



# The Journal OF THE House of Representatives

Number 1

Tuesday, March 6, 2001

Journal of the House of Representatives for the 103rd Regular Session since Statehood in 1845, convened under the Constitution of 1968, begun and held at the Capitol in the City of Tallahassee in the State of Florida on Tuesday, March 6, 2001, being the day fixed by the Constitution for the purpose.

This being the day fixed by the Constitution for the convening of the Legislature, the Members of the House of Representatives met in the Chamber at 9:50 a.m. for the beginning of the 103rd Regular Session and were called to order by the Honorable Tom Feeney, Speaker.

## Prayer

The following prayer was offered by the Reverend James Jennings of First United Methodist Church of Sarasota, upon invitation of Rep. Clarke:

God of our beginnings and our endings, God of the Passover, Easter, God of the pilgrims to Mecca, Alpha and Omega of the whole universe, bless this assembly with Your mercy and Your grace. We give You thanks for this day of new beginnings. But, O God, as we begin this day, our hearts are heavy for the shooting at Santana High School in California. And we ask that You would comfort those grieving families as well as show mercy upon the perpetrator, for You are the God of all newness. You are the one who makes all things new, even a new heaven and a new earth.

Bless, O God, both new and returning Representatives who are gathered here this morning. Crown their heads with abundant wisdom and knowledge and understanding. We pray that You will set newness in their hearts, new hopes, new visions of their opportunities. Grant insight to this assembly to the many, many possibilities that lie in their corporate power and influence to order the quality of life of the people of this state.

O God, we pray for the kind of state where children's welfare will be valued above industrialists'; where teachers of the young are treasured above financiers; where parks and playgrounds and care for the elderly are given the same priorities as roads and transportation.

Free us, O God, from lethargy, from paradigm paralysis that binds us like ropes and stir us to action. Inspire all of us to love mercy, to act justly, and to live in humility with one another. Help us, O God, to find ways to become unified, despite our diversity, that the slogan on our currency *e pluribus unum* may become a reality.

And we ask it in the name of Jesus the Christ, and every heart present say, Amen.

The following Members were recorded present:

Session Vote Sequence: 1

The Chair	Allen	Argenziano	Attkisson
Alexander	Andrews	Arza	Atwater

Ausley	Diaz-Balart	Jordan	Paul
Baker	Dockery	Joyner	Peterman
Ball	Farkas	Justice	Pickens
Barreiro	Fasano	Kallinger	Prieguez
Baxley	Fields	Kendrick	Rich
Bean	Fiorentino	Kilmer	Richardson
Bendross-Mindingall	Flanagan	Kosmas	Ritter
Bennett	Frankel	Kottkamp	Romeo
Bense	Gannon	Kravitz	Ross
Benson	Garcia	Kyle	Rubio
Berfield	Gardiner	Lacasa	Russell
Betancourt	Gelber	Lee	Ryan
Billirakis	Gibson	Lerner	Seiler
Bowen	Goodlette	Littlefield	Simmons
Brown	Gottlieb	Lynn	Siplin
Brummer	Green	Machek	Slosberg
Brutus	Greenstein	Mack	Smith
Bucher	Haridopolos	Mahon	Sobel
Bullard	Harper	Mayfield	Sorensen
Byrd	Harrell	Maygarden	Spratt
Cantens	Harrington	McGriff	Stansel
Carassas	Hart	Meadows	Trovillion
Clarke	Henriquez	Mealor	Wallace
Crow	Heyman	Melvin	Waters
Cusack	Hogan	Miller	Weissman
Davis	Holloway	Murman	Wiles
Detert	Jennings	Needelman	Wilson
Diaz de la Portilla	Johnson	Negron	Wishner

A quorum was present.

## Pledge

The Members pledged allegiance to the Flag, led by Howard Buck, Vice President and Legislative Chairman, Chapter 58, Retired Enlisted Association and Executive Board Member of the Hillsborough County Veterans Council; Michael J. White, State Commander of the Veterans of Foreign Wars; Clayton E. Russell, District 2 Commander of the Veterans of Foreign Wars; William R. Kirsop, State Adjutant/Quartermaster of the Veterans of Foreign Wars; Omer Smith, State Commander of the American Legion; Jere Moore, Florida Council of Chapters for the Retired Officers Association; Billy Cypress, Color Guard Member and Seminole Tribe of Florida Inc.; Timmy Johns, Color Guard Member and Seminole Tribe of Florida Inc.; Dick Giese, State Department Commander Disabled American Veterans; Charley Price,

Vietnam Veterans of America; Tony Carlidge, Vietnam Veterans of Florida Inc. State Coalition; Ken Gainey, Vietnam Veterans of Florida Inc. State Coalition; Mary Pitts, Vietnam Veterans of Florida Inc. State Coalition; John E. Schmidt, Jr., Air Force Association; Chuck Sterchele, President, Central Florida Veterans Association; Earnest Black, Disabled American Veterans; Curtis Craig, Disabled American Veterans; and Morris Shelkofsky, Disabled American Veterans.

### House Physician

The Speaker introduced Dr. Stefan Kiedrowski of Tallahassee, who served in the Clinic today upon invitation of Rep. Ausley.

### Correction of the *Journal*

The *Journal* of December 12, 2000, Special Session "A," was corrected and approved as corrected.

### Presentation of Former Republican Leaders

The Speaker presented the following former Republican Leaders who were present today at his invitation: the Honorable William C. Cramer, the Honorable Jim K. Tillman, the Honorable S. Curtis "Curt" Kiser, the Honorable Ronald R. "Ron" Richmond, the Honorable R. Dale Patchett, and the Honorable Sandra Barringer Mortham.

Rep. Bense introduced the former Republican Leader and former U.S. Congressman, William C. Cramer.

### Presentation of Former Speakers

The Speaker presented the following former Speakers who were present today at his invitation: the Honorable Doyle E. Conner, the Honorable Donald L. Tucker, the Honorable Ralph Haben, Jr., the Honorable H. Lee Moffitt, the Honorable James Harold Thompson, the Honorable T. K. Wetherell, and the Honorable John Thrasher. Subsequently, the Speaker presented the Honorable Daniel Webster.

### Presentation of Guests

The Speaker introduced Republican Party Chairman, Al Cardenas, the Mayor from the City of Jacksonville, Mayor Delaney, Judge Belvin Perry, Judge Bob Evans, twin nieces, Sarah and Suzanne, his father, Tom Feeney, and wife Ellen Feeney.

### Motion

On motion by Rep. Byrd, the privilege of the floor was granted to Reverend John Meadows, father of Rep. Meadows. Reverend John Meadows was 100 years old yesterday, March 5. He lives with his son, Rep. Meadows, in Lauderhill. He has raised three children and four grandchildren. He plans to celebrate his seventy-first pastoral anniversary of the Mt. Zion Missionary Baptist Church, of Fort Pierce, in July.

### Communications

Governor Jeb Bush advised that he desired to address the Legislature in Joint Session today.

### Certificate of Judicial Manpower

The following Certificate of Judicial Manpower was received:

No. SC01-331

In Re: CERTIFICATION OF NEED FOR  
ADDITIONAL JUDGES

[February 23, 2001]

WELLS, C.J.

Article V, section 9 of the Florida Constitution vests the Supreme Court of Florida with the responsibility for determining the need for increasing or decreasing the number of judges in the state courts. Pursuant to this authority, we have considered judgeship requests

submitted by the lower courts, examined data concerning case filings and dispositions, and analyzed various judicial workload indicators. Based on our review, we conclude that there is a need for forty-four new judges in the trial courts and that there is no necessity for a change in the number of judges in the district courts of appeal.

The basic functions of the court—peacefully resolving disputes, upholding and interpreting the law, and protecting rights and liberties—are constitutional duties owed to the people of Florida under article V of the Florida Constitution. Adequate judges and additional court resources are essential in order for the courts to fulfill their essential functions. If there are not sufficient judges, supplemental resources, and court services to keep pace with the workload, it is the people seeking redress through the courts who are harmed because they are deprived of an opportunity to have their cases carefully decided in a timely manner.

The certification process is the mechanism that our constitution establishes for the systematic, uniform assessment of the judgeship needs of Florida's courts. Section 9 of article V requires the Supreme Court to submit findings and recommendations to the Legislature regarding the need for increasing or decreasing the number of judges and for redefining the jurisdictional boundaries of the appellate and circuit courts. The Legislature may accept or reject the certification recommendations in whole or in part. Certification is not a statement of what the Supreme Court wants; it is an analytical report of what the county, circuit, and district courts need in order to efficiently and effectively dispose of the cases brought before them. This determination of need is made absent fiscal concerns, which is within the purview of the Legislature.

### *District Courts of Appeal*

Florida Rule of Judicial Administration 2.035(b)(2) sets forth the criteria for certifying the need for additional judges in the district courts of appeal. Based on these criteria, we do not certify the need for any additional district court judges or the necessity for a reduction in the current number of judicial positions. The number of judges in the district courts of appeal has remained constant since 1993, except for one additional judgeship that was added to the Fifth District Court of Appeal in 1999. The district courts did not request any additional judges this year.

Our data indicates that although our intermediate appellate courts are operating at close to capacity, they have continued to function effectively through the adoption of innovative case processing methods, strong staff support and law clerk assistance, and diligent case management. The creative use of technology has also significantly enhanced their efforts to operate efficiently. We support the conscientious commitment of our district judges to improve court operations, and we urge the Legislature to continue to provide funding for the district courts so that they can perform at an optimum level.

### *Trial Courts*

The quantitatively based criteria for certifying the need for judicial positions in the trial courts, which provided the foundation for the certification process until last year, are articulated in Florida Rule of Judicial Administration 2.035(1). These criteria were modified in response to a request from the Florida Legislature in proviso language of the 1998 General Appropriations Act that we employ a certification methodology which relies on case weights and calculations of available judge time to determine the need for additional trial judges. Pursuant to this request, we conducted an extensive development project to design and implement a weighted caseload system with the assistance of the National Center for State Courts and the active participation and advice of the Office of Program Policy Analysis and Government Accountability. The report of the Delphi Policy Committee was issued on February 1, 1999, and on February 29, 2000, we certified the need for forty-three additional trial judges based on calculations using the new Delphi method. See In re Certification of the Need for Additional Judges, 755 So. 2d 79 (Fla. 2000). That certification was not funded.

This year, the Court again relies on the results of the Delphi-based caseload weighting system and hereby certifies the need for forty-four

additional trial court judgeships. Thirty of these are circuit court judgeships from fourteen judicial circuits, and fourteen are county court judgeships from eleven counties. The judgeships are allocated in the chart below.

Circuit Court	Judgeships Requested	Judgeships Certified	County Court	Judgeships Requested	Judgeships Certified
First	1	1	Okaloosa	1	1
Second	2	1			
Third	1	0	Columbia	1	0
Fourth	2	2	Duval	2	2
Fifth	3	2	Lake	1	0
			Marion	1	0
Sixth	2	2	Pasco	1	1
			Pinellas	1	1
Seventh	2	1			
Eighth	0	0			
Ninth	5	3	Orange	2	1
Tenth	3	2	Polk	1	1
Eleventh	3	3	Dade	1	0
Twelfth	0	0	Sarasota	1	1
Thirteenth	2	2	Hillsborough	2	2
Fourteenth	0	0			
Fifteenth	3	2	Palm Beach	2	0
Sixteenth	0	0			
Seventeenth	5	5	Broward	2	2
Eighteenth	4	2	Brevard	2	1
Nineteenth	0	0			
Twentieth	2	2	Collier	1	0
			Lee	1	1
Totals	40	30	Totals	23	14

The forty-four judgeships were calculated based upon the guidance enumerated in last year's opinion. We have applied the Delphi "reasonable caseload" standard developed by the Delphi Policy Committee in all case types except for dissolution, drug, eviction, and civil traffic infraction cases. In our view, these four case types still warrant additional study to merit the increase in case weights recommended by the Delphi Policy Committee. We also adjusted for differing jury trial rates in each circuit and county court. This adjustment was based upon readily available data and more accurately reflects the actual time spent in trial on average by Florida's trial court judges. As in the past, we considered the use and availability of county judges who routinely assist in handling important and time-sensitive circuit court matters. Finally, we have not certified more judgeships than were requested by each circuit court.

We continue to have confidence in the Delphi methodology<sup>1</sup> suggested by the Florida Legislature as a means of improving the certification process. As we explained in last year's certification opinion, the Delphi system assigns weights in minutes to different case types based on an assessment of the average amount of judicial time required for each type of case. This case weighting system differs from the certification method used prior to the 2000 legislative session, which did not distinguish between case types even though the amount of judicial time and resources required to dispose of different kinds of cases varies significantly. The primary benefit of case weighting is that it measures the differential requirements of judicial workload in different types of cases. As a result, we find that the current certification methodology using the case weighting system offers a more accurate and fair means of determining the courts' judicial requirements.

It is important to note that these case weights include the existing mix of supplemental resources in the trial courts, including senior judges, general masters and hearing officers, trial court staff attorneys, alternative dispute resolution, and case management support. These resources are vital to the continued operating effectiveness of Florida's trial courts. Failure to maintain supplemental resources at existing levels or to transfer appropriate resources to state funding from the counties under article V, section 14, as revised in 1998 (revision 7), mandates will result in an increased need for additional judges.

The Court has always been cautious in its approach to certifying the need for additional judges. This year is no exception. The aforementioned adjustments, which we adopted last year with the institution of Delphi methodology, are conservative and result in far fewer additional judgeships certified than a strict statistical application of the Delphi results might warrant. We have been conservative in our certification this year because of several factors. First, this is only the second year of applying Delphi methodology, and it is the first year it has been applied from the beginning of the annual certification process. As a result, we do not yet have an historical perspective from which to monitor the accuracy of our forecasts. In short, we believe that a new methodology warrants conservative application. Also, significant short-term increases and decreases were noted in select case types with higher weights such as capital cases and serious violent crimes. Presumably these can have a disparate impact on judicial need over the short term that will not be reflected in a long-term trend. For these reasons, significant short-term increases in judicial workloads were discounted at this time. Finally, almost half of these significant changes from last year were noted in juvenile dependency cases, a division being studied by the Children's Court Improvement Committee, where significant resources are being allocated, and where pilot projects have been initiated to address workload needs. These issues are being studied further, but until results are available, we choose to err on the side of caution and certify fewer judgeships than the raw numbers warrant.

Although forty-four trial court judgeships are a substantially higher number than in many previous years, it is a one-time adjustment that is the result of the transition from a caseload-based system to a workload-based system using Delphi methodology. Over the past twenty years, since the inception of the original caseload-based system, anecdotal evidence and experience have suggested that judicial workload continues to increase. This assumption was validated by the Delphi-based case weighting analysis. Judicial time that must be spent on each case differs depending on case type and frequently increases as the law becomes substantively and procedurally more complex. Consequently, an accurate measure of judicial workload must include an assessment of judge time required in individual cases and must differentiate between types of cases.

The caseload-based system used prior to last year did not address these factors; however, the case-weighting system that is the basis of our 2000-01 certification opinion does. The forty-four judgeships certified in this opinion mirror last year's certification of forty-three judgeships. If the 2000-01 certification had been funded, it is likely that the trial courts would not have required the judges we certify this year.

As suggested above, changes in the law continue to have workload implications for the courts. New legal requirements that are the result of statutory changes impact judicial caseloads by increasing not only the number of cases before the courts but the amount of time judges must spend on individual cases. This occurrence is illustrated by recent trends experienced in our dependency divisions. The revision of chapter 39 in 1997 and 1998 and the passage of the Kayla McKean Act in 1998 have resulted in a dramatic increase in the workload of our dependency system in the past three years. Our SRS data reveals that dependency case filings in response to these statutory changes increased approximately eighty-four percent between July 1997 and December 1999. Although all of the calendar year 2000 data is not yet available, the high volume of dependency case filings appears to have continued for most of that year.

Furthermore, the revisions to chapter 39 have dramatically impacted judicial workload in our dependency court divisions, both in the numbers of judicial hearings required and the length of time needed to properly conduct those proceedings. Specifically, the new statute expands statutory requirements for findings of fact at early stages of the proceedings and mandates more interim judicial reviews prior to the disposition of a case and subsequent to placement decisions. In addition, mandatory judicial reviews are no longer limited to children in foster care placement; they are also required for children placed in the home of their parents or with relatives under protective supervision of the Department of Children and Families. Additional participants such as foster parents have a right to be heard, thus lengthening the amount of

time required for each hearing. The increased availability of treatment programs and the courts' ordering of additional child protection interventions have increased the number of individuals providing testimony at judicial reviews. Finally, the "one year to permanency" mandate of the federal Adoptions and Safe Families Act requires more rigorous judicial review and more frequent judicial hearings. The result of these additional requirements is a substantial increase in the amount of judicial time and court resources necessary to handle the dependency caseload.

The significant increase in workload for juvenile dependency cases experienced over the last two years is forecast to continue. We reiterate our concern that our dependency divisions have the judicial and support resources necessary to adequately address the needs of dependent children. It is essential that our chief judges ensure sufficient allocation of judicial resources to our juvenile divisions when making division assignments. In addition, both the courts and the Legislature should review the results of the Dependency Pilot Projects currently operating in the Fifth, Tenth, and Seventeenth circuits and the ongoing work of the Dependency Court Improvement Program in order to examine the feasibility of further supplementing judicial resources with hearing officers, case managers, technology, and other court resources so that dependency matters can receive effective and timely judicial oversight and resolution.

The courts will continue to energetically examine court functions, processes, and performance in order to implement strategies to ensure that the judicial system is functioning with optimum efficiency and effectiveness and to reduce the need for additional judicial personnel. At present, the number of these activities underway throughout the courts system is unprecedented. Numerous court committees have been created to look at particular court operations, including the Children's Court Improvement Committee, the Family Courts Steering Committee, the Jury Innovations Commission, the Judicial Management Council, and the Trial Court Budget Commission. The Children's Court Improvement Committee is responsible for conducting both the Dependency Court Improvement Project and the Delinquency Court Improvement Project, and a delinquency court assessment is currently underway. The Family Courts Steering Committee has just completed an assessment of the family court process, is now conducting the Child Support Process Improvement Initiative, and has issued its report and recommendations for implementation of the Model Family Court, which is now the subject of pilot testing in several circuits. The Jury Innovations Commission is finalizing its report, and the Judicial Management Council is overseeing the work of both the Committee on Trial Court Performance and Accountability and the Committee on District Court of Appeal Performance and Accountability in determining how best to account for performance in the court setting. Finally, the Trial Court Budget Commission is working diligently to develop funding and budget guidance that will enable the trial courts to efficiently complete the transition to state funding as mandated by the recent revision to article V.

The courts have made great efforts to identify additional uses of technology in order to maximize efficient court operations. New initiatives include a focus on standardization of court data, implementation of case management systems, and the creation of a statewide court network. This latter innovation will enable judges and other court employees to communicate more effectively, provide access to legal research and other electronic resources, and allow for video teleconferencing capability. Further advances in technology are likewise being adopted by various jurisdictions to decrease cost and increase case processing efficiency.

Although the judicial branch already relies on supplemental resources to assist the trial court judiciary in performing their constitutional duties, we will continue to study the use of additional support to enhance court functions. The current level of supplemental support is factored into the case weights used in this year's forecasts. For example, nineteen of twenty judicial circuits use general masters or hearing officers in more than one division of court. Mediation is utilized in more than 100,000 cases per year. Trial court staff attorneys in every circuit enhance the effective processing of cases. We will explore the further use

of supplemental judicial resources such as hearing officers and masters, trial court staff attorneys, alternative dispute resolution, technology, and case management in order to maximize the efficient use of judges and enhance the quality of judicial decision-making. To that end, we will ask representatives of the Trial Court Budget Commission, the Court Statistics and Workload Committee, and the Committee on Trial Court Performance and Accountability, as well as our other committees, to recommend ways that the expanded use of these essential resources can further enhance the efficient use of judge time.

After reviewing the requests of the trial courts for forty additional circuit judges and twenty-three additional county judges in light of the foregoing considerations, we find it necessary to certify the need for thirty new circuit judges for the 2001-02 fiscal year as follows: five additional circuit judges for the Seventeenth Circuit; three additional circuit judges each for the Ninth and Eleventh circuits; two additional circuit judges each for the Fourth, Fifth, Sixth, Tenth, Thirteenth, Fifteenth, Eighteenth, and Twentieth circuits; and one additional circuit judge each for the First, Second, and Seventh circuits.

We also find it necessary to certify the need for fourteen new county court judges for fiscal year 2001-02 as follows: two additional county court judges each for Duval, Hillsborough, and Broward Counties, and one additional county court judge for Okaloosa, Pasco, Pinellas, Orange, Polk, Sarasota, Brevard, and Lee Counties.

We also urge the Legislature to support the funding requests for the courts, particularly with regard to those budget issues that will directly impact the efficient and effective use of judge time and court resources. Specifically, we emphasize the importance of additional trial court law clerks, who can significantly increase the productivity of the judges in the trial courts. In addition, we have requested an increase in funding for additional senior judge days, which will supplement and expand our available judges.

As we have discussed in this opinion, this certification is the result of a conservative application of our data findings, which have been based on weighted caseload methodology developed at the urging of the Legislature. It would be beneficial to the certification process for the Legislature to communicate with the Court regarding its continued commitment to the Delphi methodology. We have concluded that case weighting, as we have implemented it, does provide an improved method for determining judicial need and an objective criterion for evaluation of the need for additional judges. We recognize that the Legislature is the ultimate user of this methodology by its decision in respect to the needs certified. In view of the absence of funding for the 2000-01 certification, it would be beneficial for us to know if there is a continued legislative commitment to this methodology or if we need to address any concerns about the implementation of the methodology.

Full funding of the requests certified in this opinion is absolutely essential if Florida's courts are to fulfill their constitutional mandate to resolve cases in a fair, impartial, and timely manner. Therefore, this Court encourages the Florida Legislature to authorize the judgeships certified herein, effective October 1, 2001.

It is so ordered.

HARDING, ANSTEAD, PARIENTE, LEWIS and QUINCE, JJ., concur.  
SHAW, J., concurs in result only.

Original Proceeding - Certification Of Need For Additional Judges

<sup>1</sup>We do, though, continue with our same concerns, expressed in last year's opinion, as to the underweighting for juvenile divisions. In re Certification of Need, 755 So. 2d at 81. We are steadfast in our belief that the judicial branch, together with the executive and legislative branches, must give priority to children.

## Introduction of House Concurrent Resolution

On motion by Rep. Byrd, the rules were waived for introduction and consideration of a concurrent resolution.

By Representative Byrd—

**HCR 1-Orig.**—A concurrent resolution providing that the House of Representatives and Senate convene in Joint Session for the purpose of receiving a message from the Governor.

WHEREAS, His Excellency, Governor Jeb Bush, has expressed a desire to address the Legislature in Joint Session, NOW, THEREFORE,

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

That the House of Representatives and the Senate convene in Joint Session in the Chamber of the House of Representatives at 11:00 a.m. this day, March 6, 2001, for the purpose of receiving the message of the Governor.

—was read the first time by title. On motion by Rep. Byrd, the rules were waived and the concurrent resolution was read the second time by title and adopted. Under the rule, the concurrent resolution was immediately certified to the Senate.

#### Committee from the Senate

A committee from the Senate consisting of Senators Pruitt, Miller, Sanderson, Villalobos, and Wasserman Schultz advanced to the well and announced that the Senate was convened and ready to transact business.

#### Remarks of the Speaker

**Speaker Feeney:** Ladies and gentlemen, while we wait for the Joint Session, I thought I'd share with you a few thoughts on what we're about to get into. And I want to welcome everybody here to the 103rd Regular Session. I'm glad that you're here today.

It's springtime in Tallahassee. It's Opening Day and hope springs eternal. Everybody here has an idea or a bill or a proposal, and all of them are still alive. Of course, at this time of the year, the Chicago Cubs and Philadelphia Phillies are tied for first place, also. [laughter]

Last November, the voters elected 63 brand-new freshman legislators and we're excited to have all of you here today. I feel passionately that drawing on the energy and enthusiasm of our new Members, and the experience and wisdom of our senior Members, that we're going to have a dynamic House and a very successful two years, and especially this next 60 days.

The last time we got together in this Chamber, obviously, it was a moment of very historic and unprecedented importance. It was a huge challenge for all of us. I can't tell you how enormously proud I was of the way Members of the House stood up to the challenge. While pundits all across the country predicted all sorts of chaos and calamity in the Florida House of Representatives and in Florida, this House was a model of decorum and decency and restraint and respect. The arguments were intelligent on both sides of the issue and they made, I think, all current and former House Members proud. I'm proud of the way we performed for this institution and it was a model of democracy, in my view.

