hearing or commits a criminal traffic violation to sign and accept a citation indicating a promise to appear for a hearing; removing a requirement that a person cited for a noncriminal traffic infraction not requiring a hearing must sign and accept the citation indicating a promise to appear; 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 to comply with specified education requirements; amending s. 318.18, F.S.; providing that the penalty for speeding in designated school crossing is twice the otherwise applicable amount; amending s. 319.28, F.S.; requiring lienholders repossessing vehicles in this state to apply to a tax collector’s office in this state or to the department for a certificate of repossession or to the department for a certificate of title; amending s. 319.30, F.S.; defining the term “independent entity” for purposes of provisions for salvage and dismantling, destruction, and change of identity of motor vehicle or mobile home; providing for a notice and release statement prescribed by the department from an insurance company to an independent entity that stores a damaged or dismantled motor vehicle for the insurance company; providing procedures for disposition of the vehicle by the independent entity; requiring the independent entity to notify the owner when the vehicle is available for pick up; authorizing the independent entity to apply for a certificate of destruction or a certificate of title if the vehicle is not claimed within a certain period; providing requirements for submission of the application; prohibiting the independent entity from charging an owner of the vehicle storage fees or applying for a certificate of title under specified provisions; 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 the League Against Cancer/La Liga Contra el Cancer; amending s. 320.03, F.S., relating to an electronic filing system used to provide titling and registration functions for motor vehicles, vessels, mobile homes, and off-highway vehicles; providing regulatory authority over the electronic filing system to the department; providing for statewide uniform application of the system; providing that entities that sell products that require titling or registration and that meet certain requirements may be agents for the system and may not be precluded from using the system; requiring tax collectors to appoint such entities as electronic filing system agents; providing rulemaking authority; providing that such rules shall replace existing program standards; providing that existing standards remain in place until such rulemaking is complete, except for existing standards conflicting with this section; providing that an authorized electronic filing agent may charge fees to customers; providing that certain providers of the electronic filing system shall continue to comply with certain financial arrangements with the Tax Collector Service Corporation; providing for expiration of the provisions requiring the providers to comply with the financial arrangements; amending s. 320.05, F.S.; requiring specified fees be collected for providing registration data by electronic access through a tax collector’s office; providing for distribution of the fees collected; providing an exception; amending s. 320.071, F.S.; revising the time period during which the owner of an apportioned motor vehicle may file an application for renewal of registration; amending s. 320.08, F.S.; establishing license taxes for tri-vehicles and antique motorcycles; 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; amending s. 320.08053, F.S.; removing provisions requiring an organization seeking authorization to establish a new specialty license plate to submit a sample survey of motor vehicle owners to the department; requiring the department to 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; providing that changes to specified provisions relating to establishing a new specialty license plate do not apply to certain organizations; amending ss. 320.08056 and 320.08058, F.S.; conforming provisions to changes made by the act; creating the Hispanic Achievers license plate, the Children First license plate, and the Veterans of Foreign Wars license plate; establishing an annual use fee for the plates; providing for distribution of use fees received from the sale of such plates; prohibiting the department from establishing new voluntary contributions on the motor vehicle registration application form or the driver’s license application form during a certain time period; providing exceptions; 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.; pro-