And I'll tell you that, in the next 60 days, we're going to work hard. We'll deal with contentious issues, although, hopefully, none quite as contentious or partisan as that one. We're going to have fun while we work. And if you are ever in need of some good humor and relaxation, come on up to the Speaker's Office—24 hours a day—we're going to be showing reruns of the "Fasano and Frankel Show" on the 4th floor. [laughter] I know we'll all get a kick out of it, Representative Frankel.

Now it's time that we bring the same sort of passion, and yet, deliberate and reserved respect for one another and the institution to the real business of the people of Florida in the next 60 days. The reality is that the year 2001 is going to be the most challenging budget year that we've seen in a long time. Representative Lacasa can tell you a little bit about what's in store. And as we read commentaries from observers of the legislative process and the budget and where we're going, it would be easy to get depressed. But I want to remind you of the great Winston

Churchill's suggestion: Do not argue for the difficulties, the difficulties will argue for themselves.

So, let's follow Churchill's advice; let's pay attention to the opportunities along with the challenges, and look at the end result, not just the difficulties we're going to encounter along the way. We should recognize our fiscal limitations and use the challenge of this year to come up with constructive ideas on how to develop public policy which will benefit Floridians for years to come.

Our circumstances are, indeed, going to be challenging but they're far from bleak. In the first place, please recognize that spending in the State of Florida will be going up and not down. Our state will spend 2.3 billion dollars, approximately, more than it did last year. It's a growth rate of 4.5 percent, which is greater than the rate of inflation. Most of the spending will be in the areas of health care and education, which are the most important to most of our constituents.

And most of the cuts you've heard about are really cuts in the rate of growth, and not actual cuts. Which doesn't mean they won't be difficult or challenging, and doesn't mean there won't be pain. But it's something we ought to keep in perspective.

Our challenges in this House are not all about money. Simply spending more money alone rarely alleviates human misery or resolves social ills. As President Reagan reminded us, as he reflected on the Great Society of the 1960s, "We declared war on poverty, and poverty won."

As we prepare to spend 43 billion dollars on behalf of the taxpayers in the State of Florida, we should look at every new proposed program and every existing program, and remember the law of unintended consequences. All too often, well-intentioned legislative actions will have unanticipated, adverse consequences that overwhelm the positive intended impacts. It's enough to beat the arrogance of any elected official. And, if you stay here long enough, it's enough to curl your hair. [laughter]

Recognizing the law of unintended consequences is one of the core principles of a good conservative government. What more could a conservative expect from his government besides respect for the people's choices, the people's money, respect for the law of supply and demand, and respect for the law of unintended consequences? In fact, those are pretty good principles for any liberal government, as well. I'm convinced that if we can adhere to these simple principles, as we establish public policy, the House of Representatives can achieve great things for the people of Florida and we can do ourselves and our state proud.

I'd like to move us in the direction of a civil society, where a limited government promotes individual freedom, but also erects a safety net to protect Florida's most vulnerable and needy; a civil society that creates the conditions to assure growth and opportunity in the Sunshine State for decades to come.

We will work with President McKay to help families and communities care for children with learning disabilities, to care for the homeless, to care for Florida's senior citizens. We will fight to preserve basic health care for poor children and for prescription drug assistance for Florida's low-income seniors.

I'm proud to say that on education, this House, this Legislature, has stepped up to the plate in a serious way in the last few years. Florida already spends about 20 percent of the dollars for new school construction, which is twice the national average on what states spend. In 1997, we put an additional 3 billion dollars into school construction. One point two billion dollars of that money is still available today. And when we did that, we required school districts to spend that money in a reasonable way, to stop abuse, fraud, and in some places, the "Taj Mahal" model of school construction. In the last two years, we've also seen historic increases in funding for K-12 classroom, which includes over 1.6 billion dollars in new money in the last two years alone.

But, again, money alone does not educate children. Indeed, most studies show there's little, if any, correlation directly between spending more money and academic achievement. So we can't lull ourselves into a false comfort by just spending more money.

I'm proud that the A+ plan has changed the focus in education from just inputs—how much money we're spending—to outputs—what children are learning. And I'm proud that, while rich parents in Florida and nationally have always had choices about their education, the Florida House has led the way to provide some opportunities for middle-class and poor parents in under-performing schools, or perhaps, this year, in overcrowded schools. And, to prove that incentives work, last week saw a Harvard study showing that the main reason that Florida's "F" schools all improved last year was the "threat" of vouchers or opportunity scholarships. The message, I believe, is that accountability, choice, and competition will help promote a better educational environment.

We have a lot of tough issues on our plate this session. Nancy Argenziano and Carole Green are going to be fighting for elder care and nursing home reforms that will increase the quality of care for our most fragile seniors and reduce unnecessary litigation and insurance costs. Concurrently, serious abuse or neglect must be met with aggressive state enforcement and civil penalties against abusers of our seniors.

And there will always be important family issues. I'm delighted to tell you that Representative Cusack's bill will be one of the first to hit the floor this year—our bill on parental rights. [applause] Representative, we can all be proud of your leadership in helping build stronger families in the State of Florida.

I think another freshman that deserves early recognition for hard efforts and perseverance is Representative Joe Negron, whose work on parental empowerment in education is going to produce results this session, I believe.

Growth management presents an enormous challenge for all of us. We all agree that unfettered and unplanned growth can hurt the quality of life for every Floridian. But our school boards must be held accountable for planning school facilities, and local governments must prepare for measured, inevitable growth, as well. This has to be a balanced process and I'm confident that Representatives Dockery, Alexander, and Sorensen, among others, are going to do a great job in promoting balanced growth management alternatives for the future.

Energy deregulation is another area where accountability, choice, and competition can work. But only if we distinguish between punditry and reality. Deregulation does not mean closing down opportunities to add new energy sources, and it does not mean stopping new generation capacity. And it certainly doesn't mean hyper-overregulation of an essential industry to Florida's future. In other words, energy deregulation does not mean the California model, which is hurting today, badly, because they badly botched what they expected to be deregulation, and turned out to be the opposite. In essence, California violated every fundamental, basic rule of economics. If we do it right and proceed deliberately and carefully, with full respect for the laws of supply and demand, future generations of Florida families can have cheap and reliable energy sources to take care of, not only their families, but economic opportunities as well.

Another priority this year, I can guarantee you, will be election reform. Election reform must instill in every Floridian and every voter, the confidence that when the game is over, you can look up at the scoreboard and know the score. And know that the umpires were fair during the game. Representative Frankel and I are working together on legislation to lift the veil of secrecy behind those mysterious third-party organizations and their attack ads. These organizations will have to disclose who they are, who funded them, and how they spent their money. Representative Frankel, thank you for your effort on this and other issues. [applause]

And Governor Bush is leading the effort to establish ballots, machines, and procedures that are fair and accurate. The Florida House of Representatives, with help from Representatives Byrd, Goodlette, Smith, and Rubio, I assure you, will do its part to assure the integrity of the elections process.

But let's be honest and let's be candid. With the right to vote comes some voter responsibility. In an ideal world, voters would know

something about—not only about the candidates and the offices and the issues, but also would understand something of economics, civics, and American history. Along with reforming the electoral process, we should find ways to help Floridians deepen their understanding of what it means to be a citizen of our great republic, for that's what it will take to bequeath to our descendants the same democratic republic that is our great inheritance from our founders.

Making government more efficient and rewarding great state employees is a goal towards which we should work, and work closely with the Governor. In a new millennium, government doesn't have to stick with all of the old habits, but should reinvent itself regularly to meet new challenges.

The tax rate in America is the highest it's been since World War II. Last year, federal, state and local government spending consumed the first 12 weeks of every Floridian's income, or about 25 percent of the average Florida family's working year. Florida families have to work until May 7th this year just to pay their taxes. Only the rest of the year will they get to work so that they can fund their own family priorities. Because it's the moral thing to do to advance freedom, because it will help small businesses and families in their pocketbooks, and because it can help spur economic growth and job opportunities, we should, whenever we can, cut taxes, starting with meeting our promises in the past to seniors and savers with phasing out the intangibles tax. [applause]

I've spoken to all of you, I think, over time, about my passion for individual choices and individual freedom. But meaningful choice and freedom is not just in choice of schools, and meaningful freedom does not just mean reducing taxes. It means equal access and equal opportunity to all Americans. Representative Wilson, as I told you last week, I'm prepared to join you at any public establishment in Florida, providing that you allow me to purchase the first round of refreshments. [applause] Thank you very much. We're colleagues here. We have our political differences, but we stick up for one another and for the rights and freedoms of all Floridians. And this is an important challenge that we will be dealing with on this and other issues. Thank you, Representative Wilson.

While we serve here in this great House, we not only have to serve with dignity and respect for one another, but also for the institution itself. This House, I want you to know, is the great heart and soul of democracy in our state.

When we passed a constitutional revision to protect the death penalty and 73 percent of Florida's voters agreed with us; when we voted to require 13-year-olds to advise their parents or guardian before they have an invasive operation; when we balanced the competing interests of 16 million Floridians and put together civil litigation reform; and when we passed legislation to reduce the average stay of convicted death row inmates from 15 years to 7, and the number of appeals from 12 to 3, maybe we were wrong. Maybe they weren't great policies. Maybe they were unwise, or even foolish. But if we violate the express provisions of either the U.S. Constitution, or the Florida Constitution, there's a remedy for that—the Supreme Court can rule our law unconstitutional. And, if our actions are unwise or foolish, the remedy is that every two years we stand for election and the voters can toss us out.

During the ratification debate of the United States Constitution, the great James Madison, who was probably the deepest and most thoughtful student of constitutional government in America, was charged by critics that the legislature, actually the Congress, would be too powerful, too strong, and that the mob may rule if the founders weren't careful. And he responded this way: "Gentlemen, suppose that the General Legislature will do everything mischievous they possibly can, and that they will omit to do everything good which they are authorized to do. If this were a reasonable supposition, their objections would be good. I consider it reasonable to conclude that they will be as readily to do their duty as to deviate from it. But I go on this great republican principle: that the people will have virtue and intelligence to select men of virtue and wisdom. Is there no virtue among us? If there be not, we are in a wretched situation. No theoretical checks, no form of government can render us secure. To suppose that any form of

government will secure liberty or happiness, without any virtue in the people, is a chimerical idea.”

Forty years later, Thomas Jefferson, reflecting on what the founding fathers had given us, said this, “At the establishment of our Constitution, the judicial bodies were supposed to be the most helpless and harmless members of our government. Experience, however, soon showed in what way they were to become the most dangerous. . . sapping, by little and little, the foundations of the Constitution. . . .”

And roughly 40 years after that, in response to the Dred Scott Decision, Abraham Lincoln said, “If the policy of government upon vital questions affecting the whole people is to be irrevocably fixed by the Supreme Court. . . the people will have ceased to be their own rulers, having to that extent, practically resigned their government into the hands of that eminent tribunal.”

Nobody in this body believes that the Judiciary should not be independent from coercion, either by the Executive Branch or the Legislature, over their individual decisions. But if you truly believe in democracy, then I believe that you have to defend the proposition that the Legislature should legislate, and that policy should be erected here on behalf of the people through their democratically elected representatives. This House, in my view, should defend those democratic traditions. [applause]

Let me close, if I can, by reminding you as we begin this great session, that I know all 120 of us have a great two years of legislating in front of us. So I share with you, and especially the newer Members, the advice of several prior leaders, going way back to the United States Senate Chaplain in the 1800s, a man named Edward Hale. Reverend Hale was once asked, “Do you pray for the Senators, Reverend Hale?” To which he replied, “No, I look at the Senators and pray for the country.” Members, you’ll get used to dealing with our Florida Senators as we go through the process as well.

The great Speaker of the United States House, Sam Rayburn, every two years when he addressed freshmen, had the same advice to give. And here’s what it was: “Don’t try to go too fast. Learn your job. Don’t ever talk until you know what you’re talking about. . . if you want to get along, go along.”

And finally, a piece of advice given to me when I was a freshman by a great Floridian, Governor Lawton Chiles, who, in his lifetime of 40 years of public service, never lost an election, you can trust me on that fact, [laughter] gave this advice to my freshman class before we began our first session: “When you go home, always tell them how you voted, but never tell them why you voted how you voted. How you voted will never change as you look back in the future years. But why you voted how you voted just might.”

So with that, ladies and gentlemen, I’m proud to be your Leader. I’m proud to be here. I’m proud of each and every one of you. Thank you very much. [applause]

**Committee to the Senate**

On motion by Rep. Negrón, the Speaker appointed Reps. Negrón, Benson, Clarke, Ross, Diaz-Balart, Paul, Justice, Richardson, Bucher, and Meadows as a committee to notify the Senate that the House was convened and ready to transact business. The committee was excused to perform its assignment.

**Reports of Councils and Standing Committees**

**Report of the Procedural & Redistricting Council**

*The Honorable Tom Feeney*  
*Speaker, House of Representatives*

March 5, 2001

Dear Mr. Speaker:

Your Procedural & Redistricting Council herewith submits the following Special Rule report:

- I. Special Rule 01-01 applies to the following:  
CS/CS/HB 273—Election Code/Reporting Requirements (Structured)  
CS/HB 275—Public Records/Campaign Treasurer (Structured)
- II. Special Rule 01-02 applies to bills identified by the Procedural & Redistricting Council as the Open Government Sunset Review package. A closed rule will be in effect for the following bills:  
HB 383—Bank Account Numbers/Records Exempt.  
HB 385—Municipal Utilities/Records  
HB 387—Sports-Related Industries/Records  
HB 389—Public Records/Economic Development  
HB 391—Public Records/Tax Refund Programs  
HB 393—Public Records/Marketing Projects  
HB 395—Public Records/Airport Security Plan  
HB 397—Public Records/Toll Facility Charges  
HB 399—Public Record/Emergency “911” Number  
HB 401—Public Records/Health Care Community  
HB 403—Public Record/Pawnbroker Transaction  
HB 405—Public Records/Surplus Lines Ins.  
HB 407—Public Records/Univ. Health Services
- III. Special Rule 01-03 applies to the following:  
CS/HB 271—Corporate Income Tax
- IV. Special Rule 01-04 applies to the following:  
HB 21—Intangible Personal Property Taxes

A quorum of the Council was present in person, and two-thirds of those present agreed to the above Report.

Respectfully submitted,  
*Johnnie B. Byrd, Jr.*  
Chair

**Special Rule 01-01**

*Bill(s): CS/HB 273 and CS/HB 275 by the Committee on Rules, Ethics, & Elections and Representatives Ross & Goodlette*

Summary: The Special Rule covers CS/HB 273 and CS/HB 275, or any subsequent versions of these bills as reported by committee or council. The Special Rule covers consideration of the bills on both second and third readings.

*Floor Leaders:*

- Rep. Byrd for the Majority Party
- Rep. Frankel for the Minority Party

*Questions and Debate:*

2<sup>nd</sup> Reading

During second reading, up to a total of sixty minutes shall be allocated for the sponsor(s) to explain the bills and answer questions. From this time, the sponsor(s) shall be allowed ten minutes to explain the bills. Rep. Byrd and Rep. Frankel will each be allocated twenty five minutes for the purpose of questions, and may yield their time to other Members. All questions and answers will count against the time of the floor leader who yields to the questioner.

3<sup>rd</sup> Reading

During third readings, up to a total of sixty minutes shall be allocated for debate. From this allotted time, the sponsor(s) will have five minutes to open and five minutes to close. Rep. Byrd and Rep. Frankel will each be allocated twenty five minutes for the purpose of debate, and may yield their time to other Members.

During each reading, CS/HB 273 will be considered first followed by CS/HB 275. The times allocated are for consideration of both bills, not each bill.

*All recognitions must go through the Speaker.*

No Member may be recognized for any purpose unless a floor leader yields time to that Member.

Amendments: \_\_\_\_\_ Open  
                   \_\_\_\_\_ X \_\_\_\_\_ Structured  
                   \_\_\_\_\_ Closed

Technical amendments may be offered in the name of the Procedural & Redistricting Council.

*Additional Conditions or Procedures:*

A structured rule shall be in effect. Only amendments approved for consideration by the Procedural & Redistricting Council or technical amendments offered in the name of the Procedural & Redistricting Council shall be in order. For every amendment approved and offered, during second reading, ten minutes will be added to the time allocated to each of the floor managers.

Motion adopted that the deadline for amendments to be delivered to the Procedural & Redistricting Council is 1:30 p.m. on March 6, 2001. The deadline for delivering amendments to the amendment or substitute amendments is 2:30 p.m. on March 6, 2001.

**Special Rule 01-02**

*Bill(s):* The Special Rule will cover the package identified by the Procedural & Redistricting Council as the Open Government Sunset Review including any or all of the following: HB 383, HB 385, HB 387, HB 389, HB 391, HB 393, HB 395, HB 397, HB 399, HB 401, HB 403, HB 405, HB 407. Any subsequent versions of these bills as reported by committee or council will be considered covered by this Special Rule.

Summary: The Special Rule will cover consideration of the bills on second and third readings.

Consideration on the Floor

*Floor Leaders:*

Rep. Brummer (or his designee) will introduce the discussion of the bills. The bills will be presented individually by the following Members (or other designees as determined by Rep. Brummer) as indicated:

HB 383, HB 385, HB 387, HB 389 - Rep. Brown

HB 391, HB 393, HB 395 - Rep. Kendrick

HB 397, HB 399, HB 401 - Rep. Harper

HB 403, HB 405, HB 407 - Rep. Macheek

*Questions and Debate:*

2<sup>nd</sup> Reading

During second reading, Rep. Brummer (or his designees) will have up to ten minutes to introduce the package. Each Member presenting a bill will have up to five minutes to explain that bill and answer questions on the bill.

3<sup>rd</sup> Reading

During third reading, up to three minutes shall be available for consideration of each bill.

*All recognitions must go through the Speaker.*

Amendments: \_\_\_\_\_ Open  
                   \_\_\_\_\_ Structured  
                   \_\_\_\_\_ X \_\_\_\_\_ Closed

A closed rule will be in effect.

Only technical amendments offered in the name of the Procedural & Redistricting Council shall be considered on the floor.

**Special Rule 01-03**

*Bill(s):* CS/HB 271 by the Council for Lifelong Learning and Representative Negron

Summary: The Special Rule covers CS/HB 271 or any subsequent versions of this bill as reported by committee or council. The Special

Rule covers consideration of the bill on both second and third readings, and includes a structured condition for consideration of amendments.

*Floor Leaders:*

Rep. Melvin for the proponents  
 Rep. Frankel for the opponents

*Questions and Debate:*

2<sup>nd</sup> Reading

During second reading, up to a total of 190 minutes shall be allocated for the sponsor(s) and the floor leaders to explain the bill and to ask and answer questions. From this time, the sponsor(s) shall be allowed up to ten minutes to explain the bill. The floor leaders will each be allocated 90 minutes of this time for the purpose of questions, and they may yield their time to other Members. All questions and answers will count against the time of the floor leader who yields to the questioner.

3<sup>rd</sup> Reading

During third readings, up to a total of 135 minutes shall be allocated for debate. From this allotted time, the sponsor(s) will have up to ten minutes to open and five minutes to close. The floor leaders will each be allocated 60 minutes of this time for the purpose of debate, and may yield their time to other Members.

During the time allotted to the floor leaders, no Member may be recognized for any purpose unless a floor leader yields time to that Member. It is the prerogative of the Speaker to alternatively recognize each floor leader for a set amount of time.

*All recognitions must go through the Speaker.*

Amendments: \_\_\_\_\_ Open  
                   \_\_\_\_\_ X \_\_\_\_\_ Structured  
                   \_\_\_\_\_ Closed

Only amendments approved for consideration by the Procedural & Redistricting Council shall be in order. No more than six amendments shall be approved for consideration. Time for consideration of an amendment shall be taken from the side that is sponsoring the amendment.

Motion adopted that the deadline for amendments to be delivered to the Procedural & Redistricting Council is 1:30 p.m. on March 6, 2001. The deadline for delivering amendments to the amendment or substitute amendments is 2:30 p.m. on March 6, 2001.

Technical amendments may be offered in the name of the Procedural & Redistricting Council.

**Special Rule 01-04**

*Bill(s):* HB 21 by Rep. Fasano and others - Intangible Personal Property Taxes

Summary: The Special Rule covers consideration of the bill on both second and third readings and includes a structured condition for consideration of amendments.

*Floor Leaders:*

Rep. Goodlette for the Majority Party  
 Rep. Frankel for the Minority Party

*Questions and Debate:*

2<sup>nd</sup> Reading

During second reading, up to a total of 130 minutes shall be allocated for the sponsor(s) and floor leaders to explain the bills and to ask and answer questions. From this time, the sponsor(s) shall be allowed ten minutes to explain the bills. The floor leaders will each be allocated 60 minutes for the purpose of questions, and may yield their time to other Members. All questions and answers will count against the time of the floor leader who yields to the questioner.

3<sup>rd</sup> Reading

During third reading, up to a total of 195 minutes shall be allocated for debate. From this allotted time, the sponsor(s) will have up to ten minutes to open and five minutes to close. The floor leaders will each be allocated 90 minutes for the purpose of debate, and may yield their time to other Members.

No Member may be recognized for any purpose unless a floor leader yields time to that Member. It is the prerogative of the Speaker to alternatively recognize each floor leader for an amount of time determined by the Speaker.

*All recognitions must go through the Speaker.*

Amendments:            \_\_\_\_\_ Open  
                                   \_\_\_\_\_ X    Structured  
                                   \_\_\_\_\_ Closed

Only amendments approved for consideration by the Procedural & Redistricting Council shall be in order. No more than four amendments shall be approved for consideration. Time for consideration of an amendment shall be taken from the side that is sponsoring the amendment.

Motion adopted that the deadline for amendments to be delivered to the Procedural & Redistricting Council is 1:30 p.m. on March 6, 2001. The deadline for delivering amendments to the amendment or substitute amendments is 2:30 p.m. on March 6, 2001.

Technical amendments may be offered in the name of the Procedural & Redistricting Council.

On motion by Rep. Byrd, the above report was adopted.

**Adjournment**

On motion by Rep. Byrd, the House adjourned at 10:49 a.m., upon the receiving of Reports, for the purpose of attending the Joint Session, holding committee and council meetings, and conducting other House business, to reconvene at 12:30 p.m., Wednesday, March 7, 2001.

**JOINT SESSION**

Pursuant to HCR 1-Org., the Members of the Senate, escorted by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, were seated in the Chamber. The President and President pro tempore joined the Speaker and Speaker pro tempore at the rostrum. The Secretary joined the Clerk at the front desk.

**Arrival of Lieutenant Governor and Cabinet**

The Honorable Frank Brogan, Lieutenant Governor; the Honorable Katherine Harris, Secretary of State; the Honorable Robert A. Butterworth, Attorney General; the Honorable Robert F. Milligan, Comptroller; the Honorable Tom Gallagher, Treasurer and Commissioner of Insurance; the Honorable Terry L. Rhodes, Commissioner of Agriculture; and the Honorable Charlie Crist, Commissioner of Education, constituting the Cabinet, were escorted into the Chamber by the Sergeant at Arms of the Senate and seated.

**Arrival of Supreme Court**

Chief Justice Charles T. Wells, Justice Leander J. Shaw, Jr., Justice Major B. Harding, Justice Harry Lee Anstead, Justice Barbara J. Pariente, Justice R. Fred Lewis, and Justice Peggy A. Quince, constituting the Supreme Court, were escorted into the Chamber by the Sergeant at Arms of the Senate and seated.

The Speaker presented the gavel to the Honorable John M. McKay, President of the Senate, asking him to preside over the Joint Session.

**THE PRESIDENT OF THE SENATE PRESIDING**

A quorum of the Joint Session was declared present.

**Prayer**

The following prayer was offered by the Reverend Frederick A. Buechner, Rector of All Saints Episcopal Church of Thomasville, Georgia.

Most gracious God, we humbly beseech Thee as for the people of the state of Florida in general. And so especially for their Senate and Legislature here assembled, that Thou wouldst be pleased to direct and prosper all their consultations to the advancement of Thy glory, the good of Thy church, and the safety, honor, and welfare of Thy people; that all things may be so ordered and settled by their endeavors upon the best and surest foundations; that peace and happiness, truth and justice, religion and piety may be established among us for all generations.

Grant to the Governor, Senators, Representatives, and all others in authority, wisdom and strength to know when to do Thy will. Fill them with the love of truth and righteousness and make them ever mindful of their calling to serve this people in Thy fear.

These and all other necessities for them and for us, we humbly beg in Thy name, Amen.

**Pledge**

The Members of the Joint Session, led by President McKay, Senator Peaden, and Representative Lerner, pledged allegiance to the Flag.

**Committee to the Governor**

On motion by Rep. Byrd, the Speaker appointed Reps. Brummer, Green, Harrell, Bennett, Berfield, Ritter, Jennings and Bullard, and on behalf of the President, appointed Senators Clary, Campbell, Cowin, Crist, Geller, Latvala, and Lawson as a joint committee to notify the Governor that the Legislature had assembled to receive his message. The committee retired to execute its responsibility.

The Joint Session stood at ease, awaiting the arrival of the Governor.

**Special Ceremony**

At the direction of the President, Faye Blanton, Secretary of the Senate, read the following proclamation:

**PROCLAMATION**

**Joint proclamation of the Florida Senate President and Speaker of the Florida House of Representatives, recognizing State Senator Ronald A. Silver as Dean of the Florida Legislature.**

WHEREAS, Ronald A. Silver was born in Cambridge, Massachusetts in 1943, and moved to Florida as a young man of 15 years of age, and

WHEREAS, after graduating from the University of Miami in 1965, Ronald A. Silver earned a law degree from the School of Law at the University of Miami in 1968, and

WHEREAS, prior to his election to the Florida Legislature, Ronald A. Silver built a notable career as an attorney, during which time he served as the Prosecuting Attorney for North Miami Beach from 1968 until 1972, as the Assistant Attorney for the City of Miami from 1972 until 1975, and as a Municipal Judge of Lauderdale Lakes from 1975 until 1977, and

WHEREAS, Ronald A. Silver was elected to the Florida House of Representatives in 1978, where he served the citizens of Miami with distinction, and

WHEREAS, during his distinguished tenure in the Florida House of Representatives, Ronald A. Silver served on numerous committees, received many awards, and served in many leadership positions, including as Chairman of the Dade County Legislative Delegation from 1982 until 1983, as the Majority Whip from 1984 until 1986, as the Majority Leader from 1986 until 1988, and as the House Floor Leader for the Governor from 1990 until 1992, and

WHEREAS, after serving with distinction in the Florida House of Representatives, Ronald A. Silver was elected by the people of Miami to the Florida Senate in 1992, and

WHEREAS, as a State Senator, he has continued to work with his fellow legislators to improve the lives of the people of this state through his passionate work with health and human services issues and his tireless efforts to ensure that Florida is a safe place to live and work, and

WHEREAS, because of his leadership and dedication to the people of Florida, Ronald A. Silver was elected as Minority Leader of the Florida Senate during the 1994 Session and served as Chairman of the Dade County Legislative Delegation from 1995 until 1996, and

WHEREAS, throughout his tenure in the Florida Legislature, Ronald A. Silver has brought humor, levity, and collegiality to the legislative process, yet he always remains a statesman, and

WHEREAS, Ronald A. Silver has been a friend, mentor, confidant, and teacher to countless speakers, presidents, leaders, chairmen, legislators, and staff, and

WHEREAS, having served in the Florida Legislature for 23 years, the longest tenure of any state legislator currently serving, Senator Ronald A. Silver has earned the designation of "Dean of the Florida Legislature," NOW, THEREFORE,

We, Senator John M. McKay, President of the Florida Senate, and Representative Tom Feeney, Speaker of the Florida House of Representatives, on behalf of the members of the entire Florida Legislature, do congratulate Senator Ronald A. Silver, Dean of the Florida Legislature, for his dedicated and distinguished service in the Legislature for the people of Florida, bestow upon him the title of Dean of the Florida Legislature, and recognize him for his extraordinary career in public service.

ADOPTED at the Joint Session of the Florida Legislature on March 6, 2001.

*s/John M. McKay*  
President of the Senate  
*s/Faye W. Blanton*  
Secretary of the Senate  
*s/Tom Feeney*  
Speaker of the House of Representatives  
*s/John B. Phelps*  
Clerk of the House of Representatives

### Presentation of the Governor

Upon announcement by the Senate Sergeant at Arms, the committee escorted Governor Bush to the rostrum.

President McKay introduced Columba Bush, wife of Governor Bush; Michelle McKay, wife of President McKay; Ellen Feeney, wife of Speaker Feeney; Mel Martinez, U.S. Secretary of Housing & Urban Development; and Secretaries of many of the agencies in Florida Government.

### Soloist

President McKay introduced violinist Lizbet Martinez, who performed in the Senate earlier today and who first performed for a joint session of the Legislature in March of 1995, just months after arriving in the United States from Cuba. Ms. Martinez and her family left their homeland by boat and were rescued by the United States Coast Guard. President McKay related that Ms. Martinez wanted to thank the Coast Guard and since she did not speak English she took up her violin and played the "Star-Spangled Banner." Ms. Martinez, now 18, is attending Florida International University and is studying music education. Ms. Martinez played a moving rendition of the "Star-Spangled Banner" for the members of the Legislature, visiting dignitaries and guests, who responded with applause.

President McKay presented the Honorable Jeb Bush, Governor, who addressed the Joint Session as follows:

### Governor's Address

Thank you very much. Mr. President, Mr. Speaker, Members of the Legislature, honored guests, and my fellow Floridians, good morning, or maybe now good afternoon, I am not quite sure. Good morning, still, to you all.

And before I begin my remarks, I want to do two things: One, I want to pay my respects to Lizbet; you are still as beautiful as you were when I first saw you, when you came to our country. Now you are a productive citizen of Florida and we are so proud of you. It just was wonderful to hear the National Anthem played. I would ask for a moment of prayer and reflection for the public servants that have lost their lives in doing their duty in our state over the last year, and most particularly the three National Guardsmen who died in the airplane crash along with the National Guardsman from Virginia. If we could just pause and reflect and pray please.

### Moment of Silence

Thank you, thank you very much.

I want to begin by saluting the new legislators who are here with us today. For many in this room, this is a day of long-awaited fulfillment. You and your families should be really proud of what you have accomplished. In some ways your journey ends today; in others, it is just a beginning.

Despite your justifiable pride, personal satisfaction shouldn't blind you to your greater purpose here. You should pause to consider the events that propelled you into public service.

Eight years ago, the people of Florida took to the polls and they changed our Constitution. Tired of the paralysis of government, sickened by the way special interests had inculcated themselves into the machinery of state, we said this: No politician should spend more than eight years in office. And in doing so, Floridians made room for the new legislators here today.

You should deeply consider and respect what Floridians were saying by making that choice. We were saying that new ideas are more important than experience. Experience is important but the advocacy of new ideas and new thinking in the 21st century, I believe, is more important, and the people of Florida understood that. We were saying that courage to act on them is more important than the perks of entrenched public service. And we were saying that you should never forget that it is the people, and not the process, whom you serve.

This class of freshman legislators is the first to carry forward that charge. This year, we'll have 62 new members of the Florida Legislature—well more than a third of the body. In two years, every single legislator will stand for re-election. Each of you here today, freshman and experienced legislator alike, is called upon to meet the challenges of a future that is rushing to meet us.

As I said, this is a day of fulfillment—and in that sense it's an ending—but it is also a day of new beginnings. For today, you have been given the power to change the face of Florida and, I believe, even the nation.

I believe in the next two years we can enact reforms that will serve Floridians for generations to come. We can achieve this if we set ambitious goals and pursue them with clear policies and a single-minded determination.

Many people will come to you, our freshman legislators, like they did to me when I got here two years ago, and they will tell you to slow down. You probably have already heard it; they will tell you to kill some time, and learn the system. But you should know this: If you take too long, time and the system will kill your ability to cause meaningful change.

People will tell you that two years is not enough time to gain experience and change things for the better. But I know, and many of the returning legislators in this Chamber know, what can be accomplished in just two years.

A little more than two years ago, I stood a few hundred feet from here under those beautiful oak trees in front of the old Capitol, I raised my hand and took the oath of office.

That day, I said that we needed to revolutionize the way we view public education, elevating children above bureaucracies. I said that we needed to be relentless in our drive to stop violent crime and to reduce drug abuse. I said we needed to cut taxes and give back to Floridians what was justifiably theirs. I said we needed to build a world-class business climate to bring to the state the high-wage jobs of tomorrow. I said we needed to protect the most vulnerable Floridians, the children, the frail elders, and the disabled. And I said we needed to bring opportunities to our cities, while protecting what is best about Florida's natural environment.

And what has happened as a result of setting these goals and working with a visionary Legislature? Because of the A+ plan, Florida leads the nation in innovation and improvement in education. Two years ago, there were 78 "F" schools in our state. Last year, there were only four. [applause] And this, too, is astonishing. Last year, more than 40 percent of Florida's schools were either "A" schools or improved at least one letter grade. These teachers and our students have earned our thanks and admiration.

Grades and test scores continue to climb, particularly among minorities, as students and teachers reap the benefits of a system that measures and rewards positive performance. Just a few weeks ago, a Harvard study concluded that Florida's system of accountable education is working, and working extraordinarily well.

While we should take heart in the statistics that show this systemic change that is taking place all across our state, we should not lose sight of the fact that the real change is occurring on a human scale, student by student. Is there any greater reward to give a child than the tools to prosper, in some cases, to salvage gifts that would otherwise be lost? There simply is not.

And let's look at how we've protected Floridians from violent crime. Many legislators in this room were instrumental in putting in place the 10-20-Life program, a law that imposed clear penalties for the use of a firearm in the commission of a crime. As a result, gun crimes dropped by an astonishing 20 percent in the first year following the law's enactment. In 1999, Florida experienced the largest drop in crime since 1971. [applause] With the help of men and women in law enforcement, we are reversing a trend that has ravaged Florida for decades. Let us give them thanks for their service, their dedicated service to our state. [applause] And, I might add, we should give thanks to the men and women that are in our drug treatment programs and our prevention programs, and the law enforcement officers that are fighting hard against the ravages of drug abuse as well, and we're seeing significant progress in that regard. And I would like to pay tribute to the First Lady of this state for her efforts in making sure people understand how important it is to see a 50 percent reduction in drug use over the next five years. Thank you, Columba. [applause]

And let us reward, not punish, Floridians for their thrift and success. In the past two years, the Legislature has made tax cuts now totaling more than 1.5 billion dollars, allowing a broad segment of our citizenry to keep more of what they earn and to spend it as they see fit. Six hundred and fifty thousand taxpayers enjoyed intangibles tax relief, and 3.7 million households, about 9 million people, saw property tax relief over the last two years. The burden of state taxes will be reduced to its lowest level in a decade because of your efforts over the last two years.

By showing fiscal restraint and advancing regulatory reform, we've also helped create a climate where businesses can prosper. Consider this extraordinary fact: For the year ending June 2000, one in nine new jobs and one in 12 new businesses in the nation were created here in Florida. That's an amazing statistic and is an example of why we are progressing as a state. Through the efforts and creativity of Floridians we are building a magnificent economic engine into this new century.

And you know what I'm particularly proud of? Working with the Florida Legislature over the last two years. With little fanfare, we have

elevated to the top of the priority list the interests of the most vulnerable and needy in this state. By the end of this fiscal year, 84 percent of the children that are eligible, the 1.5 million children that are eligible in Florida, will have health insurance; two years ago, that number was 55 percent. [applause] Now some would call that a Medicaid deficit, I call that good public policy. And we should be proud of the fact that we have gone from the back of the pack as it relates to Kid-Care insurance, to be able to provide affordable insurance for children and their families if they're Medicaid eligible. This is nothing to be ashamed about. This is good public policy and you all should be proud of it. [applause]

In two years, we have increased our financial commitment to the child welfare system by 313 million dollars or a 77 percent increase. That's an amazing commitment and you all should be proud of that. And with our continued commitment next year, 28,000 Floridians with developmental disabilities will have received vital services after they languished on waiting lists for year after year after year. We are making a difference. [applause]

And we're also balancing industry with stewardship, with our obligations to protect Florida's fragile natural environment. With the recent enactment of the Florida Forever Program, we have continued a legacy of environmental stewardship that is the best in the nation. After decades of infighting and impasses, in the past two years we've been able to put in place a plan for restoring the Everglades, our greatest natural treasure. Indeed, restoration of the Everglades and other projects like it around the state will also help keep more fresh water in the ecosystem, which will make it easier for us to deal with the severe drought conditions and less likely for them to occur in the future. And again I think it's appropriate to commend the dedicated local firefighters, the Division of Forestry employees, and all of the people in a concerted, organized way that are fighting these atrocious fires all across our state. We are better organized today because the Florida Legislature in the last two years has made a huge commitment in terms of equipment and manpower to help Floridians in their time of need. And once again you deserve high praise for your priorities. [applause]

These are some of the accomplishments of the past two years. There are many others, too many to mention here today. But taken in a whole, and bearing in mind that the success of our state ultimately rises and falls with the will and work of the people, I am pleased to say that the state of our beloved state is good. Indeed, it is very good. [applause]

It is very good today, and we should be thankful for our blessings. But what about tomorrow? Look over the horizon, if you will. What will Florida look like? Will we have the schools where the command focus is on children learning? Will we have enough teachers to show our children the way? Will we have well-planned, vibrant communities with a sense of purpose and identity? Will we have enough electricity to meet our needs? Will we have prepared our economy for the next burst of prosperity? Will state government be an institution that harnesses technology, and more importantly, that is known for its passionate and efficient services?

These questions and dozens of more like them are basic questions, but questions that are too often ignored or relegated to one more task force, or one more study commission. But you know if we ignore them now, we do so at our peril, and I know we won't.

We can answer these questions, and we must. We must have the commitment and courage and the genuine desire to reach across the political divide and work for all the people we represent.

It is time—no, it is past time—to accept responsibility and share accomplishments as one, as a group committed to the higher principles of public service. The choice is simple for all of us: Would we rather be known for the enormity of the challenges we conquered or for the pettiness of partisan bickering? To my friends in the Democratic Party let me make it clear, I will extend my hand of friendship and collegiality to work on the issues of this state each and every day while you all are in session and afterwards as well. And I know working together we can make a big difference in the lives of Floridians. [applause]

And when we work together, I hope we can focus on what lasts, what endures beyond our brief time in this building. Although you will

consider many laws this year, the one I hope you most consider is taken from the great law of the Iroquois nation: "In every deliberation, we must consider the impact of our decisions on the next seven generations."

And with this in mind, let us begin where the future is formed, let us begin with our public schools. This year, we need to continue to build on the successes of the A+ plan.

As you know, one key component of the plan is to test children so that we can be sure that they've learned a year's worth of knowledge in a year's time. This is an element of the plan that has been subject to much detailed and technical intellectual debate. But having listened to much of it, nothing has been as helpful to me as the thoughts of a teacher, a principal, and a student from Bent Tree Elementary School in Miami. Let's listen to Beryl Grant, Bart Christie, and Jesus Alvarez as they discuss the FCAT test.

**Beryl Grant:** The FCAT really is preparing them for life and life beyond school, which is work, and also college. We have to read, think, and explain. And that to me is what FCAT is all about.

**Bart Christie:** Through this initiative we were able to move our school from a D-school to a B-school. We missed an A-school by about three percentile points, which is about four or five students. We are going to be an A-school this year.

**Jesus Alvarez:**

The Extraordinary FCAT  
FCAT O FCAT, we work for you every year  
Sometimes you scare us, but it's only our fear  
We learn to solve problems, and also to read  
Our teachers make sure, that in life we'll succeed

Hurray for Bent Tree, 'cause we got a B  
We thought you're a monster, but now we are brave  
We'll make that A, so Bent Tree can rave! [applause]

When I shaked Governor Bush's hand, he said,  
'Good job, you can take that poem on the road' and  
Mr. Christy congratulated me. . . .

Well, what you missed by your appropriate applause was the fact that what Jesus says afterwards I told him that he ought to take that on the road to lessen people's fears about the FCAT. In fact, Jesus has taken it on the road, and he is here with us today in the gallery. Jesus Alvarez, could you please stand. [applause]

Thank you Jesus, and Ms. Grant, thank you for your dedication as a great classroom teacher. [applause]

When I visited Bent Tree Elementary School, Jesus reminded me, and I think he reminds all of us, that change and new ideas can seem pretty scary at first. But he also reminds us what can be achieved if we challenge ourselves, what can be achieved in just two years.

Jesus and others like him will be pleased to know that my proposed budget this year, we have asked that you provide 6 million dollars to provide computerized tutoring for the reading, writing, and math skills measured by the FCAT, so that studying can take place anytime, anywhere.

This is only a small part of the 531 million dollars I have requested in increased K-12 funding this year, and an even smaller part of the 2 billion dollars in increased funding we will then have appropriated in the last three years because of the efforts of the previous two.

I've also asked that we refocus our efforts in bringing more and better teachers to Florida's classrooms. Our growing student population has created an unprecedented demand for teachers in this state. Our teacher shortage threatens to undermine the academic improvements we have made. And we must begin now on a 10-year project, to think long-term, a 10-year project to recruit and retain 160,000 teachers to meet the projected demand in Florida.

Last year, almost nine percent of Florida's teaching force needed to be replaced, and the need for teachers only grows because of the growing student population. Let's hear from Claude Archer as he shares his perspective on this statewide problem.

**Claude Archer:** My name is Claude Archer. I was a teacher at Marjory Stoneman Douglas Elementary for the last ten years. Now I recruit and hire teachers for the county. We're trying to attract mid-career professionals looking for a change, looking for some more meaning to what they're doing. They're looking for something a little bit more meaningful. They want to make a difference in lives of children. We're looking for them. When I talk to people who are thinking about changing careers, I always tell them this is the most important job there is. You have a chance to touch the life of a child and what you do will impact them for the rest of their lives. But there is no greater feeling than one day having a student walk into your classroom and say, 'You don't remember me, do you? But you were my first grade teacher, or you were my English teacher, and some of the things you said to me have really touched me and made a difference, and I'm here today, where I am, because of you.' I think it's critical that we do everything we can to recruit and retain teachers. I really would like to thank Governor Bush for all his efforts and for making education his top priority. [applause]

After listening to Claude and many dedicated educators all across the state like him, we've developed a comprehensive plan for increasing the number of Florida's classroom teachers. The plan contains some 20 separate initiatives aimed at getting and keeping great teachers.

This year, I've asked for 169 million dollars in total funding of new and ongoing teacher recruitment and retention initiatives. Among other things, these funds will provide for a teacher signing bonus that would be matched by the local school districts to attract new teachers. We must also offer alternatives to the current teacher certification policies to enable qualified Floridians with diverse backgrounds to teach our children and we need to enhance the professional development opportunities for teachers to increase job satisfaction. These changes will help our young. But what about the Floridians who are elderly, and who have special needs? This session I ask that you bring an unparalleled focus to long-term care for Floridians.

Several months ago I had the opportunity to be in West Palm Beach where the diversion program has been implemented. And I met Jerry Price and his beautiful wife, Jeanne. They provide a compelling reminder of why you and I have been sent here to Tallahassee. Through a program that we have implemented, Jeanne was diverted from a nursing home and given the resources to live with her beloved husband and their pet bird, Shakespeare.

We saved the taxpayers money in doing this and we dramatically elevated Jeanne's quality of life. I'd like you to meet them and hear their experience.

**Jerry Price:** This is Jeanne, my beautiful wife Jeanne Price, and I'm Jerry Price. And we've been married going on 51 years. Jeanne has been diagnosed with Alzheimer's, with Parkinson's, she's a diabetic, she's had two open-heart surgeries. She relies upon being home for her happiness and she wouldn't have that in a nursing home. So I know that if we didn't have what we have now, and we didn't have the long-term care and the beacon helping us, it would not work out for us at all. It's provided her with counseling, and it's provided her with meals, and it's provided her with homecare, and there isn't anything that we need that we don't get from this program. All I can say is thank you from the bottom of our hearts because 'our' means that we're together and without you, we would not be together. She would be in a nursing home, I would be working six jobs to pay for it. The quality of life would have gone down the drain. And I thank you, thank you, thank you and that's all we can say. [applause]

Thank you, Jerry. I wish you could all meet Jerry. He is a really cool guy and committed to his wife, just as you saw it there. And because of our efforts, many people like that, those families can now stay together. I do have to say though, it's a little embarrassing that Shakespeare

behaved a little better than my pet dog, Marvin. I don't know how they filmed that so well.

For Jeanne and folks like her, I propose that we continue to expand community-based care programs that allow them to function within their homes and neighborhoods in the least restrictive way.

With the more than 50-million-dollar increase I have suggested in my recommendations to you, we will have increased funds for community-based care programs all across this state by more than 60 percent in the last three years. These moneys will help seniors age with dignity in places they cherish with the people they love. We will also dedicate 30 million dollars in our budget to help low-income seniors buy the prescription drugs they need. And once again the Legislature deserves high praise for passing the bill last year to begin that process to provide help so people don't have to make choices between paying rent or buying the medicine that they may need when they are on limited income. For those seniors who need nursing homes, we have proposed 46 million dollars in new funding this year to improve the quality of nursing home care by decreasing staff turnover and increasing staff-to-resident ratios.

But more money alone will not solve the crisis in nursing home care. Nursing homes teeter on the verge of bankruptcy in Florida, and many will go under if we do not take decisive action to stabilize their insurance premiums by providing lawsuit relief. If nursing homes close their doors, seniors could be left without the services they vitally require at this vulnerable time in their lives. Even if nursing homes survive, but are financially weakened, the quality of care they provide could decline, and harm our elders. Nursing homes in Florida are three times more likely to be sued than in other states, putting the costs of liability insurance at eight times the national average. We should preserve the right to litigate, but wouldn't it be better for nursing homes to spend money on improving quality of care rather than paying for insurance premiums and litigation costs? I hope that you agree with that and I hope that we deal with this in a comprehensive way. [applause]

Your agenda this year should also include elevating the quality of life for all Floridians. There is perhaps no state program that has more potential for accomplishing this than the Growth Management Act, and none that has remained more distant from its goal. Despite decades of implementation, our roads remain clogged with traffic, important natural resources are threatened or destroyed, and community needs like public schools aren't fully met.

Last year, I formed a commission to address the gaps in the Growth Management Act. I carefully considered who should lead that task force, and I concluded there was one person who possessed the stature and courage to squarely confront the implications of development. I chose then Orange County Chairman Mel Martinez, who has strongly pushed to limit growth in the areas of his county until school overcrowding was dealt with. Although Mel has since been demoted to go to Washington, D.C., as the Secretary of Housing and Urban Development, he's been kind enough to join us here today and to show his support for his commission's proposals. Mel, can you please stand. We thank you for your service. [applause]

Mel and other commission members have proposed that we not blindly permit development ahead of our ability to build schools. I agree, it's time to stop doing business as usual in this state as it relates to growth management. Today is the day we say, "We will not allow our residential communities to swell without new classrooms. We will no longer allow Florida to be sold on the cheap."

I also ask that you continue to make gains in tax relief for our citizens. This year, we propose the third in a series of four cuts aimed at ultimately eliminating the insidious intangibles tax, a tax that punishes seniors and savers. Let's hear from Judy Clark of Lake Mary about this problem.

**Judy Clark:** Hi, my name is Judy Clark and I live in Lake Mary, Florida. All of my working years and most of the time, two jobs, since I raised four children alone, and I paid tax on every dollar I earned. And then I saved some money and I inherited money and I had to pay taxes at that time, and now I'm still paying taxes on

that same money. I would like to thank Governor Jeb Bush and our legislators for reducing this tax by percentages each year. And hopefully, in the very near future, it will be abolished completely. [applause]

Judy and a whole lot of other people across the state and a lot of your constituents seem pretty focused on getting rid of the intangibles tax, and I believe so should we. You can be sure that we will do everything in our power to let you keep your life savings. The people of Florida on fixed income that may have some assets have already paid, they've already given at the office and to ask them to give year after year after year makes little sense.

You know what? Among individuals, seniors over 60 pay almost three-quarters of this tax. I believe we must stop punishing them for their thrift. This year, we are proposing raising the individual exemption from 20,000 to 250,000 dollars and the joint exemption from 40,000 to 500,000 dollars, and the exemption on Florida's businesses from zero to 250,000 dollars. These will have the remarkable effect of removing more than 500,000 Floridians from the tax rolls.

I think we can all agree that taxing people on fixed incomes or taxing the capital that grows small businesses is bad public policy, that it harms people and businesses when they can least afford to be taxed by government.

You know when we sought and achieved similar tax cuts in the Legislature in the past two years, over 90 percent of the members of both parties voted in favor of those tax cuts. And I urge you to continue this bi-partisan approach with the goal of ultimately eliminating the tax altogether.

Improving public schools, providing quality long-term care, dealing with development, cutting taxes—these are all issues that should be at the forefront of the public agenda. Appropriately, they focus on the needs that directly confront those we are bound to serve. But there is one issue that is more internally focused. And yet, just as important, and unless we adequately address it, state government jeopardizes its ability to deliver in all other areas. Of course, I speak about civil service reform.