viding 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” as those terms are used in provisions for drivers’ licenses; amending s. 322.08, F.S.; 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 the League Against Cancer/La Liga Contra el Cancer and to state homes for veterans; providing for distribution of funds collected from such contributions; providing that such contributions are not considered income of a revenue nature; amending s. 322.121, F.S.; revising legislative intent for reexamination of licensed drivers upon the 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; conforming 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. 322.271, F.S.; providing procedures for the restoration of the driving privileges of certain persons whose driving privileges have been revoked; providing for a hearing; providing for the adoption of rules; providing a phase-in period; amending s. 322.2715, F.S.; requiring the installation of an ignition interlock device under certain circumstances; 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 for specified offenses, 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 procedures for background screening; amending ss. 261.03 and 317.0003, F.S.; revising the definition of the term “ROV” to include vehicles of an increased width and weight for purposes of provisions relating to off-highway vehicles; amending s. 316.008, F.S.; authorizing a county or municipality to enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, and electric personal assistive mobility devices on sidewalks or sidewalk areas under certain conditions; requiring the ordinance to restrict such vehicles or devices to a certain maximum speed; amending s. 316.1995, F.S.; specifying exceptions to restrictions on operating vehicles upon a bicycle path, sidewalk, or sidewalk area; amending s. 316.212, F.S.; providing for a local governmental entity to enact an ordinance relating to golf cart operation on sidewalks in certain areas if certain conditions are met; amending s. 316.2128, F.S.; revising requirements for signage which must be displayed by certain sellers of motorized scooters or miniature motorcycles; creating the “Ronshay Dugans Act,” designating Drowsy Driving Prevention Week; encouraging the Department of Highway Safety and Motor Vehicles and the Department of Transportation to educate the law enforcement community and the public about the relationship between fatigue and driving performance; providing effective dates.

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

By General Government Policy Council, Natural Resources Appropriations Committee, Agriculture & Natural Resources Policy Committee and Representative(s) Grimsley, Boyd, Adkins, Brisé, Mayfield, Planas, Zapata—

**CS for CS for HB 981**—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; clarifying that land classified as agricultural retains that classification when offered for sale under certain circumstances; providing for retroactive application; providing the methodology for assessing certain structures and improvements used for horticultural production; amending s. 369.20, F.S.; authorizing the Fish

and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to waters of the state; revising exemptions from water pollution permits; amending s. 403.088, F.S.; providing permits for applying pesticides to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the commission for the uniform regulation of pesticides applied to the waters of the state; authorizing temporary deviations from certain rule provisions adopted by the Department of Environmental Protection for certain pesticides under certain conditions; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to the waters of the state; amending s. 573.112, F.S.; providing that the Citrus Research and Development Foundation shall provide advice to the Department of Agriculture and Consumer Services with respect to citrus research marketing orders, conduct citrus research, and perform other duties assigned by the department; 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 of Agriculture and Consumer Services; amending s. 601.07, F.S.; revising the location of the executive offices of the Department of Citrus; requiring the department and representatives of the state pest control industry to submit a report to the Legislature; 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 the department and members of the industry; providing an effective date.

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

By Full Appropriations Council on Education & Economic Development, PreK-12 Policy Committee and Representative(s) Llorente, Hukill, Abruzzo, Ambler, Anderson, Brandenburg, Burgin, Flores, Ford, Fresen, Glorioso, Gonzalez, Heller, Hudson, Jenne, Kiar, McBurney, Nehr, Pafford, Planas, Porth, Precourt, Rader, Reed, Sachs, Schenck, Schultz, Schwartz, Skidmore, Soto, Stargel, Steinberg, Tobia, Williams, T., Zapata—

**CS for CS for HB 1073 and HB 81**—A bill to be entitled An act relating to persons with disabilities; amending s. 393.067, F.S.; revising provisions relating to licensure and standards for facilities and programs for persons with developmental disabilities; amending s. 393.13, F.S.; revising rights for persons with developmental disabilities; amending s. 402.305, F.S.; requiring minimum training for child care personnel to include the identification and care of children with developmental disabilities; creating s. 1003.573, F.S.; requiring that each school prepare an incident report within a specified period after each occasion of student restraint or seclusion; specifying the contents of such report; requiring that each school notify a student’s parent or guardian if manual physical restraint or seclusion is used; requiring certain reporting and monitoring; requiring that each school district develop and revise policies and procedures governing the incident reports, data collection, and the monitoring and reporting of such data; prohibiting school personnel from using a mechanical restraint or a manual physical restraint that restricts a student’s breathing; prohibiting school personnel from closing, locking, or physically blocking a student in a room that is unlit and does not meet the rules of the State Fire Marshal for seclusion time-out rooms; amending s. 1004.55, F.S.; requiring regional autism centers to provide certain support for serving children with developmental disabilities; creating s. 1012.582, F.S.; requiring the Commissioner of Education to develop recommendations to incorporate instruction relating to developmental disabilities into continuing education or in-service training requirements for instructional personnel; requiring the Department of Education to incorporate the course curricula into existing requirements for such education or training; authorizing the State Board of Education to adopt rules; requiring the Division of Vocational Rehabilitation within the Department of Education to develop an implementation plan for the establishment of a state vocational college for persons with developmental disabilities subject to legislative authorization and appropriation of funding; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Children, Families, and Elder Affairs.