Before you hear my thoughts, I'd like for you to hear the thoughts of my friend, Governor Roy Barnes of Georgia.

**Governor Roy Barnes (D-GA):** Hello, I'm Roy Barnes, Governor of your neighbor to the north, the great state of Georgia. We all know we are living in a changing society. In the last few years, personnel policies in the private sector and not-for-profit world have evolved dramatically. Organizations are more competitive and efficient. State governments must do the same if we are to deliver the services our citizens demand with the same speed and service they've come to expect from the private sector. Five years ago, Georgia took a giant step when we instituted performance-based compensation instead of the inflexible constraints of the merit system. Over half of our state employees are now employed and compensated based on performance rather than status. And that number is growing every day. Government can never have the full confidence of its people if it does not keep in step with the rest of society. Performance-based employment is not only desired, it is essential if states are going to continue as economic generators of prosperity. Based on Georgia's experience, I encourage Florida in its efforts to modernize its state workforce.

And we will, Governor, we will do that.

Thank you, President. [applause]

My friends, over the last two years, in partnership with you, we have made significant reforms in the budget process. We are also beginning to transform state government by using technology in strategic ways.

Now it is time to reform our employment system, so that like the world-class service organizations that are driving our economy in our state, state government can provide effective and efficient service that its 16 million citizens deserve.

Last week, we announced a comprehensive reform proposal named Service First, and today I ask for your support of that initiative. I also asked, that despite the relative austerity that will characterize our budget this year, and I use the term relative, being an optimist, that we begin to move to a compensation system that is competitive and rewarding for our dedicated state workers. I urge you to maintain our recommendations to reward better our hard-working state employees.

And finally, we must make reliable and accurate the very machinery of democracy, the voting process. For 37 days last fall, Florida was thrust onto the world stage as we waited for the outcome of the presidential election. Some would say that many in this room solidified their place in history for their roles in that event.

But neither the history of the 2000 campaign nor your own history is fully written, and the action you take this session will provide a lens through which the election can be properly judged.

I say let us be known as a people who are humble enough to acknowledge our shortcomings, and principled enough to seek to correct them. I ask that we dedicate the resources that are needed to modernize our voting systems and move forward with confidence into the next election cycle. The people of this state want us to do this, I think we need to pause and get it done right, and move on to the other affairs of business that are important as well.

I really appreciate y'all allowing me to share my thoughts with you here and outline some changes that we might consider. More importantly, I hope that you've listened carefully to the thoughts of others that spoke via video here with us today. I look forward to listening to your ideas for change as we work together during this session.

Dr. Martin Luther King said, "The soft-minded man always fears change. He feels security in the status quo, and he has an almost morbid fear of the new. For him, the greatest pain, is the pain of a new idea." Looking around here today, I see no fear of the new. Every revolution necessarily begins with one person, relentlessly pursuing a deep and compelling internal vision. Why shouldn't that revolution begin with you?

Thank you all very much for allowing me to come speak to you. God bless you all and God bless the great state of Florida. [applause]

Following his address, Governor Bush was escorted from the Chamber by the committee. The members of the Supreme Court and the Lieutenant Governor and Cabinet were escorted from the Chamber by the Sergeants at Arms of the House and Senate.

On motion by Senator Lee, the Joint Session was dissolved at 12:17 p.m., and the Senators were escorted from the Chamber by the Senate Sergeant at Arms.

## Messages from the Senate

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has adopted HCR 1-Org.

*Faye W. Blanton, Secretary*

The above concurrent resolution was ordered enrolled.

## Introduction and Reference

By Representatives Kilmer and Richardson—

**HB 1**—A bill to be entitled An act relating to educational facilities; amending s. 235.435, F.S.; authorizing school districts to qualify construction projects for funding under the Special Facility Construction Account by using the school capital outlay surtax in lieu of the maximum millage against their nonexempt assessed property

value; specifying funding eligibility of certain projects; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Fiscal Policy & Resources; Education Appropriations; and Council for Lifelong Learning.

By Representatives Ball and Bean—

**HB 3**—A bill to be entitled An act relating to offenses by public servants; creating the "Citizens' Right to Honest Government Act"; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution to prosecute violations of ch. 838, F.S.; amending s. 838.014, F.S.; revising, providing, and deleting definitions; amending ss. 838.015 and 838.016, F.S.; increasing penalties; creating ss. 838.022, 838.20, 838.21, 838.22, 838.23, and 838.24, F.S.; providing criminal penalties for official misconduct, criminal misuse of official position, disclosure or use of confidential criminal justice information, and bid tampering; providing status of confidential informants or confidential sources; authorizing public servants who are subjected to an investigation for official misconduct to recover attorney's fees; amending s. 837.02, F.S.; providing a criminal penalty for perjury in an official proceeding by a public servant; amending s. 921.0022, F.S.; deleting specified felonies from and adding specified felonies to the Criminal Punishment Code offense severity ranking chart; repealing s. 838.15, F.S., relating to commercial bribe receiving; repealing s. 838.16, F.S., relating to commercial bribery; amending ss. 112.3173 and 121.091, F.S.; deleting cross references, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Heyman and Fields—

**HB 5**—A bill to be entitled An act relating to retired judges; amending s. 25.073, F.S.; redefining the term "retired justice" or "retired judge" with respect to certain justices or judges assigned to temporary duty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

By Representatives Heyman, Cantens, and Lerner—

**HB 7**—A bill to be entitled An act relating to eminent domain; amending s. 166.411, F.S.; authorizing municipalities to exercise the power of eminent domain for public school purposes; providing for future repeal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Education Innovation; and Council for Smarter Government.

By Representatives Ball and Greenstein—

**HB 9**—A bill to be entitled An act relating to solid waste management facilities; amending s. 403.707, F.S.; requiring an applicant for a permit for the construction, expansion, or increase in capacity of such a facility to provide documentation regarding compliance with local government zoning and land use regulations; providing requirements with respect thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Local Government & Veterans Affairs; and Council for Ready Infrastructure.

By Representative Heyman—

**HB 11**—A bill to be entitled An act relating to State Uniform Traffic Control; amending s. 316.655, F.S.; providing for enhanced penalties for

certain violations of chapter 316, F.S.; creating s. 318.211, F.S.; providing for the disposition of such enhanced penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Transportation; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Detert, Cantens, Clarke, Harrell, Goodlette, Paul, Bucher, Spratt, Justice, Lerner, Mahon, Murman, Rich, Henriquez, Kravitz, Bean, Gannon, Siplin, Meadows, Green, and Bilirakis—

**HB 13**—A bill to be entitled An act relating to the state lottery; amending s. 24.115, F.S.; providing that unclaimed prize money shall be distributed to the public schools, community colleges, and universities on a pro rata basis based on enrollment; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Education Innovation; Fiscal Policy & Resources; and Council for Smarter Government.

**HB 15**—Withdrawn

By Representatives Melvin, Davis, Fasano, Murman, Maygarden, Wallace, Ball, Dockery, Argenziano, Trovillion, Crow, Andrews, Diaz-Balart, Allen, Fiorentino, Baker, Spratt, Brummer, Kyle, Gibson, Mayfield, Hogan, Diaz de la Portilla, Barreiro, Clarke, Alexander, Bowen, Green, Kottkamp, Harrington, Farkas, Kilmer, Baxley, Hart, Bennett, Goodlette, Negron, Flanagan, Attkisson, Bense, Bean, Pickens, Brown, Mealor, Harrell, Atwater, Cantens, Garcia, Stansel, Needelman, Ryan, Prieguez, Jordan, Mack, Betancourt, Ross, Miller, Mahon, Waters, Slosberg, Paul, Russell, Sorensen, Gardiner, Berfield, and Carassas—

**HB 17**—A bill to be entitled An act relating to intangible personal property taxes; repealing chapter 199, F.S., which provides for taxes on intangible personal property; amending ss. 72.011, 192.091, 196.199, 196.1993, 201.23, 212.02, 213.015, 213.05, 213.053, 213.054, 213.27, 213.31, 215.555, 220.1845, 288.039, 288.1045, 288.106, 288.1066, 376.30781, 440.49, 493.6102, 516.031, 627.311, 627.351, 650.05, 655.071, 733.604, and 766.105, F.S., to conform to such repeal; repealing ss. 192.032(5), 192.042(3), 193.114(4), 196.015(9), 607.1622(1)(g), and 731.111(2), F.S., relating to assessment of intangible personal property, the intangible personal property tax roll, filing of intangible tax returns as a factor in determining residency, intangible tax liability information in a corporation's annual report, and claims against a decedent's estate for intangible taxes; amending s. 192.0105, F.S.; correcting a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Local Government & Veterans Affairs; and Fiscal Responsibility Council.

By Representative Greenstein—

**HB 19**—A bill to be entitled An act relating to the Fair Housing Act; amending s. 760.29, F.S.; providing that, to qualify for the exemption from said act with respect to familial status for housing for older persons, a facility or community shall register with the Florida Commission on Human Relations and affirm compliance with specified requirements; providing for a registration fee; providing for fines; amending s. 760.31, F.S.; providing for rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Fasano, Cantens, Carassas, Fiorentino, Lynn, Gibson, Mealor, Paul, Clarke, Berfield, Mayfield, Kravitz, Brown, Haridopolos, Mahon, Benson, Bowen, Baker, Kottkamp, Negron, Rubio,

Ross, Baxley, Mack, Pickens, Hogan, Kallinger, Davis, Atwater, Jordan, Bennett, Harrell, Allen, and Green—

**HB 21**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.032, F.S.; reducing the rate of the annual tax; amending s. 199.033, F.S.; reducing the rates of the tax on securities in a Florida's Future Investment Fund, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Crow, Weissman, Bucher, Justice, Heyman, Russell, Greenstein, and Sobel—

**HB 23**—A bill to be entitled An act relating to health insurance coverage for autism spectrum disorder; requiring a health insurer or health maintenance organization that offers major medical coverage to include coverage for treating autism spectrum disorder; defining the term "autism spectrum disorder"; authorizing an insurer or health maintenance organization to confirm a diagnosis or review the appropriateness of a treatment plan; providing that the act does not affect the licensure of a health care professional or impair the right to reimbursement of a health care provider; making a legislative finding that the act fulfills an important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; Health Promotion; and Council for Competitive Commerce.

By Representatives Crow, Weissman, Cantens, Lynn, Greenstein, Kravitz, Heyman, Spratt, and Allen—

**HB 25**—A bill to be entitled An act relating to offenses against children; amending s. 787.025, F.S.; revising provisions to prohibit certain previously convicted offenders from intentionally luring or enticing, or attempting to lure or entice, a child under age 15 into a structure, dwelling, or conveyance without consent of parent or legal guardian; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; and Council for Healthy Communities.

**HB 27**—Withdrawn

By Representatives Brummer and Cantens—

**HB 29**—A bill to be entitled An act relating to driving under the influence; amending s. 322.2616, F.S.; providing for the requirement that certain license suspensions shall remain in effect for a described time period; providing for the assumption of the costs for substance abuse education; providing a definition; providing for the admission of certain minors into county addictions receiving facilities under certain circumstances; clarifying the blood-alcohol and breath-alcohol level that is unlawful; providing for a temporary driving permit to become effective after a specified period has elapsed following the issuance of the permit; authorizing the use of a blood test obtained pursuant to certain other investigations to be used for the purposes of s. 322.2616, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Transportation; and Council for Healthy Communities.

**HB 31**—Withdrawn

By Representatives Detert and Justice—

**HB 33**—A bill to be entitled An act relating to home inspection services; creating s. 501.935, F.S.; providing requirements relating to

home inspection services; providing legislative intent; providing definitions; providing certain inspector qualifications and practice standards; providing exemptions; requiring, before inspection, provision of inspector credentials, a caveat, a disclosure of conflicts of interest and certain relationships, and a statement or agreement of scope, limitations, terms, and conditions; requiring a report to the client on the results of the inspection and requiring provision of relevant portions thereof to homeowners under certain circumstances; prohibiting certain acts for which there are civil penalties; providing that failure to comply is a deceptive and unfair trade practice; providing for injunction against use of the title "board-certified home inspector" under certain circumstances and requiring notice thereof to potential clients; providing for the filing of complaints; requiring maintenance of records regarding complaints and compilation of statistics regarding such complaints; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Agriculture & Consumer Affairs; and Council for Smarter Government.

By Representatives Barreiro, Rich, Garcia, Gannon, Bendross-Mindingall, Gelber, Kosmas, Lerner, Romeo, Gottlieb, Weissman, Smith, Sobel, Betancourt, Ritter, Richardson, and Henriquez—

**HB 35**—A bill to be entitled An act relating to prekindergarten early intervention programs; amending s. 230.2305, F.S.; requiring the Florida Partnership for School Readiness to develop legislation to expand the prekindergarten early intervention program to provide access to all 4-year old children at no cost to the children's parents; requiring a report; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Workforce & Technical Skills; Education Innovation; Education Appropriations; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representatives Paul, Bense, Cantens, Diaz-Balart, Clarke, Attkisson, Benson, Haridopolos, Brown, Baxley, Miller, Atwater, Goodlette, Allen, Lynn, Ross, Greenstein, Bean, Harrington, Carassas, and Green—

**HM 37**—A memorial to the Congress of the United States, urging Congress to adopt legislation to ensure fair voting consideration for absentee ballots cast in federal elections by overseas electors authorized to vote under the Uniformed and Overseas Citizens Voting Act.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Rules, Ethics & Elections.

**HB 39**—Withdrawn

By Representative Argenziano—

**HB 41**—A bill to be entitled An act relating to water and wastewater systems; reenacting s. 350.0611, F.S., relating to duties and powers of the Public Counsel; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Local Government & Veterans Affairs; and Council for Ready Infrastructure.

By Representatives Sorensen and Spratt—

**HB 43**—A bill to be entitled An act relating to windstorm insurance rate filing arbitration; amending s. 627.351, F.S.; deleting authorization for certain associations to require arbitration of certain rate filings; repealing s. 627.062(6), F.S., relating to insurer authorization to require arbitration of certain rate filings; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; General Government Appropriations; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Bense, Allen, Mealor, Greenstein, and Kallinger—

**HB 45**—A bill to be entitled An act relating to the alcoholic beverage surcharge; amending s. 561.501, F.S.; providing that the surcharges on liquor, wine, cider, and beer sold for consumption on the premises shall not be imposed beginning July 1, 2001; repealing s. 561.501, F.S.; removing provisions relating to imposition, administration, and enforcement of such surcharges, effective July 1, 2004; amending s. 561.025, F.S.; removing the prohibition against deposit of surcharge revenues in the Alcoholic Beverage and Tobacco Trust Fund; amending s. 561.121, F.S., and repealing subsection (4) thereof; removing provisions relating to transfer of a portion of surtax revenues to the Children and Adolescents Substance Abuse Trust Fund, and the remainder to the General Revenue Fund, and providing for deposit of a portion of the excise taxes on malt beverages, wines and other beverages, and liquors in said trust fund; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Bense, Goodlette, Paul, Wiles, Bean, Greenstein, and Gannon—

**HB 47**—A bill to be entitled An act relating to community service; creating the Florida Volunteer and Community Service Act of 2001; providing legislative intent; authorizing the state to establish policies and procedures which provide for the expenditure of funds to develop and facilitate initiatives that encourage and reward volunteerism; providing purposes of the act; amending s. 14.29, F.S.; expanding the purposes of a required report of the Florida Commission on Community Service; authorizing the commission to provide specified assistance for the establishment and implementation of programs pursuant to the Florida Volunteer and Community Service Act of 2001; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Smith, Joyner, Bendross-Mindingall, Wilson, Fields, Harper, Jennings, Cusack, Brutus, Peterman, Bullard, Richardson, Siplin, Holloway, and Meadows—

**HJR 49**—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution, relating to suffrage and elections, to authorize the Legislature to provide the conditions under which a convicted felon's right to register or vote may be restored.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; Judicial Oversight; and Procedural & Redistricting Council.

By Representatives Smith, Joyner, Bendross-Mindingall, Wilson, Brutus, Peterman, Bullard, Cusack, Richardson, Siplin, Fields, Harper, Jennings, Holloway, and Meadows—

**HB 51**—A bill to be entitled An act relating to elections; creating the "Citizens' Empowerment Act"; amending s. 97.041, F.S.; providing for automatic restoration of former felons' right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions for such automatic restoration; amending ss. 97.052, 97.053, and 98.0975, F.S., to conform; providing a conditional effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; Judicial Oversight; and Procedural & Redistricting Council.

**HB 53**—Withdrawn

By Representatives Fasano, Ritter, and Fiorentino—

**HB 55**—A bill to be entitled An act relating to public medical assistance; amending s. 395.701, F.S.; reducing the annual assessment on hospital outpatient services to fund public medical assistance; amending s. 395.7015, F.S.; reducing the annual assessment on certain other health care entities to fund public medical assistance; providing for annual appropriations to replace funds lost due to such reductions; providing an appropriation; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health & Human Services Appropriations; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Argenziano, Cantens, Diaz de la Portilla, Barreiro, and Prieguez—

**HB 57**—A bill to be entitled An act for the relief of Kimberly Godwin; providing an appropriation to compensate her for injuries she sustained as a result of the negligence of the Department of Children and Family Services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Claims; Fiscal Policy & Resources; and Procedural & Redistricting Council.

**HB 59**—Withdrawn

By Representative Trovillion—

**HB 61**—A bill to be entitled An act relating to public procuring and contracting; providing a short title; providing a purpose; prohibiting the state, and any political subdivision, agency, or instrumentality of the state from engaging in specified activities under certain procurement or contracting circumstances; authorizing challenge of certain procurement or contracting documents or agreements; providing for award of costs and attorneys' fees under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on State Administration; and Council for Smarter Government.

**HB 63**—Withdrawn

By Representatives Trovillion and Paul—

**HB 65**—A bill to be entitled An act relating to obscenity; requiring public libraries to install and maintain computer software or equivalent technology that prohibits access to obscene materials by minors; providing that the installation of software or technology in a library having only one public-access computer is within the library's discretion; providing a finding of important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Juvenile Justice; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Slosberg, Prieguez, Cantens, Gottlieb, Gannon, Romeo, Weissman, Garcia, Meadows, Greenstein, and Rich—

**HB 67**—A bill to be entitled An act relating to the Florida Safety Belt Law; creating the "Dori Slosberg Act of 2001"; amending s. 316.614, F.S.; providing that the number of passengers of a motor vehicle required to wear a safety belt shall not exceed the number of safety belts which were installed in the motor vehicle by the manufacturer; revising the Florida Safety Belt Law to eliminate the requirement that the law be enforced as a secondary action when a driver of a motor vehicle has been detained

for another violation; providing restrictions on authority to search based on a safety belt violation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Insurance; Transportation; Transportation & Economic Development Appropriations; and Council for Healthy Communities.

By Representatives Argenziano, Fasano, Rubio, Farkas, Paul, Gannon, Harper, Meadows, Carassas, Lerner, Clarke, Fields, Russell, and Atwater—

**HB 69**—A bill to be entitled An act relating to pharmacy; requiring the removal of specified drugs from the negative formulary for generic and brand-name drugs established in s. 465.025(6), F.S.; providing that the act does not amend existing law relating to a physician's authority to prohibit generic drug substitution by writing "medically necessary" on the prescription; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Slosberg, Gottlieb, Romeo, Weissman, Meadows, Prieguez, Farkas, and Greenstein—

**HB 71**—A bill to be entitled An act relating to uniform traffic control; creating the "Red Light Safety Act of 2001"; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating a pilot project in Palm Beach and Broward Counties administered by the Department of Highway Safety and Motor Vehicles; authorizing counties and municipalities in the pilot project to enact ordinances permitting the use of traffic infraction detectors; providing an exception; providing penalties for traffic control signal violations detected by traffic infraction detectors; providing procedures; amending s. 316.0745, F.S.; providing that traffic infraction detectors must meet certain requirements; amending s. 320.03, F.S.; providing a cross reference in conformance to the act; prohibiting the issuance of license plates or revalidation stickers when fines are outstanding for violations detected by traffic infraction detectors; providing for an annual report on the use of traffic infraction detectors by counties and municipalities in the pilot project; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Wallace and Cantens—

**HB 73**—A bill to be entitled An act relating to state government; creating the "Florida Customer Service Standards Act"; providing definitions; specifying measures that state departments are directed to implement with respect to interaction with their customers; providing requirements regarding operating hours; providing that failure to comply with the act does not constitute a cause of action; providing exceptions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Heyman, Barreiro, Lerner, Gelber, Prieguez, Gannon, Sobel, Gottlieb, Seiler, Cantens, Brutus, Greenstein, Meadows, Smith, Bendross-Mindingall, Betancourt, Bullard, Bucher, Wishner, Rich, Peterman, and Fields—

**HB 75**—A bill to be entitled An act relating to insurance; amending s. 627.0628, F.S.; providing that insurers may not use a model to determine hurricane-loss factors for use in a rate filing until the Florida Commission on Hurricane Loss Projection Methodology finds that a publicly owned model developed by the State University System is

reliable to determine such factors; amending s. 627.351, F.S.; modifying membership of the board of directors of the Florida Windstorm Underwriting Association; providing for assignment by the association of personal lines residential policies located in a deauthorized area to authorized insurers; providing criteria for distributing assigned policies; providing procedures; providing that assignment of a policy does not affect the producing agent's entitlement to unearned commission; providing for appeals of assignment of policies to the Department of Insurance; providing that a failure to accept residential policies assigned by the association is a willful violation of the Florida Insurance Code; authorizing the department to adopt rules; repealing s. 627.062(6), F.S., relating to rate standards; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; Local Government & Veterans Affairs; and Council for Competitive Commerce.

By Representative Sorensen—

**HB 77**—A bill to be entitled An act relating to the Key Largo Hammocks State Botanical Site; changing the name of the site; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Local Government & Veterans Affairs; and Council for Smarter Government.

By Representatives Greenstein, Bucher, Gannon, and McGriff—

**HB 79**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 320.03, F.S.; imposing a fee for the registration of certain trucks, trailers, and motorcycles and for tag transfers and temporary tags to be deposited into the Transportation Disadvantaged Trust Fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representative Prieguez—

**HB 81**—A bill to be entitled An act relating to the City of Hallandale; providing for the relief of Lawrence Gizzi; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the City of Hallandale; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representative Russell—

**HB 83**—A bill to be entitled An act relating to enterprise zones; creating s. 290.00695, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone within a described area of Hernando County or of Hernando County and the City of Brooksville jointly; providing requirements with respect thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Economic Development & International Trade; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Meadows and Rich—

**HB 85**—A bill to be entitled An act relating to infant cribs; creating s. 501.144, F.S.; creating the Florida Infant Crib Safety Act; providing definitions; prohibiting commercial users from manufacturing,

retrofitting, selling, contracting to sell or resell, leasing, or subletting specified cribs determined to be unsafe for use by infants; prohibiting public lodging establishments from offering or providing for use specified cribs determined to be unsafe for use by infants; providing criteria for determining safety of infant cribs; providing exemptions; providing specified immunity from civil liability; providing a penalty; providing that violation of the act constitutes an unfair and deceptive trade practice; providing causes of action; authorizing the Department of Agriculture and Consumer Services to collaborate with public agencies and private sector entities to prepare specified public education materials and programs; authorizing the department to adopt rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Child & Family Security; Judicial Oversight; and Council for Healthy Communities.

By Representative Meadows—

**HB 87**—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.805, F.S.; revising grandfathering requirements for licensure to practice orthotics, prosthetics, or pedorthics without meeting statutory educational requirements; repealing s. 1, ch. 99-158, Laws of Florida, relating to a deadline to apply for licensure to practice orthotics, prosthetics, or pedorthics without meeting statutory educational requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Fiscal Policy & Resources; and Council for Healthy Communities.

**HB 89**—Withdrawn

By Representative Meadows—

**HB 91**—A bill to be entitled An act relating to high-occupancy vehicle lanes; amending s. 316.0741, F.S.; allowing certain energy-saving vehicles to travel in such lanes, regardless of occupancy; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representatives Harrington, Henriquez, and Bean—

**HB 93**—A bill to be entitled An act relating to road and bridge designations; redesignating the old Nassau Sound Bridge in Nassau and Duval Counties as the "George Crady Bridge"; designating a portion of U.S. Highway 17 as the "Doyle Parker Memorial Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Transportation; and Council for Ready Infrastructure.

By Representatives Harrington, Allen, Machek, Negron, Arza, Spratt, Kottkamp, Bean, Berfield, and Crow—

**HB 95**—A bill to be entitled An act relating to mental health hospitals; amending s. 394.453, F.S.; providing intent under the Florida Mental Health Act that the state shall maintain and operate mental health hospitals, including certain existing ones; amending s. 394.457, F.S.; providing that the Department of Children and Family Services is responsible for the maintenance and operation of the state mental hospitals, including certain existing ones; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Child & Family Security; State Administration; Fiscal Policy & Resources; and Council for Healthy Communities.

**HB 97**—Withdrawn

By Representatives Weissman, Gelber, Justice, Ritter, Gottlieb, Sobel, Wiles, and Meadows—

**HJR 99**—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution, relating to finance and taxation, to allow the Legislature by general law to exclude from assessed value for ad valorem tax purposes value attributable to improvements made for purposes of disaster preparedness.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Russell—

**HB 101**—A bill to be entitled An act relating to trust funds; creating s. 261.11, F.S.; creating the Off-Highway-Vehicle Revolving Trust Fund; providing for future review and repeal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Russell—

**HB 103**—A bill to be entitled An act relating to off-highway vehicles; amending s. 215.22, F.S.; exempting the Off-Highway-Vehicle Revolving Trust Fund from a required deduction; creating ch. 261, F.S.; creating the Florida Off-Highway-Vehicle Safety and Recreation Act; providing legislative intent; providing definitions; creating the Off-Highway-Vehicle Recreation Advisory Committee; providing duties and responsibilities; providing for the duties and responsibilities of the Department of Agriculture and Consumer Services; providing for rulemaking authority; providing for the publication and sale of a guidebook; providing for the repair, maintenance and restoration of areas, trails, and lands; providing for contracts and agreements; providing criteria for recreation areas and trails; amending s. 316.2074, F.S.; revising the definition of the term “all-terrain vehicle”; creating the Florida Off-Highway-Vehicle Titling and Registration Act; providing legislative intent; providing definitions; providing for administration by the Department of Highway Safety and Motor Vehicles; providing for rules, forms, and notices; requiring certificates of title; providing for application for and issuance of certificates of title; providing for duplicate certificates of title; requiring the furnishing of a manufacturer’s statement of origin; requiring registration; providing for application for and issuance of certificate of registration, registration number, and decal; providing for the registration period and for reregistration by mail; providing for change of interest and address; providing for duplicate registration certificate and decal; providing for fees; providing for disposition of fees; providing for refusal to issue and authority to cancel a certificate of title or registration; providing for crimes relating to certificates of title and registration decals; providing penalties; providing for noncriminal infractions; providing penalties; amending s. 375.315, F.S., relating to the registration of off-road vehicles; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Fiscal Policy & Resources; and Council for Competitive Commerce.

**HB 105**—Withdrawn

By Representatives Prieguez and Cantens—

**HB 107**—A bill to be entitled An act relating to unclaimed property; revising provisions of ch. 717, F.S., to refer to property considered abandoned as unclaimed property; amending s. 717.101, F.S.; revising certain definitions; amending ss. 717.102, 717.103, 717.1035, 717.104, 717.105, 717.107, 717.108, 717.109, 717.110, 717.111, 717.113, 717.115, 717.116, 717.1201, 717.122, 717.125, and 717.129, F.S.;

changing references to property from being abandoned to being unclaimed; amending s. 717.106, F.S., to conform; providing an additional criterion for certain property in financial organizations being presumed unclaimed; amending s. 717.112, F.S., to conform; providing a presumption that certain intangible property is unclaimed under certain circumstances; amending s. 717.117, F.S., to conform; deleting a report verification requirement; revising unclaimed property report requirements; revising search and notification requirements for inactive accounts; amending s. 717.118, F.S., to conform; revising certain notification procedures; amending s. 717.119, F.S., to conform; authorizing payment of unclaimed funds by electronic transfer; deleting an authorization to deduct reasonable fees from certain sale proceeds; providing valuation and remission of contents of safe-deposit boxes; amending s. 717.122, F.S., to conform; authorizing the department to dispose of certain property under certain circumstances; amending s. 717.123, F.S.; revising the disposition of funds held by the Department of Banking and Finance relating to unclaimed property; amending s. 717.124, F.S.; revising certain procedures for filing claims by owner’s representatives and receiving and making payments to an owner or owner’s representative; amending s. 717.1241; revising resolution of conflicting ownership claims between certain persons; amending s. 717.1243, F.S.; revising provisions for disposition of claims from small estate accounts; creating s. 717.1315, F.S.; providing for retention of certain records by an owner’s representative; providing requirements; amending s. 717.132, F.S.; providing for deposit of administrative fines into the Unclaimed Property Trust Fund; amending s. 717.135, F.S.; revising provisions relating to unenforceability of certain agreements to locate reported property; requiring disclosure of certain information; limiting certain recovery fees; specifying agreement requirements; amending s. 717.138, F.S.; authorizing the the Department of Banking and Finance to adopt rules for certain electronic filings; amending s. 732.107, F.S.; deleting an interest rate requirement relating to payments of amounts of escheated property; amending s. 493.6102, F.S.; specifying nonapplication to certain persons; repealing s. 717.137, F.S., relating to effect and application of certain provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Cantens—

**HB 109**—A bill to be entitled An act relating to consumer collection practices; amending s. 559.72, F.S.; specifying additional prohibited practices in collecting consumer debts; providing penalties; amending s. 559.77, F.S.; revising civil remedies; providing for increased statutory damages under certain circumstances; providing for absence of liability under certain circumstances; specifying a time certain for bringing certain actions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Banking; and Council for Smarter Government.

By Representative Detert—

**HB 111**—A bill to be entitled An act relating to marine biotechnology research, training, and industry development; establishing the Florida Marine Biotechnology Research, Training, and Development Program; providing legislative intent; providing program focus and long-term goals; providing for administration of the program; requiring appointment of a steering committee; providing duties of the steering committee; providing an appropriation; providing for disbursement of funds; providing an exemption regarding contractual services; requiring an annual report to the Legislature; providing for future repeal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Colleges & Universities; Education Appropriations; and Council for Ready Infrastructure.

By Representatives Trovillion, Harrington, Miller, Gardiner, Henriquez, Gottlieb, Greenstein, Ritter, Kallinger, Brown, Bennett, Benson, and Ross—

**HB 113**—A bill to be entitled An act relating to construction; amending s. 218.72, F.S.; redefining the terms “local government entity,” “purchase,” and “construction services” and defining the terms “payment request” and “agent” for the purpose of the Florida Prompt Payment Act; amending s. 218.73, F.S.; providing for timely payment for nonconstruction services; amending s. 218.735, F.S.; revising language with respect to timely payment for purchases of construction services; amending s. 218.74, F.S.; revising language with respect to procedures for calculation of payment due dates; amending s. 218.75, F.S.; revising language with respect to mandatory interest; amending s. 218.76, F.S.; revising language with respect to improper invoices and resolution of disputes; providing for the recovery of court costs and attorney’s fees under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; General Education; and Council for Smarter Government.

By Representative Sorensen—

**HB 115**—A bill to be entitled An act relating to the City of Marathon, Monroe County; authorizing the city to exercise its police powers and jurisdiction extending 1,200 feet into the tidal waters adjacent to its established corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Crime Prevention, Corrections & Safety; and Council for Smarter Government.

**HB 117**—Withdrawn

By Representatives Betancourt, Wiles, Kravitz, Lynn, and Bucher—

**HB 119**—A bill to be entitled An act relating to character evidence; amending s. 90.404, F.S.; providing that in certain criminal prosecutions involving domestic violence evidence of prior acts of domestic violence by the defendant may be admissible; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

**HB 121**—Withdrawn

**HB 123**—Withdrawn

**HB 125**—Withdrawn

**HB 127**—Withdrawn

By Representatives Cusack, Justice, Wiles, Henriquez, Joyner, and Gannon—

**HB 129**—A bill to be entitled An act relating to supervisors of elections; amending s. 98.015, F.S.; providing that the supervisor of elections is a nonpartisan officer subject to certain restrictions on political activity; providing for the nonpartisan election of supervisors of elections; creating s. 98.017, F.S.; providing restrictions on the political activity of supervisors of elections; providing a definition; authorizing the Commission on Ethics to investigate violations of such restrictions; providing penalties; amending ss. 101.141 and 101.151, F.S., relating to ballot format, to conform; amending s. 105.031, F.S.; requiring candidates for supervisor of elections to pay a qualifying fee, subscribe to an oath, and file certain items to qualify; amending s. 105.035, F.S.; providing procedures for candidates for supervisor of elections to qualify by the alternative method; amending s. 105.041, F.S.; providing for the form of the ballot for candidates for supervisor of elections; providing for

write-in candidates for supervisor of elections; amending s. 105.051, F.S.; providing for determination of election to office of candidates for supervisor of elections; amending s. 105.061, F.S.; providing that supervisors of elections shall be elected by vote of the qualified electors of the county; amending s. 105.071, F.S.; providing limitations on political activity of candidates for supervisor of elections; providing penalties; amending s. 105.08, F.S.; providing requirements for candidates for supervisor of elections with respect to campaign contributions and expenses and their reporting; amending s. 105.09, F.S.; prohibiting certain political activity on behalf of a candidate for supervisor of elections; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; State Administration; and Procedural & Redistricting Council.

By Representatives Harrington, Kravitz, Cantens, Fiorentino, and Bean—

**HB 131**—A bill to be entitled An act relating to correctional facilities; creating s. 784.078, F.S.; defining “facility” and “employee”; defining the offense of battery of facility employee by throwing, tossing, or expelling certain fluids or materials on an employee of a correctional facility of the state or local government or a secure facility operated and maintained by the Department of Corrections or the Department of Juvenile Justice or other facility employee, so as to cause or attempt to cause such employee to come into contact with the fluid or material; providing penalties; amending s. 921.0022, F.S.; providing for ranking the offense of battery of a facility employee for purposes of the Criminal Punishment Code offense severity ranking chart; amending s. 945.35, F.S.; providing an educational requirement for correctional facility inmates on communicable diseases; providing, upon the request of a correctional officer or other employee or any unincarcerated person lawfully present in a correctional facility, for testing of such persons and any inmate who may have transmitted a communicable disease to such persons; providing for results to be communicated to affected parties; providing for access to health care; providing that test results are inadmissible in court cases; requiring the department to promulgate rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Argenziano, Kosmas, and Fiorentino—

**HB 133**—A bill to be entitled An act relating to a medication purchasing cooperative; establishing a medication purchasing cooperative to assist qualified individuals with the purchase of prescribed drugs at the best possible price; requiring the Agency for Health Care Administration to administer the cooperative; authorizing the agency to promulgate rules; providing for membership in the cooperative; requiring the cooperative to annually solicit competitive bids from licensed pharmacies to obtain discounts for members; authorizing the agency to charge a monthly membership fee to cover administrative costs; providing for the issuance of membership identification cards; requiring participating pharmacies to guarantee the discount on a prescribed drug at the rate quoted in their contract with the state; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Bendross-Mindingall, Gottlieb, and Garcia—

**HB 135**—A bill to be entitled An act relating to the Aftercare Pilot Program; requiring the Department of Education to conduct an Aftercare Pilot Program to provide homework assistance and free dinner after school to certain children in schools selected for participation;

providing program requirements; identifying a source of funds; requiring a report to the Legislature; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Education Appropriations; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representatives Goodlette, Pickens, Seiler, and Bense—

**HB 137**—A bill to be entitled An act relating to probate; amending s. 63.172, F.S.; providing for the right of inheritance with respect to adoption; amending s. 409.9101, F.S.; revising language with respect to recovery of payments made on behalf of certain Medicaid-eligible persons; amending s. 655.936, F.S., relating to the opening of a decedent's safe-deposit box; amending s. 731.005, F.S., relating to the Florida Probate Code; amending s. 731.011, F.S.; providing reference to the Florida Probate Rules with respect to the determination of substantive rights under the Florida Probate Code; amending s. 731.104, F.S.; revising language with respect to the verification of documents; amending s. 731.106, F.S., relating to the assets of nondomiciliaries; repealing s. 731.107, F.S., relating to adversary proceedings; amending s. 731.110, F.S.; revising language with respect to proceedings concerning caveat; repealing s. 731.111, F.S., relating to notice to creditors; amending s. 731.201, F.S.; revising general definitions with respect to the Florida Probate Code; amending s. 731.301, F.S.; revising language with respect to notice; amending s. 731.303, F.S., relating to representation; amending s. 732.101, F.S., relating to intestate estates; amending s. 732.102, F.S.; revising language with respect to the share of the spouse; increasing the monetary amount of certain shares; amending s. 732.103, F.S., relating to the share of certain heirs; amending s. 732.107, F.S.; revising language with respect to escheat; amending s. 732.1101, F.S.; providing that aliens shall have the same right of inheritance as citizens; amending s. 732.2025, F.S.; redefining the term "qualifying special needs trust" or "supplemental needs trust"; amending s. 732.2085, F.S., relating to liability of direct recipients and beneficiaries; amending s. 732.2125, F.S.; revising language with respect to the right of election; amending s. 732.2135, F.S.; revising language with respect to time of election, extensions, and withdrawal; amending s. 732.2145, F.S.; revising language with respect to the order of contribution; amending s. 732.2155, F.S.; revising language with respect to the effective date of certain trusts; amending s. 732.218, F.S.; revising language with respect to rebuttable presumptions; amending s. 732.219, F.S., relating to disposition upon death; amending s. 732.221, F.S.; revising language with respect to perfection of title of personal representative or beneficiary; amending s. 732.222, F.S., relating to the purchaser for value or lender; amending s. 732.223, F.S.; revising language with respect to perfection of title of surviving spouse; amending s. 732.302, F.S.; revising language with respect to pretermitted children; amending s. 732.401, F.S.; revising language with respect to descent of homestead; amending s. 732.4015, F.S.; revising language with respect to the definition of "owner" and "devise" concerning homestead; amending s. 732.402, F.S.; revising language with respect to exempt property; amending s. 732.403, F.S.; revising language with respect to family allowance; amending s. 732.501, F.S.; revising language with respect to who may make a will; amending s. 732.502, F.S.; revising language with respect to execution of wills; amending s. 732.503, F.S.; revising language with respect to self-proof of will; amending s. 732.505, F.S.; revising language with respect to revocation by writing; amending s. 732.507, F.S.; revising language with respect to effect of subsequent marriage, birth, or dissolution of marriage; amending s. 732.513, F.S.; revising language with respect to devises to trustees; amending s. 732.514, F.S., relating to vesting of devises; amending s. 732.515, F.S.; revising language with respect to separate writing identifying devises of tangible property; amending s. 732.6005, F.S., relating to rules of construction and intention; amending s. 732.601, F.S.; revising language with respect to the Simultaneous Death Law; amending s. 732.603, F.S.; revising language with respect to antilapse, deceased devises, and class gifts; amending s. 732.604, F.S., relating to the failure of a testamentary provision; amending s. 732.605, F.S., relating to

change in securities, accessions, and nonademption; amending s. 732.606, F.S., relating to nonademption of specific devises in certain cases; amending s. 732.701, F.S.; providing for agreements concerning succession executed by a nonresident under certain circumstances; amending s. 732.702, F.S.; revising language with respect to waiver of spousal rights; amending s. 732.801, F.S.; revising language with respect to disclaimer of interests in property passing by will or intestate succession or under certain powers of appointment; amending s. 732.804, F.S.; providing for provisions relating to disposition of the body; amending s. 732.901, F.S., relating to production of wills, eliminating language with respect to willful failure to deposit the will; transferring and renumbering ss. 732.910, 732.911, 732.912, 732.913, 732.914, 732.915, 732.916, 732.917, 732.918, 732.9185, 732.919, 732.921, 732.9215, 732.92155, 732.9216, and 732.922, F.S., to chapter 765, F.S.; amending s. 733.101, F.S., relating to the venue of probate proceedings; amending s. 733.103, F.S., relating to the effect of probate; amending s. 733.104, F.S.; revising language with respect to the suspension of the statute of limitations in favor of the personal representative; amending s. 733.105, F.S.; revising language with respect to the determination of beneficiaries; amending s. 733.106, F.S.; revising language with respect to costs and attorney fees; amending s. 733.107, F.S., relating to the burden of proof in contests; amending s. 733.109, F.S.; revising language with respect to the revocation of probate; amending s. 733.201, F.S., relating to proof of wills; amending s. 733.202, F.S.; providing that any interested person may petition for administration; repealing s. 733.203, F.S., relating to when notice is required; amending s. 733.204, F.S.; revising language with respect to the probate of a will written in a foreign language; amending s. 733.205, F.S., relating to the probate of a notarial will; amending s. 733.206, F.S., relating to the probate of a resident after foreign probate; amending s. 733.207, F.S.; revising requirements with respect to the establishment and probate of a lost or destroyed will; amending s. 733.208, F.S.; revising language with respect to the discovery of a later will; amending s. 733.209, F.S.; providing requirements with respect to the estates of missing persons; amending s. 733.212, F.S.; revising language with respect to the notice of administration and filing of objections; creating s. 733.2121, F.S.; providing for notice to creditors and the filing of claims; amending s. 733.2123, F.S., relating to adjudication before issuance of letters; amending s. 733.213, F.S.; providing that a will may not be construed until after it has been admitted to probate; amending s. 733.301, F.S.; revising language with respect to preference in the appointment of the personal representative; amending s. 733.302, F.S.; revising language with respect to who may be appointed personal representative; amending s. 733.305, F.S., relating to trust companies and other corporations and associations; amending s. 733.306, F.S.; revising language with respect to the effect of the appointment of a debtor; amending s. 733.307, F.S., relating to succession of administration; amending s. 733.308, F.S., relating to the administrator ad litem; amending s. 733.309, F.S., relating to the executor de son tort; creating s. 733.310, F.S.; providing for when a personal representative is not qualified; repealing s. 733.401, F.S., relating to the issuance of letters; amending s. 733.402, F.S.; revising language with respect to the bond of a fiduciary; amending s. 733.403, F.S.; revising language with respect to the amount of the bond; amending s. 733.404, F.S., relating to the liability of the surety; amending s. 733.405, F.S.; revising language with respect to the release of surety; amending s. 733.406, F.S.; revising language with respect to bond premium allowable as an expense of administration; amending s. 733.501, F.S.; revising language with respect to curators; amending s. 733.502, F.S.; revising language with respect to the resignation of the personal representative; amending s. 733.503, F.S.; providing for the appointment of a successor upon the resignation of the personal representative; creating s. 733.5035, F.S.; providing for the surrender of assets after resignation; creating s. 733.5036, F.S.; providing for accounting and discharge following resignation; amending s. 733.504, F.S.; revising language with respect to the removal of the personal representative; amending s. 733.505, F.S.; providing that a petition for removal shall be filed in the court having jurisdiction of the administration; amending s. 733.506, F.S.; revising language with respect to proceedings for removal; creating s. 733.5061, F.S.; providing for the appointment of a successor upon removal of the personal representative; repealing s. 733.507, F.S., relating to administration following resignation or removal; amending s. 733.508,

F.S.; providing for accounting and discharge upon removal; amending s. 733.509, F.S.; revising language with respect to surrender of assets upon removal; amending s. 733.601, F.S.; revising language with respect to time of accrual of duties and powers; amending s. 733.602, F.S., relating to the general duties of a personal representative; amending s. 733.603, F.S., relating to when a personal representative may proceed without court order; amending s. 733.604, F.S.; revising language with respect to inventory; repealing s. 733.605, F.S., relating to appraisers; creating s. 733.6065, F.S.; providing for the opening of a safe-deposit box; amending s. 733.607, F.S.; revising language with respect to the possession of the estate; amending s. 733.608, F.S.; revising language with respect to the general power of the personal representative; amending s. 733.609, F.S.; revising language with respect to improper exercise of power and the breach of fiduciary duty; amending s. 733.610, F.S., relating to the sale, encumbrance, or transaction involving a conflict of interest; amending s. 733.611, F.S.; revising language with respect to persons dealing with the personal representative; amending s. 733.612, F.S.; revising language with respect to transactions authorized for the personal representatives and exceptions thereto; amending s. 733.6121, F.S., relating to powers of the personal representative with respect to environmental or human health laws affecting property subject to administration; amending s. 733.613, F.S.; revising language with respect to the personal representatives' right to sell real property; amending s. 733.614, F.S., relating to the powers and duties of a successor personal representative; amending s. 733.615, F.S.; revising language with respect to joint personal representatives; amending s. 733.616, F.S.; revising language with respect to the powers of the surviving personal representatives; amending s. 733.617, F.S.; revising language with respect to compensation of the personal representative; amending s. 733.6171, F.S.; revising language with respect to compensation of the attorney for the personal representative; amending s. 733.6175, F.S.; revising language with respect to proceedings for review of employment of agents and compensation of personal representatives and employees of the estate; amending s. 733.619, F.S., relating to the individual liability of the personal representative; amending s. 733.701, F.S.; revising language with respect to notifying creditors; correcting cross references; amending s. 733.702, F.S.; revising language with respect to limitations on presentation of claims; amending s. 733.703, F.S.; revising language with respect to the form and manner of presenting a claim; amending s. 733.704, F.S., relating to amendment of claims; amending s. 733.705, F.S.; revising language with respect to payment of and objection to claims; amending s. 733.707, F.S.; revising language with respect to the order of payment of expenses and obligations; amending s. 733.708, F.S.; revising language with respect to compromise; amending s. 733.710, F.S., relating to claims against estates; amending s. 733.801, F.S.; providing that the personal representative shall pay as an expense of administration certain costs; amending s. 733.802, F.S.; revising language with respect to proceedings for compulsory payment of devises or distributive interest; amending s. 733.803, F.S., relating to encumbered property; amending s. 733.805, F.S.; revising language with respect to the order in which assets are appropriated; amending s. 733.806, F.S., relating to advancement; amending s. 733.808, F.S.; revising language with respect to death benefits and disposition of proceeds; amending s. 733.809, F.S., relating to right of retainer; amending s. 733.810, F.S.; revising language with respect to distribution in kind and valuation; amending s. 733.811, F.S.; revising language with respect to the right or title of distributee; amending s. 733.812, F.S.; providing for improper distribution or payment and liability of distributee; amending s. 733.813, F.S., relating to protection of the purchaser from the distributee; amending s. 733.814, F.S.; revising language with respect to partition for the purpose of distribution; amending s. 733.815, F.S.; providing for private contracts among certain interested persons; amending s. 733.816, F.S., relating to the distribution of unclaimed property held by the personal representative; amending s. 733.817, F.S.; revising language with respect to apportionment of estate taxes; amending s. 733.901, F.S.; providing requirements with respect to final discharge; amending s. 733.903, F.S.; revising language with respect to subsequent administration; amending s. 734.101, F.S., relating to the foreign personal representative; amending s. 734.102, F.S.; revising language with respect to ancillary administration; amending s. 734.1025, F.S.;

revising language with respect to the nonresident decedent's testate estate with property not exceeding a certain value in this state; providing for the determination of claims; amending s. 734.104, F.S., relating to foreign wills; amending s. 734.201, F.S., relating to jurisdiction by act of a foreign personal representative; amending s. 734.202, F.S., relating to jurisdiction by act of decedent; repealing s. 735.101, F.S., relating to family administration and the nature of the proceedings; repealing s. 735.103, F.S., relating to petition for family administration; repealing s. 735.107, F.S., relating to family administration distribution; amending s. 735.201, F.S.; increasing a monetary amount with respect to summary administration; amending s. 735.203, F.S.; revising language with respect to the petition for summary administration; amending s. 735.206, F.S.; revising language with respect to summary administration distribution; amending s. 735.2063, F.S.; revising language with respect to notice to creditors; repealing s. 735.209, F.S., relating to joinder of heirs, devisees, or surviving spouse in summary administration; amending s. 735.301, F.S., relating to disposition without administration; amending s. 735.302, F.S.; revising language with respect to income tax refunds in certain circumstances; amending s. 737.3054, F.S.; revising language with respect to trustee's duty to pay expenses and obligations of grantor's estate; amending s. 737.306, F.S.; revising language with respect to personal liability of trustee; creating s. 737.3061, F.S.; providing for limitation on actions against certain trusts; amending s. 737.308, F.S.; revising language with respect to notice of trust; amending ss. 215.965, 660.46, and 737.111, F.S.; correcting cross references; directing the Division of Statutory Revision and Indexing to change the title of certain parts of the Probate Code; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Banking; and Council for Smarter Government.

By Representative Richardson—

**HB 139**—A bill to be entitled An act relating to elections; creating the Election Reform Study Commission; providing for appointment of members; providing for administrative and fiscal support; authorizing per diem and reimbursement of travel expenses; providing for open meetings and records; specifying duties; requiring a report; providing for termination of the commission upon submission of the report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; Fiscal Policy & Resources; and Procedural & Redistricting Council.