By Health & Family Services Policy Council, Health Care Appropriations Committee, Health Care Regulation Policy Committee and Representative(s) Hudson, Adkins, Burgin, Crisafulli, Williams, T.—

**CS for CS for CS for HB 1143**—A bill to be entitled An act relating to health care; 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; 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; de-

leting 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. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 499.003, F.S.; defining the term "medical convenience kit" for purposes of pt. I of ch. 499, F.S.; providing an exception to applicability of the term; removing a requirement that certain prescription drug purchasers maintain a separate inventory of certain prescription drugs; amending s. 499.01212, F.S.; providing an exception to the requirement that a wholesale distributor of prescription drugs provide a pedigree paper to the person who receives the drug for wholesale distribution of prescription drugs contained within a medical convenience kit under specified conditions; providing that the exception does not apply to any kit that contains certain controlled substances; 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. 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.

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

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By Economic Development & Community Affairs Policy Council and Representative(s) Eisnagle, Adkins, Bovo, Crisafulli, Dorworth, Kelly, Kreegel, Murzin, Proctor, Ray, Rogers, Snyder, Van Zant—

**CS for HB 1157**—A bill to be entitled An act relating to the Local Government Prompt Payment Act; amending s. 218.72, F.S.; revising definitions; amending s. 218.735, F.S.; revising provisions relating to the timely payment for purchases of construction services; requiring that a dispute be resolved according to procedures in the contract; prohibiting the assessment of damages against a contractor if the list of items remaining to complete is not timely provided to the contractor; amending s. 218.76, F.S.; revising provisions relating to the resolution of disputes concerning an improper payment request or invoice; providing that a local governmental entity waives its objection in a payment dispute if it fails to commence the dispute resolution procedure within the time required; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

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By Military & Local Affairs Policy Committee and Representative(s) Porth, Bogdanoff, Kiar—

**CS for HB 1425**—A bill to be entitled An act relating to Broward County; providing a short title; providing definitions; creating the Broward County Office of Inspector General; providing functions, authority, and powers of the Inspector General; providing for qualifications, selection, contract, facilities, and staff; providing for reporting and budgeting; providing for removal; providing for funding; authorizing imposition of a contract fee; providing applicability with respect to the state attorney and United States Attorney for the Southern District of Florida; providing for a code of ethics for local governments within Broward County; providing for amendment by special act; providing that the act controls with respect to any conflict with the county charter or any county ordinance; providing for referenda; providing an effective date.

—was referred to the Committee on Rules.

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By Economic Development & Community Affairs Policy Council, Governmental Affairs Policy Committee and Representative(s) Dorworth, Ford, Gaetz, Adkins, Crisafulli, Murzin, Patronis, Precourt, Tobia—

**CS for CS for HB 1565**—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring each agency, before adopting, amending, or repealing certain rules, to prepare a statement of estimated regulatory costs of the proposed rule if the proposed rule has adverse impacts on small business or increases regulatory costs; providing an exception to circumstances under which an emergency rule shall not be effective; amending s. 120.541, F.S.; providing circumstances under which an agency shall prepare or revise a statement of estimated regulatory costs; providing notice requirements; providing that an agency's failure to prepare a statement of estimated regulatory costs or respond to a written lower cost regulatory alternative is a material failure to follow the applicable rulemaking procedures or requirements of the chapter; specifying circumstances under which certain challenges may not be raised; providing exceptions; specifying the requirements for an economic analysis on a proposed rule or rule changes; requiring that a rule impact analysis for small businesses include the agency's basis for not implementing alternatives to a proposed rule; providing circumstances under which a rule shall not take effect until ratified by the Legislature; providing that the act is not applicable to certain specified rules or standards; amending s. 120.56, F.S.; providing for revised statements of estimated regulatory costs as a basis for challenging a rule; amending s. 120.60, F.S.; authorizing an agency to provide by rule for the time period for submitting additional information needed for a license application; requiring that certain requests to receive notice re-

lating to a license application be submitted in writing; providing an effective date.