By Representatives Lynn, Crow, and Harrington—

**HB 141**—A bill to be entitled An act relating to adoption; amending ss. 39.703, 39.802, 39.806, 39.811, F.S., relating to the petition and grounds for terminating parental rights and powers of disposition; removing authority of licensed child-placing agencies to file actions to terminate parental rights; amending s. 39.812, F.S.; providing additional requirements for a petition for adoption; prohibiting filing such petition until the order terminating parental rights is final; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions; amending s. 63.032, F.S.; revising definitions; defining "adoption entity," "legal custody," "parent," and "relative"; creating s. 63.037, F.S.; providing exemptions from certain provisions of ch. 63, F.S., for adoption proceedings initiated under ch. 39, F.S.; creating s. 63.039, F.S.; providing duties of an adoption entity to prospective adoptive parents; providing sanctions and an award of attorney's fees under certain circumstances; amending s. 63.0425, F.S.; conforming provisions relating to grandparent's right to adopt; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; specifying the jurisdiction of the court over a minor placed for adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption, execute an affidavit of nonpaternity, or receive notice of proceedings to terminate parental rights; providing for form and content

of affidavit of nonpaternity; providing for notice of the right to select a witness; providing a form for waiver of venue; amending s. 63.082, F.S.; revising requirements and form for executing a consent to an adoption; making such requirements applicable to affidavit of nonpaternity; providing a revocation period and requirements for withdrawing consent; providing additional disclosure requirements; revising requisite history form to include social history; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a parent's parental rights should be terminated; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; requiring notification to grandparents; creating s. 63.088, F.S.; providing diligent search and court inquiry requirements for identifying and locating a person who is required to consent to an adoption or receive notice of proceedings to terminate parental rights; providing notice requirements including notice by constructive service; providing that failure to respond or appear constitutes grounds to terminate parental rights pending adoption; creating s. 63.089, F.S.; providing hearing procedures for proceedings to terminate parental rights pending adoption; specifying grounds upon which parental rights may be terminated; providing for finding of abandonment; providing for dismissal of petition procedures; providing for post-judgment relief; providing for confidentiality of records; amending s. 63.092, F.S.; providing requirements in an at-risk placement before termination of parental rights; amending s. 63.097, F.S.; revising fee requirements to provide for allowable and prohibited fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing requirements for prior approval of fees and costs; revising requirements for declaratory statement as to adoption contract; amending s. 63.112, F.S.; revising requirements for form and content of a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S.; conforming provisions relating to the final home investigation; amending s. 63.132, F.S.; revising requirements for affidavit of expenses and receipts; requiring separate court order approving fees, costs, and expenses; amending s. 63.142, F.S.; specifying circumstances under which a judgment terminating parental rights pending adoption is voidable; providing for an evidentiary hearing to determine the minor's placement following a motion to void such a judgment; amending s. 63.162, F.S.; conforming provisions relating to confidential records of adoption proceedings; amending s. 63.165, F.S.; requiring that the Department of Children and Family Services maintain certain information in the state registry of adoption information for a specified period; amending s. 63.182, F.S.; providing a 1-year statute of repose for actions to set aside or vacate a judgment of adoption or a judgment terminating parental rights pending adoption; providing a 2-year statute of repose for an action in fraud to set aside or vacate a judgment of adoption or a judgment terminating parental rights; amending s. 63.202, F.S.; conforming provisions relating to agencies authorized to place minors for adoption; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S.; revising provisions relating to prohibitions and penalties with respect to adoptions; amending s. 63.219, F.S.; conforming provisions relating to sanctions; creating s. 63.2325, F.S.; providing conditions for revocation of a consent to adoption or affidavit of nonpaternity; amending ss. 984.03, 985.03, F.S.; conforming cross-references; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing for severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Child & Family Security; Judicial Oversight; and Council for Healthy Communities.

By Representatives Davis, Bense, Mahon, Kravitz, Fields, Hogan, and Lee—

**HB 143**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the application of

the exemption for the sale of drinking water in bottles or other containers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representatives Clarke, Bennett, Detert, Kottkamp, and Paul—

**HB 145**—A bill to be entitled An act relating to enterprise zones; creating s. 290.00694, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Sarasota County; providing requirements with respect thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Economic Development & International Trade; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Ball, Cantens, Weissman, and Arza—

**HB 147**—A bill to be entitled An act relating to DNA evidence; providing for the examination of DNA evidence collected at the time a crime is investigated; providing a procedure under which a defendant who has been found guilty or who has pled guilty may petition the trial court to order an examination of DNA evidence; specifying requirements for a motion to examine DNA evidence; requiring that the court make certain findings; limiting the period within which a defendant may file a motion to examine DNA evidence; providing that a defendant waives any objection to the introduction of DNA test results in any future proceeding; providing for the defendant to appeal an order denying a motion to examine DNA evidence; providing certain time limitations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; and Council for Healthy Communities.

By Representatives Fiorentino, Cantens, and Attkisson—

**HB 149**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; providing that increased retirement disability benefits for special risk members apply to all such special risk members regardless of retirement date; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Ryan—

**HB 151**—A bill to be entitled An act relating to the operation of cardrooms; amending s. 849.086, F.S.; prescribing licensing requirements when more than one permitholder uses the same facility; providing cardroom license fees; revising standards on when cardrooms may be operated and the amount of bets allowable for each round, hand, or game; authorizing facilities to award prizes; revising the rate of the gross receipts tax on admissions; revising the amount of cardroom receipts that must be used to supplement greyhound and jai alai purses; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Agriculture & Consumer Affairs; Fiscal Policy & Resources; and Council for Smarter Government.

**HB 153**—Withdrawn

By Representative Slosberg—

**HB 155**—A bill to be entitled An act relating to the Medicare prescription discount program; amending s. 409.9066, F.S.; modifying

the discount amount to be made available by a pharmacy; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Fiscal Policy & Resources; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representatives Weissman, Greenstein, Henriquez, Smith, Kendrick, Meadows, Siplin, Richardson, Gelber, Slosberg, Bendross-Mindingall, Romeo, Garcia, Justice, Ritter, Gannon, Gottlieb, Brown, Lerner, and Bucher—

**HB 157**—A bill to be entitled An act relating to motor vehicle airbags; providing definitions; providing for certain records; prohibiting the replacement of a deployed or defective airbag with anything other than a new or salvaged airbag; providing a penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Transportation; Crime Prevention, Corrections & Safety; and Council for Competitive Commerce.

By Representatives Rubio, Negron, Harrell, Barreiro, Prieguez, and Waters—

**HB 159**—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.51, F.S.; providing a licensure requirement for a physician who renders an adverse determination regarding services provided by another state-licensed physician; eliminating authority of certain out-of-state physicians to render such determinations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Insurance; and Council for Healthy Communities.

By Representatives Argenziano and Russell—

**HB 161**—A bill to be entitled An act relating to water management; creating the Citrus/Hernando Waterways Restoration Council; providing for membership, powers, and duties; providing for a report to the Legislature; providing for an advisory group to the council; requiring the Southwest Florida Water Management District to provide staff for the council; providing for award of contracts subject to an appropriation of funds; providing for a Citrus/Hernando Waterways restoration program; providing for a demonstration restoration project; providing appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Fiscal Policy & Resources; General Government Appropriations; and Council for Ready Infrastructure.

By Representative Prieguez—

**HB 163**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing that publicly owned facilities within certain municipalities at which a collegiate football team is based may use the proceeds of sales taxes generated by the facility for the purpose of renovating the facility; providing for reporting and remitting of such taxes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Tourism; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Ritter and Gottlieb—

**HB 165**—A bill to be entitled An act relating to construction contracting; amending s. 489.13, F.S.; providing for issuance of a notice

of noncompliance, imposition of an administrative fine, and assessment of reasonable investigative and legal costs of prosecution for unlicensed contracting; specifying that such remedies are not exclusive; providing for uses of fine proceeds; requiring the Department of Business and Professional Regulation to create a web page on its Internet website dedicated to listing known information on unlicensed contractors; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Littlefield—

**HB 167**—A bill to be entitled An act relating to domestic violence; amending ss. 25.385, 39.902, 741.28, and 943.171, F.S.; redefining the terms “domestic violence” and “family or household member”; amending s. 28.101., F.S.; increasing a charge for certain petitions; amending s. 61.1825, F.S.; providing for additional circumstances when a family violence indicator must be placed on a record; amending s. 741.281, F.S.; deleting certain provisions relating to pretrial diversion programs; amending s. 741.30, F.S.; specifying when a person has standing to file a petition for an injunction against domestic violence; providing for incidents that describe violence or threats of violence; providing legislative intent that ex parte temporary injunctions protect a victim as long as he or she is in danger; requesting the Supreme Court to adopt rules to require extensions of temporary injunctions; specifying when a court may grant relief; providing factors for the court to consider in determining imminent danger; providing for recording of proceedings; directing the Office of State Court Administrator to examine and develop recommendations concerning certain court practices; providing for a report to the Governor and Legislature; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Child & Family Security; and Council for Smarter Government.

By Representative Littlefield—

**HB 169**—A bill to be entitled An act relating to public school instruction in human sexuality; requiring written parental consent prior to such instruction; requiring the provision of alternative instruction; prohibiting schools from penalizing nonparticipation in such instruction; requiring recordkeeping; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Education Innovation; and Council for Lifelong Learning.

By Representative Brutus—

**HB 171**—A bill to be entitled An act relating to requests for absentee ballots; creating s. 104.046, F.S.; prohibiting the removal of any request for an absentee ballot from the main or any branch office of the supervisor of elections after submission to the supervisor; prohibiting any person other than the absent elector, a member of the elector's immediate family, or the elector's legal guardian from making any corrections or additions to a request for an absentee ballot after submission to the supervisor; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; Crime Prevention, Corrections & Safety; and Procedural & Redistricting Council.

**HB 173**—Withdrawn

By Representative Machek—

**HB 175**—A bill to be entitled An act relating to reckless driving; amending s. 316.192, F.S.; providing penalties for reckless driving

resulting in damage to property or person or serious bodily injury; providing a definition; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Transportation; and Council for Healthy Communities.

**HB 177**—Withdrawn

By Representatives Lynn and Rich—

**HB 179**—A bill to be entitled An act relating to child care facilities; requiring the Department of Children and Family Services to establish a database of information relating to violations, citations, and penalties imposed against child care facilities regulated by the state; specifying database capabilities and uses of information contained therein; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Child & Family Security; Information Technology; and Council for Healthy Communities.

**HB 181**—Withdrawn

By Representative Fiorentino—

**HB 183**—A bill to be entitled An act relating to trust funds; creating s. 236.12265, F.S.; creating the Florida School Improvement Academic Trust Fund within the Department of Education; providing sources of funds; specifying uses of funds; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Education Appropriations; and Council for Lifelong Learning.

By Representative Fiorentino—

**HB 185**—A bill to be entitled An act relating to Florida School Improvement Academic Trust Fund matching grants; creating s. 236.1226, F.S.; creating the Florida School Improvement Academic Trust Fund matching grant program; providing legislative intent; requiring the Commissioner of Education to specify certain procedures; specifying uses of funds; providing for disbursement of funds; providing for district-level and school-level administration of funds; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Education Appropriations; and Council for Lifelong Learning.

By Representative Maygarden—

**HB 187**—A bill to be entitled An act relating to malt beverages; amending s. 563.06, F.S.; removing current restrictions on containers under a specified size, subject to certain conditions; imposing requirements on malt beverages imported from foreign countries; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Agriculture & Consumer Affairs; and Council for Smarter Government.

By Representatives Harrington, Needelman, Paul, and Green—

**HB 189**—A bill to be entitled An act relating to absentee ballots; creating the Military Voter Protection Act; declaring legislative intent to enact legislation to ensure the integrity of absentee ballots cast by military personnel; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Rules, Ethics & Elections; and Procedural & Redistricting Council.

By Representative Smith—

**HB 191**—A bill to be entitled An act relating to the Hillsborough County School Board; providing for the relief of Alana Kelly and Richard F. Taylor, Sr.; providing for an appropriation to compensate them for the death of their son, Richard F. Taylor, Jr., caused by the negligence of a Hillsborough County School Board employee; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representatives Kosmas and Green—

**HB 193**—A bill to be entitled An act relating to safety standards for public health care employees; providing definitions; requiring that the Department of Health adopt a blood-borne-pathogen standard for public employees; requiring the use of needleless systems and sharps with engineered sharps injury protection; requiring that incidents of exposure be recorded in a sharps injury log; specifying the information to be included in the sharps injury log; authorizing the Department of Health to include additional requirements as part of the blood-borne-pathogen standard; requiring that the department compile a list of needleless systems and sharps with engineered sharps injury protection to assist employers in complying with the department's standard; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; State Administration; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representative Kosmas—

**HB 195**—A bill to be entitled An act relating to passengers of vehicles; amending s. 316.2015, F.S.; prohibiting certain persons from riding on the exterior of a passenger vehicle or in areas not designed or intended for the use of passengers on certain vehicles; prohibiting certain minors from riding within the body of a pickup truck or flatbed truck; providing exceptions; providing penalties; amending s. 316.008, F.S.; authorizing counties and municipalities to exempt themselves from such prohibition; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Agriculture & Consumer Affairs; and Council for Ready Infrastructure.

**HB 197**—Withdrawn

By Representative Trovillion—

**HB 199**—A bill to be entitled An act relating to drug courts; providing a definition; creating drug courts in judicial circuits; providing goals; providing essential elements; providing for funding flexibility; providing for a governing body; specifying membership; providing for operation and meetings; providing for public access to records and meetings; providing for case management and care management; providing criteria; providing for consortia of providers; providing primary objectives; providing for rules of implementation; creating the Florida Association of Drug Court Professionals; providing for membership; authorizing the Supreme Court to establish rules and procedures for drug courts; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Rubio—

**HB 201**—A bill to be entitled An act relating to disposition of civil penalties; amending s. 318.21, F.S.; revising language with respect to a

fee distributed to the counties from each moving traffic violation to be used for participation in an intergovernmental radio communication program; providing for the use of such funds under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Fiscal Policy & Resources; General Government Appropriations; and Council for Smarter Government.

By Representatives Ryan, Hogan, Paul, Melvin, Stansel, Kendrick, Spratt, Brutus, Henriquez, Smith, and Justice—

**HB 203**—A bill to be entitled An act relating to improper activity over the Internet; amending s. 847.001, F.S.; defining the term “child pornography” for purposes of ch. 847, F.S.; clarifying the definition of the term “sexual conduct”; defining the term “transmit”; amending s. 847.0135, F.S.; revising the “Computer Pornography and Child Exploitation Act of 1986” to clarify certain penalties; creating s. 847.0137, F.S.; prohibiting transmissions over the Internet of pornography in specified circumstances; providing penalties; creating s. 847.0139, F.S.; providing immunity from civil liability for reporting child pornography; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Information Technology; Child & Family Security; Juvenile Justice; and Council for Ready Infrastructure.

By Representative Flanagan—

**HB 205**—A bill to be entitled An act relating to enterprise zones; amending s. 290.00555, F.S.; removing the December 31, 1999, deadline for creation of satellite enterprise zones by certain municipalities and authorizing creation of such zones effective retroactively to that date; providing for refund of sales and use taxes paid after that date that would have been eligible for certain exemptions or credits; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Economic Development & International Trade; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Gottlieb and Lynn—

**HB 207**—A bill to be entitled An act relating to condominiums; amending s. 718.1255, F.S., relating to alternative dispute resolution procedures; providing for the expedited handling of any allegation of an irregularity in the election of any director of the board of administration of a condominium; providing for investigation and a formal hearing; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Business Regulation; and Council for Smarter Government.

By Representative Maygarden—

**HJR 209**—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 26 of Article XII of the State Constitution relating to a tax exemption for certain property owned by municipalities or special districts and used for airport or seaport purposes.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Maygarden—

**HB 211**—A bill to be entitled An act relating to the Florida Evidence Code; creating s. 90.4026, F.S.; providing definitions; providing for the

inadmissibility of certain statements, writings, or benevolent gestures as evidence of an admission of liability in a civil action; providing for the admissibility of certain statements of fault; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

By Representative Barreiro—

**HB 213**—A bill to be entitled An act relating to the Money Transmitter’s Code; amending s. 560.103, F.S.; revising definitions; amending s. 560.111, F.S.; providing penalties for specified violations of the deferred presentment act; amending s. 560.114, F.S.; providing additional grounds for disciplinary action; providing for continuation of certain administrative proceedings under certain circumstances; amending s. 560.118, F.S.; eliminating the authority to assess examination fees; amending s. 560.119, F.S.; revising the deposit of fees and assessments; amending s. 560.205, F.S.; adding a fee for authorized vendor or branch locations; amending s. 560.206, F.S.; amending the registration period; amending s. 560.207, F.S.; conforming and clarifying the fee for late renewals; amending the renewal application fee; amending s. 560.208, F.S.; requiring notification of vendor or branch locations; requiring a nonrefundable fee and financial statement; amending s. 560.307, F.S.; applying the application fee to check cashers and foreign currency exchanges and adding a fee for authorized vendors or branch locations; requiring notification of vendor or branch locations; amending s. 560.308, F.S.; increasing the registration and renewal fee for each registrant; clarifying the fee to be charged for late renewal; creating part IV, ch. 560, F.S., consisting of ss. 560.401, 560.402, 560.403, 560.404, 560.405, 560.406, 560.407, and 560.408, F.S.; providing a short title; providing definitions; providing registration requirements for deferred presentment transactions; providing for filing fees; providing limitations; specifying requirements and limitations for engaging in deferred presentment transactions; providing prohibitions; providing for fees; providing limitations; requiring certain notice; specifying criteria and requirements for deposit and redemption of a drawer’s check; providing procedures for recovering damages for worthless checks; requiring maintenance of records for a time certain; providing legislative intent; requiring the Comptroller to submit a report to the President of the Senate and the Speaker of the House of Representatives concerning the effectiveness of this act; providing an appropriation; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Cusack—

**HB 215**—A bill to be entitled An act relating to parental rights; amending s. 61.13, F.S.; providing that specified rights apply to both parents; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on State Administration; and Council for Smarter Government.

By Representatives Flanagan and Carassas—

**HB 217**—A bill to be entitled An act relating to elections; creating s. 100.065, F.S.; allowing all voters to vote in certain primary election contests; specifying procedures for placing the candidates’ names on the ballots required; providing for runoffs at the general election; amending ss. 101.021, 101.251, and 101.5606, F.S., to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; Fiscal Policy & Resources; and Procedural & Redistricting Council.

By Representatives Rubio and Green—

**HB 219**—A bill to be entitled An act relating to improper activity over the Internet; amending s. 847.001, F.S.; defining the term “child pornography” for purposes of ch. 847, F.S.; clarifying the definition of the term “sexual conduct”; defining the term “transmit”; creating s. 847.0137, F.S.; prohibiting transmissions over the Internet of pornography in specified circumstances; providing penalties; creating s. 847.0139, F.S.; providing immunity from civil liability for reporting child pornography; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Information Technology; Crime Prevention, Corrections & Safety; and Council for Ready Infrastructure.

**HB 221**—Withdrawn

By Representatives Henriquez, Heyman, Greenstein, Gottlieb, Gannon, and Crow—

**HB 223**—A bill to be entitled An act relating to court costs in domestic violence cases; creating s. 938.14, F.S.; providing for imposition of an additional mandatory court cost upon a person found to have committed an act of domestic violence; providing for waiver of the court cost; providing for collection by the clerk of the court; providing for deposit of such court costs in the Domestic Violence Trust Fund; providing for certain disbursements in accordance with specified provisions relating to funding of domestic violence centers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Henriquez—

**HB 225**—A bill to be entitled An act relating to campaign financing; amending s. 106.09, F.S.; increasing penalties for making or accepting certain illegal campaign contributions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; State Administration; Crime Prevention, Corrections & Safety; and Procedural & Redistricting Council.

**HB 227**—Withdrawn

By Representative Kendrick—

**HB 229**—A bill to be entitled An act relating to Escambia County; providing for the relief of Clyde Kilpatrick; authorizing and directing Escambia County to compensate Clyde Kilpatrick for injuries sustained as a result of the negligence of Escambia County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representative Diaz de la Portilla—

**HB 231**—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Jack Brett Lemonik; providing for an appropriation to compensate Jack Brett Lemonik for injuries sustained as a result of the actions of Miami-Dade County employees; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representatives Weissman, Meadows, Sobel, and Slosberg—

**HB 233**—A bill to be entitled An act relating to children and families; creating s. 752.011, F.S.; providing for court-ordered visitation for grandparents and great-grandparents under certain circumstances; providing for appointment of a guardian ad litem and family mediation if the court makes a preliminary finding that the minor is threatened with demonstrable significant mental or emotional harm without such visitation; requiring court-ordered evaluation of the child if mediation fails; providing for a hearing to determine whether the minor is threatened with demonstrable significant mental or emotional harm; providing criteria for such a determination; providing for attorney’s fees and costs; applying the Uniform Child Custody Jurisdiction Act; repealing s. 752.01, F.S., relating to grandparental visitation; encouraging consolidation of actions under ss. 61.13, 752.011, F.S.; amending ss. 752.015, 752.07, F.S., to conform cross-references; amending s. 39.01, F.S.; including references to great-grandparents in definitions relating to dependent children; amending s. 39.509, F.S.; providing for great-grandparents’ visitation rights; amending ss. 39.801, 63.0425, F.S.; providing for a great-grandparent’s right to adopt; amending s. 61.13, F.S.; providing for great-grandparents’ visitation rights and standing with regard to evaluating custody arrangements; conforming this section to provisions of this act; amending s. 63.172, F.S.; conforming references relating to great-grandparental visitation rights under ch. 752, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Prieguez—

**HB 235**—A bill to be entitled An act relating to dental service claim adverse determinations; amending s. 627.419, F.S.; providing for appeals from certain adverse determinations; providing procedures; providing requirements; providing a definition; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Insurance; and Council for Healthy Communities.

By Representative Seiler—

**HB 237**—A bill to be entitled An act relating to moving companies; creating the “Movers Regulation Act”; providing definitions; providing construction and legislative intent; providing for the Department of Agriculture and Consumer Services to regulate businesses engaged in intrastate transportation of household goods; providing that the act does not supersede local ordinances; prohibiting a person from engaging in business as a mover without obtaining an operating permit from the Department of Agriculture and Consumer Services; requiring that a mover be bonded or establish financial security of a specified amount; providing application requirements; providing for a permit fee; authorizing the department to bring an action to recover against a mover’s bond or financial security; specifying circumstances under which the department may deny or refuse to renew an operating permit; providing a procedure for a mover to appeal a denial or revocation of an operating permit; providing for issuance of a replacement permit; requiring that a permit be annually renewed; requiring a mover to provide a written estimate to a shipper; providing requirements for the written estimate; authorizing a mover to require a deposit before loading a shipper’s household goods; specifying circumstances under which a mover may retain the deposit; requiring that a mover prepare a written contract before performing any service on behalf of a shipper; providing requirements for the written contract; requiring that the contract contain a disclosure statement; prohibiting a mover from charging a fee in excess of the written contract; providing an exception; requiring that a mover accept certain forms of payment; providing that a violation of the act is a civil infraction; providing penalties; providing procedures for contesting a citation issued by the department; providing that certain offenses involving the unlawful increase of the contract

amount or failure to relinquish household goods are felony offenses; authorizing the Department of Legal Affairs to prosecute violations of the act under the Florida Deceptive and Unfair Trade Practices Act; authorizing the Department of Agriculture and Consumer Services to enter into the business premises of a mover to enforce compliance with the act; providing that the act preempts conflicting local laws or ordinances; amending s. 895.02, F.S.; defining felony violations of the act as "racketeering activity" under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing for severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Crime Prevention, Corrections & Safety; and Council for Competitive Commerce.

By Representatives Allen, Rubio, Murman, and Gibson—

**HB 239**—A bill to be entitled An act relating to child restraint requirements; amending s. 316.613, F.S.; revising requirements with respect to the use of child restraint devices; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Crime Prevention, Corrections & Safety; and Council for Ready Infrastructure.

By Representative Cantens—

**HB 241**—A bill to be entitled An act for the relief of Minouche Noel, a minor, and Jean and Flora Noel, parents and natural guardians of Minouche Noel; providing an appropriation to compensate Minouche Noel, a minor, and Jean and Flora Noel, parents and natural guardians of Minouche Noel, individually, for injuries and damages sustained due to the negligence of Children's Medical Services of the former Department of Health and Rehabilitative Services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representatives Rubio and Farkas—

**HB 243**—A bill to be entitled An act relating to health care; repealing ss. 408.031, 408.032, 408.033, 408.034, 408.035, 408.036, 408.0361, 408.037, 408.038, 408.039, 408.040, 408.041, 408.042, 408.043, 408.044, 408.045, 408.0455, and 651.118, F.S., relating to requirements for certificate-of-need review and approval for health care facilities and services; repealing s. 154.245, F.S., relating to certificates of need required as a condition of certain bond validation; amending ss. 20.42, 154.205, 154.213, 154.219, 159.27, 164.1031, 186.503, 186.507, 186.511, 189.415, 383.216, 395.0191, 395.1055, 395.603, 395.604, 395.605, 400.071, 400.23, 400.602, 400.606, 400.6085, 408.05, 408.061, 408.063, 408.07, 408.09, 408.18, 409.9117, 430.705, 430.708, 458.345, 459.021, 641.60, and 651.021, F.S., to conform to the repeal of certificate-of-need requirements and the process of certificate-of-need review, and the health planning process related thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Health Regulation; and Council for Healthy Communities.

By Representative Brummer—

**HB 245**—A bill to be entitled An act relating to the Parole Commission; creating the "Parole Commission Reform Act of 2001"; amending s. 20.055, F.S.; deleting the requirement that the Parole Commission have an inspector general; amending s. 944.605, F.S.; requiring the Department of Corrections, rather than the Parole Commission or the Control Release Authority, to notify certain entities prior to inmate release; amending s. 947.04, F.S.; permitting Parole Commission staff to establish and maintain offices within existing

department facilities; amending s. 947.1405, F.S.; requiring the Department of Corrections to review an inmate's program participation and other records prior to conditional release, to conduct a personal interview with the inmate, to forward the inmate's release plan to the Parole Commission, and to make recommendations to the commission; authorizing the commission to impose requirements relating to curfews; correcting references; authorizing the commission to require electronic monitoring for certain releasees; amending s. 947.24, F.S.; requiring the department to provide to the commission information for parole or release reviews; repealing s. 947.175, F.S., relating to notice to local agencies by the Parole Commission; repealing s. 947.177, F.S., relating to inmate release, notice by Department of Corrections, Control Release Authority, or Parole Commission; reducing the number of existing full-time positions within the commission; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representative Harrell—

**HB 247**—A bill to be entitled An act relating to unfair discrimination in the business of insurance; amending s. 626.9541, F.S.; providing for application to certain additional types of insurers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Insurance; and Council for Competitive Commerce.

By Representative Kilmer—

**HB 249**—A bill to be entitled An act relating to disability in the line of duty; amending s. 112.18, F.S.; expanding the provisions of law with respect to disability in the line of duty to include all law enforcement officers and certain correctional officers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; State Administration; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Kilmer—

**HB 251**—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 clothing and certain other items shall be exempt from such tax; defining "clothing"; providing exceptions; providing for rules; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Prieguez—

**HB 253**—A bill to be entitled An act relating to student financial aid; amending ss. 240.404, 240.4095, 240.4097, and 240.605, F.S.; authorizing state financial aid for students attending private, independent, nonprofit institutions that meet specified licensing and accrediting requirements; amending s. 240.4125, F.S.; clarifying a cross reference relating to eligibility for the Mary McLeod Bethune Scholarship Program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; Education Appropriations; Council for Lifelong Learning; and Fiscal Responsibility Council.

By Representatives Bullard, Lerner, Heyman, Brutus, Cantens, Holloway, Betancourt, Meadows, Garcia, Barreiro, Wilson, Gelber, Gottlieb, and Diaz de la Portilla—

**HB 255**—A bill to be entitled An act relating to citrus canker eradication; amending s. 581.184, F.S.; revising requirements with respect to compensation for citrus trees removed as part of an eradication program; providing appropriations; directing the department to compensate certain owners of citrus trees removed as part of eradication programs; providing retroactive applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; State Administration; General Government Appropriations; and Council for Competitive Commerce.

By Representative Bullard—

**HB 257**—A bill to be entitled An act relating to road designations; designating “Steven Cranman Boulevard” and “Ethel Beckford Boulevard” in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Transportation; and Council for Ready Infrastructure.

By Representative Slosberg—

**HB 259**—A bill to be entitled An act relating to drivers’ licenses; amending s. 322.28, F.S.; revising provisions relating to the penalty for a second or subsequent conviction for operating a vehicle under the influence; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Transportation; State Administration; and Council for Healthy Communities.

By Representative Jordan—

**HB 261**—A bill to be entitled An act relating to release of employee information by employers; providing specified requirements of employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer; providing requirements relating to an authorization to release information; defining the term “employment information”; providing for injunctive relief; providing a presumption; providing for fees to cover certain costs incurred by the employer; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Crime Prevention, Corrections & Safety; and Council for Smarter Government.

By Representative Joyner—

**HB 263**—A bill to be entitled An act relating to obtaining property by false personation; amending s. 817.02, F.S.; providing that obtaining property by false personation is a second-degree felony; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; and Council for Healthy Communities.

By Representative Waters—

**HB 265**—A bill to be entitled An act relating to education accountability; amending s. 229.58, F.S.; revising requirements for the composition of school advisory councils; requiring school boards to

develop procedures to ensure balanced school advisory council membership; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on General Education; and Council for Lifelong Learning.

By Representatives Kravitz, Davis, Wiles, Baxley, Needelman, Bean, Hogan, Negron, Kottkamp, Detert, Richardson, Gannon, Pickens, and Fields—

**HB 267**—A bill to be entitled An act relating to school attendance by violent offenders; requiring courts to provide certain notice to a school district under certain circumstances; prohibiting certain persons from attending certain schools or riding on certain school buses under certain circumstances; providing for attending alternate schools; requiring responsibility for certain transportation costs in attending alternate schools; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Juvenile Justice; and Council for Lifelong Learning.

By Representatives Murman, Lacasa, Byrd, Mack, Melvin, Diaz-Balart, Cantens, Bense, Argenziano, Lynn, and Atwater—

**HB 269**—A bill to be entitled An act relating to school district best financial management practices reviews; amending s. 230.23025, F.S.; providing legislative intent; providing OPPAGA with primary responsibility for the completion of best financial practices reviews; revising areas in which best financial management practices are to be developed and adopted; revising and clarifying the best financial management practices adoption and revision process; clarifying that OPPAGA may either complete, or contract with a private firm to complete, all or part of any review; authorizing the inclusion of review items in addition to the adopted best financial management practices, after consultation with the school district; establishing a continuing 5-year review cycle; authorizing the Joint Legislative Auditing Committee to adjust the schedule under certain circumstances; authorizing the review of additional school districts under certain circumstances; specifying that reviews shall be conducted to the extent funded by the Legislature; specifying the use of such funds; requiring copies of the final report issued by OPPAGA to be provided to additional entities; revising provisions relating to eligibility for the “Seal of Best Financial Management”; establishing requirements relating to status reports; requiring OPPAGA to review a district’s status reports, assess implementation of the action plan, and assess progress toward implementing the best financial management practices and to issue a report; clarifying provisions relating to the award of the “Seal of Best Financial Management”; requiring school districts that are reviewed to maintain certain records; repealing s. 11.515, F.S., relating to school district performance reviews; repealing s. 230.2302, F.S., relating to performance reviews; repealing s. 230.23026, F.S., relating to the Florida School District Review Trust Fund; amending s. 11.51, F.S., relating to school district performance reviews by the Office of Program Policy Analysis and Government Accountability, s. 230.23027, F.S., relating to the Small School District Stabilization Program, s. 233.43, F.S., relating to duties of superintendent relating to instructional materials, and s. 235.2197, F.S., relating to the Florida Frugal Schools Program; correcting cross references to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Education Appropriations; and Council for Lifelong Learning.

By Representatives Negron, Melvin, and Diaz de la Portilla—

**HB 271**—A bill to be entitled An act relating to corporate income tax; creating s. 220.187, F.S.; providing purpose; providing definitions; providing a credit against said tax for contributions to a nonprofit scholarship funding organization; providing limitations; providing for

use of such contributions by such organizations for scholarships for certain children and providing requirements and limitations with respect thereto; providing for annual funding through the General Appropriations Act; providing for allocation; providing duties of the Department of Revenue and Department of Education; providing for rules; amending s. 220.02, F.S.; providing order of credits against the tax; amending s. 220.13, F.S.; providing for the inclusion of amounts taken as credit under s. 220.187, F.S., in determining a taxpayer's adjusted federal income; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Fiscal Policy & Resources; Education Appropriations; and Council for Lifelong Learning.

By Representatives Ross and Goodlette—

**HB 273**—A bill to be entitled An act relating to reporting requirements under the Florida Election Code; amending s. 106.011, F.S.; modifying the definition of “political committee”; amending s. 106.03, F.S.; requiring additional information for registration of political committees; amending s. 106.04, F.S.; requiring additional information for certification of committees of continuous existence; requiring membership dues of committees of continuous existence to be reported in the same manner as regular contributions; removing requirement to provide a membership list for inspection purposes; removing requirement for filing duplicate copies of reports; providing penalties; amending s. 106.07, F.S., relating to campaign treasurer's reports; revising reporting periods and requirements; removing requirement for duplicate reports; providing penalties; creating s. 106.0705, F.S.; requiring campaign treasurer's reports that are to be filed with the Division of Elections to be filed electronically when aggregate contributions or expenditures exceed a specified amount; providing filing requirements; providing penalties; providing rulemaking authority; amending s. 106.071, F.S.; revising provisions relating to the reporting of certain independent expenditures; providing penalties; creating s. 106.073, F.S.; requiring certain organizations that sponsor issue advertisements to register under certain circumstances; providing a definition; requiring certain reports; providing requirements for such advertisements, including a disclaimer; providing penalties; providing rulemaking authority; amending s. 106.12, F.S.; revising the petty cash fund limit to conform to the revised reporting periods; amending s. 106.29, F.S., relating to reports by political parties; revising reporting periods and requirements; removing requirement for duplicate reports; providing penalties; amending ss. 105.08, 106.025, 106.08, 106.141, and 106.18, F.S., relating to reporting requirements applicable to candidates for retention to judicial office, campaign fund raisers held on behalf of a political party by its state or county executive committee, nonallocable, in-kind contributions by candidates and political parties, disposition of surplus funds by candidates, and the granting of certificates of election, to conform; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Rules, Ethics & Elections; and Procedural & Redistricting Council.

By Representatives Ross and Goodlette—

**HB 275**—A bill to be entitled An act relating to public records; creating s. 106.0706, F.S.; providing exemptions from public records requirements for personal identification numbers and computer security algorithms required to maintain the security of information submitted or received through an electronic filing system for campaign treasurer's reports; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; State Administration; and Procedural & Redistricting Council.

By Representatives Atwater, Lynn, Melvin, Negron, Wallace, Betancourt, Garcia, Jordan, Diaz de la Portilla, Gardiner, Mahon,

Pickens, Haridopolos, Paul, Mack, Davis, Bennett, Kravitz, Attkisson, Bowen, Alexander, Harrington, Farkas, Brummer, and Fiorentino—

**HB 277**—A bill to be entitled An act relating to school attendance; creating s. 414.1251, F.S.; reestablishing the Learnfare program; amending s. 228.041, F.S., relating to definitions; correcting a cross reference; amending s. 230.23, F.S., relating to powers and duties of district school boards; adding duties; repealing s. 414.125, F.S., relating to the Learnfare program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representatives Lynn, Atwater, Murman, Wilson, and Mayfield—

**HB 279**—A bill to be entitled An act relating to teacher death benefits; creating the “Barry Grunow Act”; creating s. 112.1915, F.S.; providing definitions; providing death benefits with respect to teachers killed in the line of duty; providing for payment of certain health insurance premiums; providing for rules; providing for the waiver of certain educational expenses for children of certain deceased teachers; providing for rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Education Appropriations; and Council for Lifelong Learning.

By Representative Alexander—

**HB 281**—A bill to be entitled An act relating to financing for private not-for-profit institutions of higher education; creating the “Higher Educational Facilities Financing Act”; providing legislative findings and declarations; providing definitions; creating the Higher Educational Facilities Financing Authority; providing for membership of the authority; providing for its powers; providing criteria for and covenants relating to the authorization of the issuance of notes and revenue bonds not obligating the full faith and credit of the authority, any municipality, the state, or any political subdivision thereof; providing for loans from revenue bonds to participating institutions; providing for the validation of revenue bonds; providing for trust funds and remedies of bondholders; providing for a tax exemption; providing for agreement of the state; providing other powers and authorities incident thereto; requiring reports and audits; amending s. 196.012, F.S.; providing that institutions funded by the Higher Educational Facilities Financing Act are educational institutions for purposes of state taxation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representatives Kosmas and Gottlieb—

**HB 283**—A bill to be entitled An act relating to protection of children's health; providing legislative findings and intent; providing definitions; providing for appointment of the Children's Health and Environmental Protection Advisory Committee; providing for organization and meetings and for termination of the advisory committee; providing for staff support by the Department of Environmental Protection; providing for reimbursement of members' per diem and travel expenses; providing duties of the advisory committee; requiring a report and recommendations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Health Promotion; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representatives Wilson and Gannon—

**HB 285**—A bill to be entitled An act relating to prisons; creating the “Protection Against Sexual Violence in Florida Jails and Prisons Act”;

amending ss. 944.35, 951.23, F.S.; requiring the Criminal Justice Standards and Training Commission to develop a course relating to sexual assault identification and prevention as part of the correctional-officer training program; authorizing the department and county and municipal detention facilities to provide an orientation program and counseling; creating s. 951.221, F.S.; prohibiting sexual misconduct by employees of county or municipal detention facilities; providing for termination of employment under certain circumstances; providing penalties; creating s. 951.223, F.S.; prohibiting an officer or employee of a county or municipal detention facility from receiving any gift or other compensation from a prisoner or making any gift or present to a prisoner without the permission of the administrator of the facility; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; Criminal Justice Appropriations; and Council for Healthy Communities.

By Representative Lynn—

**HB 287**—A bill to be entitled An act relating to Volusia County; directing the Board of County Commissioners to issue a certificate of public convenience and necessity to an applicant for licensure as a basic life support or advanced life support service that will operate in a municipality within the county that has a population greater than 30,000 upon request of the municipality, under specified conditions; providing for a referendum; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Local Government & Veterans Affairs.

By Representative Barreiro—

**HB 289**—A bill to be entitled An act relating to commercial development and capital improvements; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to a motorsports entertainment complex; creating s. 288.1170, F.S.; providing definitions; providing for certification of such facility by the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing requirements for certification; requiring specified notice; providing for annual recertification; providing for use of the funds distributed to a motorsports entertainment complex; providing for audits by the Department of Revenue; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Tourism; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Ryan—

**HB 291**—A bill to be entitled An act relating to windstorm property insurance; amending s. 627.062, F.S.; excluding the Florida Windstorm Underwriting Association from certain rate filing arbitration provisions; amending s. 627.0629, F.S.; specifying criteria for certain rate filings; authorizing computer modeling for certain purposes under certain circumstances; providing requirements; providing a limitation for the Florida Windstorm Underwriting Association; providing criteria; amending s. 627.351, F.S.; revising the membership of the board of directors of the Florida Windstorm Underwriting Association; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; State Administration; General Government Appropriations; and Council for Competitive Commerce.

By Representatives Crow and Mack—

**HB 293**—A bill to be entitled An act relating to the Certified Capital Company Act; amending s. 288.99, F.S.; redefining the terms “early

stage technology business” and “qualified distribution”; defining the terms “Program One” and “Program Two”; revising procedures and dates for certification and decertification under Program One and Program Two; revising the process for earning premium tax credits; providing a limitation on tax credits under Program Two; authorizing the Department of Banking and Finance to levy a fine; providing for distributions under both programs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Information Technology; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representative Gibson—

**HJR 295**—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to finance and taxation, to allow counties to provide for a reduction in the assessed value of residential property equal to the increase in such value which results from constructing living quarters for certain persons over the age of 62 years.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Local Government & Veterans Affairs; and Council for Smarter Government.

**HB 297**—Withdrawn

By Representative Gibson—

**HB 299**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising language with respect to special risk membership to include members who supervise or are command officers of members who are emergency medical technicians or paramedics; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Wilson—

**HB 301**—A bill to be entitled An act relating to the testing of inmates for HIV; creating ss. 944.6025 and 957.055, F.S.; defining the term “HIV test”; requiring the Department of Corrections and contractors operating private correctional facilities under the Correctional Privatization Commission to perform HIV tests on inmates prior to an inmate’s release; authorizing HIV testing of inmates upon the request of a physician; requiring certain recordkeeping; requiring provision of additional services prior to an inmate’s release; requiring notification of the county health department where the inmate will reside when an inmate who has received a positive HIV test result is released unexpectedly; limiting access to HIV test results; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; State Administration; Criminal Justice Appropriations; and Council for Healthy Communities.

By Representatives Lacasa, Melvin, Diaz-Balart, Murman, Mealor, Baxley, Rubio, Andrews, Brown, and Byrd—

**HB 303**—A bill to be entitled An act relating to relief from overcrowded schools; creating s. 235.063, F.S.; establishing the S.C.R.I.P.T. grants program for school overcrowding relief; providing a short title; providing findings, intent, and purposes; providing a definition; providing school district, parent, and Department of Education obligations; providing private school eligibility requirements; providing for the initial award, renewal, and disbursement of S.C.R.I.P.T. grants; limiting the liability of the state relating to the award or use of a S.C.R.I.P.T. grant; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representatives Littlefield and Gottlieb—

**HB 305**—A bill to be entitled An act relating to homestead exemption; amending s. 196.031, F.S.; providing that a person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit that requires permanent residency in another state for eligibility is not eligible for homestead exemption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Clarke, Murman, Kallinger, Ross, and Wiles—

**HB 307**—A bill to be entitled An act relating to statutory accounting principles; creating s. 625.011, F.S.; defining the terms “statutory accounting principles” and “surplus notes”; amending s. 625.012, F.S.; providing for what constitutes an asset of an insurer; amending s. 625.031, F.S.; providing for assets not allowed in determining financial condition of an insurer; amending s. 625.041, F.S.; revising what constitutes a liability; amending s. 625.141, F.S.; providing for the valuation of bonds; amending s. 625.161, F.S.; revising requirements for new appraisals in valuation of real property; amending s. 641.19, F.S.; redefining the terms “reporting period,” “statutory accounting principles,” “surplus,” and “surplus notes” for purposes of the Health Maintenance Organization Act; amending s. 641.35, F.S.; providing for what constitutes an asset or liability in determining the financial condition of a health maintenance organization; providing a retroactive effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Insurance; and Council for Competitive Commerce.

By Representative Crow—

**HB 309**—A bill to be entitled An act relating to surplus lines insurance; amending ss. 626.923, 626.930, 626.931, 626.932, 626.933, 626.935, 626.936, 626.9361, and 626.938, F.S.; revising certain requirements for surplus lines insurance to provide the Florida Surplus Lines Service Office with the same authority granted to the Department of Insurance; revising certain quarterly reporting requirements; providing for collection of a service fee; providing a penalty for failure to make certain reports and pay service fees; providing for an administrative fine for such failure; providing for disposition of surplus lines taxes and service fees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Gottlieb and Greenstein—

**HB 311**—A bill to be entitled An act relating to traffic control programs; amending s. 318.21, F.S.; authorizing municipalities and counties to impose a surcharge on civil penalties for traffic infractions to fund traffic control and safety programs; prohibiting the levying of said surcharge on traffic infractions occurring on interstate highways; requiring the proceeds from such surcharge to be deposited in the Community Traffic Safety Trust Fund; providing for distribution of such funds; providing an exception; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Judicial Oversight; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Jordan and Fields—

**HB 313**—A bill to be entitled An act relating to job training; amending s. 446.609, F.S.; deleting a time-period limitation for the “Jobs for Florida’s Graduates” school-to-work program; deleting provisions relating to an endowment fund; revising certain provisions relating to

the members of the board of directors of the Florida Endowment Foundation for Florida Graduates; revising criteria for certain outcome goals; deleting provisions relating to distribution of earnings on the endowment fund; deleting provisions relating to startup funding; revising annual report requirements; requiring the State Board of Administration to transfer all principal and interest in the endowment fund to the foundation’s board of directors for certain purposes; repealing s. 3, ch. 98-218, Laws of Florida, relating to a temporary pilot apprenticeship program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Workforce & Technical Skills; Education Appropriations; and Council for Lifelong Learning.

By Representative Kottkamp—

**HB 315**—A bill to be entitled An act relating to opticianry; amending s. 484.013, F.S.; revising violations and penalties applicable to the practice of opticianry; amending s. 484.015, F.S.; revising inspection authority; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; providing an offense severity ranking for the offense of practicing opticianry without a license; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Crime Prevention, Corrections & Safety; Judicial Oversight; and Council for Healthy Communities.

By Representative Negron—

**HB 317**—A bill to be entitled An act relating to health maintenance organizations; creating the “Managed Care Organization’s Patient’s Bill of Rights”; providing legislative findings and intent; specifying that the purpose of the act is to ensure that quality health care and health benefits are provided to the people of this state; providing that managed care organizations owe a fiduciary duty to provide such care; creating s. 641.275, F.S.; providing legislative intent that the rights and responsibilities of subscribers who are covered under health maintenance organization contracts be recognized and summarized; requiring health maintenance organizations to operate in conformity with such rights; requiring organizations to provide subscribers with a copy of their rights and responsibilities; listing specified requirements for organizations that are currently required by other statutes; authorizing civil remedies to enforce the rights specified in s. 641.275, F.S.; providing for actual and punitive damages and attorney’s fees and costs; providing for administrative fines; providing that there is not any liability on the part of certain employers or employee organizations; requiring a plaintiff to submit a written grievance as a condition precedent to bringing an action for damages; requiring that a managed care organization dispose of a grievance within a specified period; requiring notice of an action to enforce the rights provided under the act; authorizing the court to abate an action and require completion of an internal grievance procedure; providing certain exceptions; providing for the statute of limitations to be tolled under specified circumstances; authorizing an action for nonmonetary relief without complying with conditions precedent for the purpose of preventing potential death or serious bodily harm; providing for severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Insurance; Judicial Oversight; and Council for Healthy Communities.

By Representative Bucher—

**HB 319**—A bill to be entitled An act relating to pharmaceutical expense assistance; amending s. 409.9065, F.S.; revising the eligibility requirements for the pharmaceutical expense assistance program; deleting a requirement that a participant be eligible for the Medicaid program; requiring that the Agency for Health Care Administration notify Medicare recipients of the program; requiring the agency to

establish a toll-free telephone number for obtaining information about the program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Fiscal Policy & Resources; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representatives Bendross-Mindingall, Fields, and Slosberg—

**HB 321**—A bill to be entitled An act relating to law enforcement; creating s. 943.1759, F.S.; creating the Florida Motorist Profiling Evaluation Task Force; providing duties of the task force; providing restrictions on the use of data collected under the act; providing membership, terms, and organization; requiring state and local law enforcement agencies to develop policies and procedures that prohibit biased profiling or discriminatory practices as a primary factor in determining whether the driver of a motor vehicle should be stopped for a routine traffic violation; providing for submission to the task force of such policies and procedures; requiring the task force to develop specified statewide guidelines; amending s. 943.1758, F.S.; requiring the Criminal Justice Standards and Training Commission to include within the criminal justice and standards training curriculum guidelines and instructions that address prohibited biased profiling and discriminatory practices with respect to motor vehicle stops; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; and Criminal Justice Appropriations.

By Representative Wallace—

**HJR 323**—A joint resolution proposing amendments to Section 1 of Article VII and Section 21 of Article XII of the State Constitution relating to a limitation on state appropriations.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Smith—

**HB 325**—A bill to be entitled An act relating to traffic safety; amending s. 316.2045, F.S.; prohibiting persons under the age of 15 years from standing or approaching vehicles on any public street, highway, or road for purposes of soliciting, collecting from, or distributing to the occupant of a motor vehicle; providing for warnings for violations; providing for citations for pedestrian violations after a specified date; prohibiting persons from directing a person under the age of 15 years to unlawfully stand or approach motor vehicles on the road; providing for warnings for violations; providing for citations for noncriminal traffic infractions after a specified date; amending s. 318.18, F.S.; providing penalties; amending s. 318.121, F.S.; conforming a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Juvenile Justice; Crime Prevention, Corrections & Safety; Transportation; Judicial Oversight; and Council for Smarter Government.