—was referred to the Committees on Commerce; and Governmental Oversight and Accountability.

By Policy Council, Criminal & Civil Justice Policy Council and Representative(s) Snyder, Porth, Ambler, Brandenburg, Williams, T.—

**CS for HB 7069**—A bill to be entitled An act relating to background screening; amending s. 39.001, F.S.; revising an exemption from screening requirements for volunteers; 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 chapter 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 for direct service providers awaiting completion of a background screening, and 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 hospices; amending s. 400.801, F.S.; revising background screening requirements for homes for special services; amending s. 400.805, F.S.; revising background screening requirements for transitional living facilities; creating s. 400.9065, F.S.; providing background screening requirements for prescribed pediatric extended care centers; 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 providers; 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 intermediate care facilities for developmentally disabled persons; amending s. 400.980, F.S.; revising background screening requirements for health care services pools; amending s. 400.991, F.S.; revising background screening requirements for 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; repealing s. 409.1758, F.S., relating to screening of summer camp personnel; 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. 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 facilities; amending s. 429.67, F.S.; revising licensure requirements for adult family-care homes; amending s. 429.69, F.S.; revising background screening requirements for adult family-care homes; 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 centers; creating s. 430.60, 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 the chapter, 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; providing that disqualification from employment may not be removed from, nor an exemption be granted to, any person who has been designated as a sexual predator, career offender, or sexual offender; amending s. 435.08, F.S.; revising provisions relating to the payment for processing of fingerprints and criminal history records checks; amending s. 456.039, F.S.; deleting language relating to criminal history records checks of designated health care professionals; amending s. 464.203, F.S.; conforming provisions to changes made by the act; amending s. 489.115, F.S.; removing reference to chapter 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 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 this act; providing for prospective application of the act; providing an effective date.

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

By General Government Policy Council, Agriculture & Natural Resources Policy Committee and Representative(s) Williams, T., Brisé, Planas—

**CS for HB 7103**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act;" providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of drivers' licenses; 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; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "nonresidential farm building;" exempting non-

residential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

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

By Finance & Tax Council, Energy & Utilities Policy Committee and Representative(s) Precourt, Ford—

**CS for HB 7179**—A bill to be entitled An act relating to qualifying improvements to real property; creating s. 163.08, F.S.; providing legislative purposes and findings and intent; providing definitions; authorizing a local government to levy non-ad valorem assessments to fund certain improvements; authorizing a property owner to apply for funding and enter into a financing agreement with a local government to finance certain improvements; authorizing a local government to collect moneys for such purposes through non-ad valorem assessments; providing collection requirements; authorizing local governments to partner with other local governments to provide and finance certain improvements; authorizing a qualifying improvement program to be administered by a for-profit entity or not-for-profit organization under certain circumstances; authorizing a local government to incur debt payable from revenues received from the improved property; providing a financing restriction for local governments; requiring a financial agreement to be recorded in a county's public records within 5 days after execution of the agreement; specifying responsibilities for local governments before entering into financing agreements; requiring qualifying improvements to be affixed to a building or facility on the property and be performed by a properly certified or registered contractor; excluding certain projects from financing agreement coverage; limiting the amount of the non-ad valorem assessment to a percentage of the just value of the property; providing exceptions; specifying information provision requirements for property owners before entering into financing agreements; prohibiting acceleration of a mortgage under certain circumstances; providing assessment disclosure requirements; specifying unenforceability of certain agreement provisions; providing construction preserving a local government's home rule authority; providing an effective date.

—was referred to the Committees on Community Affairs; Communications, Energy, and Public Utilities; and Finance and Tax; and the Policy and Steering Committee on Ways and Means.

By Insurance, Business & Financial Affairs Policy Committee and Representative(s) Workman, Rogers—

**HB 7019**—A bill to be entitled An act relating to trust funds; creating s. 494.00173, F.S.; creating the Mortgage Guaranty Trust Fund within the Office of Financial Regulation of the Department of Financial Services; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

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

By Select Policy Council on Strategic & Economic Planning and Representative(s) Hukill—

**HJR 7231**—A joint resolution proposing the creation of Section 20 of Article III of the State Constitution to provide standards for establishing legislative and congressional district boundaries.

—was referred to the Committees on Reapportionment; and Ethics and Elections.

By Insurance, Business & Financial Affairs Policy Committee and Representative(s) Workman, Rogers—

**HB 7017**—A bill to be entitled An act relating to public records; amending s. 494.00125, F.S., and transferring, renumbering, and amending s. 494.0021, F.S.; creating an exemption from public records requirements for credit history information and credit scores held by the Office of Financial Regulation within the Department of Financial Services for purposes of licensing loan originators, mortgage brokers, and mortgage lenders; providing an exception to the exemption for other governmental entities having oversight, regulatory, or law enforcement authority; providing for future legislative review and repeal of the exemption; reorganizing provisions; transferring to the section the exemption from public records requirements for audited financial statements submitted pursuant to parts I, II, and III of ch. 494, F.S.; making editorial changes and removing superfluous language; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Oversight and Accountability.

By Rules & Calendar Council and Representative(s) Nehr, Anderson, Brandenburg, Eisnaugle, Ford, Frishe, Garcia, Hooper, Horner, Kreegel, Long, Patronis, Plakon, Planas, Rehwinkel Vasilinda, Roberson, K., Roberson, Y., Rouson, Soto, Steinberg, Taylor, Van Zant, Waldman, Wood, Workman, Zapata—

**CS for HM 191**—A memorial to the Congress of the United States, urging Congress to encourage the Government of Turkey to grant the cumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate.

—was referred to the Committee on Judiciary.

By Finance & Tax Council and Representative(s) Rivera, Flores, Crisafulli, Fetterman, Rader, Sachs, Snyder—

**CS for HB 483 and HB 469**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

—was referred to the Committee on Finance and Tax.

## VOTES RECORDED

Senator Sobel was recorded as changing her vote from "yea" to "nay" on the following bill which was considered April 23: **CS for CS for SB 2044**.

Senator Wilson was recorded as changing her vote from "yea" to "nay" on the following bill which was considered April 23: **CS for CS for SB 2044**.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 23 was corrected and approved.

## CO-INTRODUCERS

Senators Aronberg—CS for SB 1708; Crist—SM 96, CS for CS for SB 202, SM 480, CS for SB 580, CS for SB 708, SB 838, CS for CS for SB 896, CS for SB 1720, CS for SB 1730, CS for CS for CS for SB 2014, CS for CS for SB 2118, CS for CS for SB 2272 and CS for SB 2722, CS for CS for CS for SB 2322; Gaetz—CS for SB 464, CS for CS for SB 900; Wilson—CS

for SB 400, SB 488, CS for SB 768, CS for CS for CS for SB 960, CS for CS for SB 970, CS for SB 1022, SB 1082, CS for CS for SB 1736, SB 2252

**SENATE PAGES**

April 26-30, 2010

**RECESS**

On motion by Senator Aronberg, the Senate recessed at 5:45 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, April 27 or upon call of the President.

Joseph A. "Joey" Barletto II, Okeechobee; Collins T. Caldwell, Tallahassee; Curtis "Ty" Clark, Tallahassee; Imani Davis-Allen, Tampa; Glory Ford, Margate; Kiersten Haddock, Orlando; Aubrey Hale, Orlando; Wallace "Wally" Martin, Arcadia; Holly Musanto, DeLand; Michael Raynor, Tallahassee; Adrian Reed, Miami; Michael Robinson, Tallahassee; Lindsey Sanders, Tallahassee; Zachary "Zack" Stanley, Inverness; Justin Alfredo Stimac, Altamonte Springs; Alexander "Alex" Tate, Venice; Prince Vargas, Miami