By Representative Weissman—

**HB 327**—A bill to be entitled An act relating to health care; requiring health maintenance organizations to provide for the resolution of grievances brought by subscribers; specifying the services to be included in a grievance system; requiring health maintenance organizations to establish an informal appeal process; providing for a formal internal appeal process; providing for an external appeal when a subscriber is dissatisfied with the results of a formal appeal; providing for the grievance to be reviewed by an independent utilization review organization; providing for a party to appeal a decision by the utilization

review organization to the Agency for Health Care Administration; requiring that the Agency for Health Care Administration enter into contracts with utilization review organizations for the purpose of reviewing appeals; authorizing the agency to adopt rules; providing for the right of a subscriber to maintain an action against a health maintenance organization; providing definitions; providing that a health maintenance organization has the duty to exercise ordinary care when making treatment decisions; providing that a health maintenance organization is liable for damages for harm caused by failure to exercise ordinary care; providing certain limitations on actions; providing for a claim of liability to be reviewed by an independent review organization; providing for the statute of limitations to be tolled under certain circumstances; requiring a health maintenance organization to disclose certain information to subscribers and prospective subscribers; specifying additional information that must be provided upon the request of a subscriber or prospective subscriber; requiring that a health maintenance organization provide notice if a provider is unavailable to render services; providing requirements for the notice; requiring health maintenance organizations to make certain allowances in developing provider profiles and measuring the performance of health care providers; providing for such information to be made available to the Department of Insurance, the Agency for Health Care Administration, and subscribers; prohibiting a health maintenance organization from taking retaliatory action against an employee for certain actions or disclosures concerning improper patient care; requiring that a health maintenance organization refer a subscriber to an outside provider in cases in which there is not a provider within the organization's network to provide a covered benefit; requiring that a health maintenance organization provide a procedure to allow a subscriber to obtain drugs that are not included in the organization's drug formulary; prohibiting a health maintenance organization from arbitrarily interfering with certain decisions of a health care provider; prohibiting a health maintenance organization from discriminating against a subscriber based on race, national origin, and other factors; requiring health maintenance organizations to establish a policy governing the termination of health care providers; providing requirements for the policy; authorizing the Insurance Commissioner to suspend or revoke a certificate of authority upon finding certain violations by a health maintenance organization; providing for civil penalties; repealing s. 641.513, F.S., relating to requirements for providing emergency services and care; amending s. 627.419, F.S.; providing free choice to subscribers to certain health care plans, and to persons covered under certain health insurance policies or contracts, in the selection of specified health care providers; prohibiting coercion of provider selection; specifying conditions under which any health care provider must be permitted to provide services under a health care plan or health insurance policy or contract; providing limitations; providing for civil penalties; providing application; amending s. 641.28, F.S.; limiting the parties that may recover attorney's fees and court costs in an action to enforce the terms of a health maintenance contract; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Insurance; Judicial Oversight; and Council for Healthy Communities.

By Representatives Baxley and Needelman—

**HB 329**—A bill to be entitled An act relating to drug-free legislators; providing legislative intent; providing for drug screening of members of the Legislature under certain circumstances; providing criteria for screenings and treatment; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; Health Promotion; and Procedural & Redistricting Council.

By Representative Baxley—

**HB 331**—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; allowing authorized physician assistants to prescribe any medication not listed on a formulary

established by the Council on Physician Assistants; allowing authorized physician assistants to dispense drug samples pursuant to proper prescription; eliminating the formulary committee and revising provisions relating to creation and amendment of the formulary, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representative Kosmas—

**HB 333**—A bill to be entitled An act relating to the Cultural Endowment Program; amending s. 265.606, F.S.; revising the types of instruments into which the trustees may invest, to include investment-quality financial instruments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Tourism; and Council for Competitive Commerce.

By Representative Stansel—

**HB 335**—A bill to be entitled An act for the relief of Patsy Baucco and Valentino Baucco; providing an appropriation to compensate them for injuries and damages they sustained as a result of the negligence of a Department of Transportation employee; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representatives Garcia, Arza, and Diaz de la Portilla—

**HB 337**—A bill to be entitled An act relating to public libraries; amending s. 257.17, F.S.; eliminating the July 1, 2001, repeal of provision authorizing certain municipalities to receive operating grants for libraries; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Tourism; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Mayfield, Harrell, Brown, Argenziano, Greenstein, Spratt, Melvin, Wiles, and Machek—

**HB 339**—A bill to be entitled An act relating to certificate of need; amending s. 408.043, F.S.; providing criteria for review of a certificate-of-need application for establishment of an adult open heart surgery program in a county in which none of the hospitals has an existing or approved adult open heart surgery program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Local Government & Veterans Affairs; and Council for Healthy Communities.

By Representatives Attkisson and Fiorentino—

**HB 341**—A bill to be entitled An act relating to disability retirement; creating the “Officer Malcolm Thompson Act”; amending s. 121.091, F.S.; revising a provision of law governing benefits payable for total and permanent disability for certain Special Risk Class members of the Florida Retirement System who are injured in the line of duty; amending s. 185.18, F.S.; providing a minimum retirement benefit payable to certain police officers who are injured in the line of duty and who are totally and permanently disabled due to such injury; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Crime Prevention, Corrections & Safety; Criminal Justice Appropriations; and Council for Smarter Government.

By Representative Barreiro—

**HB 343**—A bill to be entitled An act relating to discriminatory practices; amending s. 760.60, F.S.; applying to business establishments serving the public the provisions applicable to certain clubs prohibiting certain discriminatory practices; prohibiting certain discriminatory practices; providing for filing complaints with the Commission on Human Relations; providing for filing civil actions under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Judicial Oversight; Economic Development & International Trade; and Council for Smarter Government.

By Representative Johnson—

**HB 345**—A bill to be entitled An act relating to sports industry economic development projects; amending s. 212.20, F.S.; providing for the Department of Revenue to distribute sales tax reimbursements to certified sports industry economic development projects under certain circumstances; amending s. 213.053, F.S.; extending the current information sharing with the Office of Tourism, Trade, and Economic Development to include the sales tax reimbursement program for certified sports industry economic development projects; creating s. 288.113, F.S.; creating a tax reimbursement program for certified sports industry economic development projects; providing legislative findings and declarations; providing definitions; providing eligibility criteria for amateur sports businesses; prescribing the terms and amounts of tax reimbursements; providing a certification procedure, to be established and administered by the Office of Tourism, Trade, and Economic Development; providing for periodic recertification; abating or reducing funding in specified circumstances; providing a maximum number of years for which an amateur sports business may be certified; providing for decertification; providing a penalty for falsifying an application; providing for a tax reimbursement agreement and prescribing terms of the agreement; providing for annual claims for reimbursement; providing duties of the Department of Revenue; providing for administration of the program; providing for recordkeeping and submission of an annual report to the Legislature; amending s. 288.1229, F.S.; providing an additional purpose for which the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist the office; providing for the creation of new jobs in this state; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Tourism; Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Fasano—

**HB 347**—A bill to be entitled An act relating to the Public Employee Optional Retirement Program; amending s. 121.4501, F.S.; providing requirements for the State Board of Administration in carrying out its duties under the program; providing requirements with respect to administration; revising language with respect to investment options or products; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Gannon and Atwater—

**HB 349**—A bill to be entitled An act relating to the support owed to a child or spouse; amending s. 827.06, F.S.; prescribing the elements of felony non-support of a child or spouse; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Mayfield—

**HB 351**—A bill to be entitled An act relating to deferred compensation programs for government employees; amending s. 112.215, F.S.; redefining the term “employee,” for purposes of participation in such programs, to include employees of constitutional county officers; prescribing duties of constitutional county officers with respect to their employees; providing for negotiation of a joint deferred compensation program for certain local employees currently eligible for participation in such programs and employees of constitutional county officers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Kallinger and Brummer—

**HB 353**—A bill to be entitled An act relating to mortgage guaranty insurance; amending ss. 624.408, 635.042, F.S.; revising minimum surplus requirements for mortgage guaranty insurers; revising limits on total liability and exposure to losses for such insurers; requiring mortgage guaranty insurers to include certain information in audited financial reports required pursuant to s. 624.424(8); authorizing the Department of Insurance to take certain actions against a mortgage guaranty insurer that is not in compliance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Insurance; and Council for Competitive Commerce.

By Representative Heyman—

**HB 355**—A bill to be entitled An act relating to pest control; amending s. 482.242, F.S.; expanding the types of ordinances a local government or political subdivision is authorized to enact with respect to the regulation of the activities and operations of pest control services, including pesticides used under ch. 487, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Business Regulation; Local Government & Veterans Affairs; and Council for Competitive Commerce.

By Representative Crow—

**HB 357**—A bill to be entitled An act relating to parental consent; amending s. 232.46, F.S.; revising provisions relating to the administration of medication by school district personnel; requiring district school boards to adopt policies and procedures governing the administration of nonprescription medication; requiring written parental permission for the administration of nonprescription medication; amending s. 232.465, F.S.; providing that a student is exempt from certain services under the school health services program if parent or guardian requests such an exemption in writing; amending s. 234.02, F.S.; limiting transportation of a student to a medical treatment facility without parental consent; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Education Innovation; and Council for Lifelong Learning.

By Representative Andrews—

**HB 359**—A bill to be entitled An act relating to drug-free workplaces; amending s. 440.102, F.S.; requiring certain contractors to implement a drug-free workplace program under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Insurance; Business Regulation; and Council for Smarter Government.

By Representatives Stansel, Machek, Kendrick, Gelber, Ryan, Wiles, Spratt, and Bowen—

**HB 361**—A bill to be entitled An act relating to sentencing; amending s. 944.17, F.S.; requiring that a prisoner sentenced for a crime committed during incarceration in the state correctional system or a private correctional facility serve the sentence for such crime in the state correctional system or a private correctional facility, regardless of the length of sentence imposed or the classification of the offense; providing for sentencing based on classification of the offense; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representative Henriquez—

**HB 363**—A bill to be entitled An act relating to the Tampa-Hillsborough County Expressway Authority Law; amending s. 348.565, F.S.; allowing bonding for a described project; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; State Administration; Local Government & Veterans Affairs; Transportation; and Council for Competitive Commerce.

By Representative Hogan—

**HB 365**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for identifying information and specified financial information in records relating to an individual's health or eligibility for health-related services made or received by the Department of Health or its service providers; specifying conditions under which such information may be released; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; State Administration; and Council for Healthy Communities.

By Representative Brummer—

**HB 367**—A bill to be entitled An act relating to judicial nominating commissions; creating s. 43.291, F.S.; specifying membership composition and requirements of judicial nominating commissions; providing limitations; providing for terms; abolishing prior offices; providing for suspension or removal; requiring racial, ethnic, gender, and geographical diversity of commission memberships; providing severability; repealing s. 43.29, F.S., relating to judicial nominating commissions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

By Representative Diaz-Balart—

**HB 369**—A bill to be entitled An act relating to public employees; renumbering parts I, II, III, IV, and V of ch. 110, F.S., as parts I, II, III, IV, and V of ch. 109 F.S.; repealing s. 110.108, F.S., relating to pilot projects for agencies seeking managerial flexibility for personnel programs, s. 110.1082, F.S., relating to use of telephone voice mail and menu options systems, s. 110.109, F.S., relating to personnel audits of agencies, and s. 110.1095, F.S., relating to training programs for supervisors and managers; amending and renumbering s. 110.1099, F.S.; specifying duties of agency heads with respect to education and training opportunities for state employees; amending and renumbering s. 110.112, F.S.; removing requirements relating to affirmative action

plans, related training, and reports and reviews relating thereto; providing policy relating to use of human resources; providing for implementation of methodologies to fully utilize available human resources; providing for equal employment opportunity officers and their responsibilities; amending and renumbering s. 110.113, F.S.; requiring all state employees to participate in the direct deposit program; revising conditions for requesting an exemption; amending and renumbering s. 110.114, F.S.; providing for deduction of the cost of making any wage deduction requested by an employee; amending and renumbering s. 110.124, F.S.; providing that an employee who is terminated solely because of attaining age 65 may apply to the circuit court for relief if voluntary binding arbitration is not conducted; amending and renumbering s. 110.1245, F.S.; eliminating the meritorious service awards program and providing for a gain sharing program, with awards set by the Legislative Budgeting Commission; deleting certain limitations; amending and renumbering s. 110.131, F.S.; revising the time limitation on employment of other-personal-services temporary employees; requiring approval of the Governor's Office of Policy and Budget for extension of such limitation; revising exemptions from such limitation; creating s. 109.202, F.S.; providing a declaration of policy; amending and renumbering s. 110.203, F.S.; conforming definitions; revising the definition of "layoff" to include outsourcing or privatization; creating s. 109.2035, F.S.; directing the Department of Management Services, in consultation with specified entities, to develop a model civil service classification and compensation program and providing requirements with respect thereto; amending and renumbering ss. 110.211 and 110.213, F.S.; directing the department to develop uniform recruitment and selection rules to be used by employing agencies; amending and renumbering s. 110.224, F.S.; revising requirements relating to a review and performance planning system and designating such system a review and performance evaluation system; revising requirements relating to certain information furnished to employees and employee evaluation; amending and renumbering s. 110.227, F.S.; providing that a career service employee may be suspended or dismissed for reasonable cause; providing that reasonable cause shall be determined by the agency head and specifying actions included thereunder; revising certain responsibilities of agency heads; providing that rules regarding layoff shall not include "bumping"; deleting a requirement that a layoff be conducted within an identified competitive area; providing that, for any alleged adverse agency action against an employee occurring after a specified date, the employee bears the burden of proof to establish that the agency head abused his or her discretion; providing that, effective January 1, 2002, career service employees shall serve at the pleasure of the agency head; providing for appeal of reductions in pay, transfers, layoffs, or demotions to, and hearings regarding suspension or dismissal before, the circuit court, or for voluntary binding arbitration with respect thereto; creating s. 109.240, F.S.; providing that any permanent career service employee may request voluntary binding arbitration administered by the Division of Human Resource Management upon notice of an adverse agency action; providing definitions; providing requirements for such requests; providing for notice to the agency; specifying the employee's burden of proof; providing for arbitrators and their qualifications and authority; providing for employee panels and their qualifications and authority; providing duties of the division; providing for records; providing procedural requirements for arbitration proceedings; providing for rules; providing for application to the circuit court for an order enforcing, vacating, or modifying the arbitration decision; providing for immunity; amending and renumbering s. 110.403, F.S.; increasing the limit on the number of Senior Management Service positions; amending and renumbering s. 110.602, F.S.; removing the limit on the number of Selected Exempt Service positions; amending and renumbering s. 110.605, F.S.; deleting provisions relating to development of a program of affirmative and positive action for the Selected Exempt Service by the department; amending and renumbering ss. 110.1091, 110.1127, 110.117, 110.1227, 110.123, 110.12312, 110.1232, 110.129, 110.152, 110.1521, 110.1522, 110.1523, 110.161, 110.171, 110.191, 110.205, 110.219, 110.233, 110.235, 110.401, 110.402, 110.406, 110.502, 110.601, and 110.606, F.S.; clarifying and conforming language and correcting cross references; amending ss. 20.171, 20.18, 20.21, 20.23, 20.255, 20.315, 24.105, 24.122, 68.087, 104.31, 106.082, 106.24, 112.044, 112.0805, 112.313, 112.3189, 112.363,

121.021, 121.0515, 121.055, 121.35, 215.94, 216.011, 216.251, 231.381, 235.217, 240.209, 240.2111, 240.507, 241.002, 242.331, 260.0125, 281.02, 287.175, 288.708, 295.07, 296.04, 296.34, 311.07, 339.175, 343.74, 381.85, 393.0657, 400.19, 400.953, 402.3057, 402.55, 402.731, 409.1757, 440.102, 440.4416, 443.171, 447.207, 456.048, 471.038, 509.036, 570.073, 570.074, 624.307, 627.0623, 627.6488, 627.649, 627.6498, 627.6617, 655.019, 943.0585, 943.059, 943.22, 944.35, 945.043, 957.03, 985.04, 985.05, and 985.4045, F.S.; conforming language and correcting cross references; amending s. 20.22, F.S.; creating the Division of Human Resource Management in the Department of Management Services; amending s. 447.201, F.S.; revising the statement of public policy regarding public employees; amending s. 447.203, F.S.; revising definitions for purposes of part II of ch. 447, F.S., relating to public employees; repealing s. 447.203(1)(b) and (3)(h), F.S., which define the Public Employees Relations Commission and exempt its employees from the definition of "public employee," and s. 447.205, F.S., which creates the commission, effective June 30, 2002; amending s. 447.207, F.S.; transferring general powers of the commission and powers relating to collective bargaining to the division; removing certain powers relating to petitions for a declaratory statement; directing the division to provide for voluntary binding arbitration with regard to certain adverse actions and discrimination in lieu of appeals to the commission; providing that the commission shall retain certain authority until June 30, 2002; amending s. 447.208, F.S.; providing the employee's burden of proof for alleged adverse agency actions occurring on or after July 1, 2001; deleting certain commission powers regarding reduction of penalties; repealing s. 447.208, F.S., which provides procedures for appeals to the commission regarding certain adverse agency actions, and s. 447.2085, F.S., which provides for rules with respect thereto, effective January 1, 2002; amending s. 447.301, F.S.; conforming language; amending ss. 447.305, 447.307, 447.308, and 447.309, F.S.; transferring powers and duties relating to registration and certification of employee organizations and adoption of procedures relating to collective bargaining agreements from the commission to the division; increasing the registration fee; amending s. 447.403, F.S.; revising requirements and procedures relating to resolution of impasses when the Legislature is the appropriate legislative body; transferring certain duties relating thereto to the division and the appropriate legislative body; amending s. 447.4095, F.S.; conforming language; amending s. 447.501, F.S.; providing for filing of unfair labor practice complaints with a court of competent jurisdiction; providing for costs and attorney's fees; repealing s. 447.503, F.S., which provides for settling of unfair labor practices disputes by the commission; amending s. 447.5035, F.S.; providing for enforcement of division orders; repealing s. 447.504, F.S., which provides for judicial review of final orders of the commission; amending s. 447.507, F.S.; transferring powers and duties relating to enforcement of the strike prohibition from the commission to the division; removing provisions relating to termination by the commission of the employment of an employee who violates the strike prohibition; amending s. 447.607, F.S.; conforming language; amending s. 20.171, F.S.; conforming language; amending s. 39.202, F.S.; providing for access to certain records by the division; amending s. 112.044, F.S., which prohibits age discrimination against public employees; providing for court action by an aggrieved employee if voluntary binding arbitration is not conducted; amending s. 112.0455, F.S., the Drug-Free Workplace Act; providing for appeals with respect to discipline or not being hired under said act to the circuit court rather than the commission; amending s. 112.215, F.S.; providing for appointment of members of the Deferred Compensation Advisory Council by the department rather than the commission; amending s. 112.31895, F.S.; providing for judicial review of notice of termination of an investigation in connection with the Whistle-blower's Act rather than commission review; amending s. 120.80, F.S.; conforming language; repealing s. 125.0108(2)(d), F.S., and amending ss. 376.75, 403.718, and 538.11, F.S.; removing provisions which authorize certain actions by the Department of Revenue pursuant to rules of the commission or the Career Service Commission; amending ss. 284.30 and 284.31, F.S.; conforming language; amending ss. 295.11 and 295.14, F.S.; providing that the circuit court, rather than the commission, has jurisdiction to enforce provisions relating to employment preference for veterans if voluntary binding arbitration is not conducted; amending s. 415.107, F.S.; providing for access to certain records by the division; amending s.

440.102, F.S.; conforming language; repealing ss. 944.35(3)(c) and 985.4045(1)(b), F.S., which provide that violations by Department of Corrections employees of prohibitions against malicious battery and sexual misconduct, and violations by Department of Juvenile Justice employees of the prohibition against sexual misconduct, as determined by the commission, constitute cause for dismissal; directing the Department of Management Services to coordinate a transition plan; specifying transitional powers and duties of the commission and providing that it shall cease to exist June 30, 2002; providing an appropriation; providing for budget amendments to effectuate the act; providing for rules; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on State Administration; and Council for Smarter Government.

By Representatives Spratt, Kendrick, Stansel, Alexander, Kyle, Harrington, Miller, Sorensen, Bense, Goodlette, Maygarden, Jennings, Flanagan, and Smith—

**HB 371**—A bill to be entitled An act relating to electric utility service interruptions; creating s. 768.138, F.S.; providing electric utilities with an absolute defense in certain actions for certain law enforcement assistance activities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Judicial Oversight; and Council for Ready Infrastructure.

By Representative Lynn—

**HB 373**—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; redefining the term “average final compensation” with respect to the Florida Retirement System; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Seiler—

**HB 375**—A bill to be entitled An act relating to criminal justice; amending s. 782.04, F.S.; making it a capital felony to commit the unlawful killing of a human being while perpetrating or attempting to perpetrate the act of resisting a law enforcement officer with violence to the officer’s person; providing penalties for specified murders involving the perpetration of or the attempt to perpetrate the act of resisting a law enforcement officer with violence to the officer’s person; reenacting ss. 775.0823(1), (2), (3), (4), (5), and (6), 782.051, 903.133, 921.0022(3)(h) and (i), and 947.146(3), F.S., relating to violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges, relating to attempted felony murder, relating to bail on appeal prohibited for certain felony convictions, relating to the Criminal Punishment Code offense severity ranking chart, and relating to the Control Release Authority; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Criminal Justice Appropriations; and Council for Healthy Communities.

By Representative Gardiner—

**HB 377**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.06, F.S.; increasing the exemption from the indexed tax on manufactured asphalt that applies to manufactured asphalt used for any federal, state, or local government public works project; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Allen—

**HB 379**—A bill to be entitled An act relating to the entertainment industry; amending s. 288.1251, F.S.; renaming the Office of the Film Commissioner as the Office of Film and Entertainment; renaming the Film Commissioner as the Commissioner of Film and Entertainment; authorizing receipt and expenditure of certain grants and donations; requiring such funds to be deposited in the Grants and Donations Trust Fund of the Executive Office of the Governor; amending s. 288.1252, F.S.; renaming the Florida Film Advisory Council as the Florida Film and Entertainment Advisory Council; adding the executive director of Workforce Florida, Inc., as an ex officio, nonvoting member of the council; requiring the council chair to be elected from its appointed membership; amending ss. 212.097 and 212.098, F.S.; expanding the definition of “eligible business” under the Urban High-Crime Area Job Tax Credit Program and the Rural Job Tax Credit Program to include certain businesses involved in motion picture production and allied services; amending ss. 14.2015, 213.053, 288.1253, and 288.1258, F.S.; conforming language to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Tourism; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Rich—

**HB 381**—A bill to be entitled An act relating to health insurance; creating the “Equity in Prescription Insurance and Contraceptive Coverage Act”; providing legislative findings and intent; providing requirements with respect to plans provided by religious health plan sponsors; creating ss. 627.64061 and 627.65741, F.S., and amending s. 641.31, F.S.; requiring certain health insurance policies and health maintenance contracts to provide coverage for prescription oral contraceptives; amending s. 627.6515, F.S.; applying certain requirements for group coverage to out-of-state groups; amending s. 627.6699, F.S.; applying certain requirements for group coverage relating to prescription oral contraceptives to small employer carriers issuing health benefit plans; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Insurance; Health & Human Services Appropriations; and Council for Healthy Communities.

By the Committee on State Administration; Representative Brummer—

**HB 383**—A bill to be entitled An act relating to a public records exemption for bank account numbers or debit, charge, or credit card numbers obtained by agencies; amending s. 119.07, F.S., which provides an exemption from public records requirements for bank account numbers or debit, charge, or credit card numbers given to an agency for the purpose of payment of fee or debt; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 385**—A bill to be entitled An act relating to a public records exemption for certain information used by municipally owned utilities; amending s. 119.07, F.S., which provides an exemption from public records requirements for a specified period of time for certain information used by a municipal utility to prepare and submit certain sealed bids to customers or prospective customers; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled

under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 387**—A bill to be entitled An act relating to a public records exemption for certain information obtained by the direct-support organization authorized to assist in the promotion of sports-related industries; amending s. 288.12295, F.S., which provides an exemption from public records requirements for the identity of donors and prospective donors to the direct-support organization; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 389**—A bill to be entitled An act relating to a public records exemption for certain records of economic development agencies which contain information concerning private entities; amending s. 288.075, F.S., which provides an exemption from public records requirements for records of an economic development agency which contain or would provide plans, intentions, or interests of private entities regarding their business activities; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 391**—A bill to be entitled An act relating to public records exemptions for certain information obtained in connection with administration of the qualified defense contractor and qualified target industry tax refund programs; amending s. 288.1066, F.S., which provides exemptions from public records requirements for certain identifying, proprietary, tax, and trade secret information received in connection with administering said tax refund programs; reenacting such exemptions and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; deleting superfluous language; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 393**—A bill to be entitled An act relating to a public records exemption for certain information obtained by the Florida Tourism Industry Marketing Corporation; amending s. 288.1226, F.S., which provides an exemption from public records requirements for the identity of any person responding to marketing or research projects conducted by the corporation and for trade secrets obtained pursuant thereto; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 395**—A bill to be entitled An act relating to public records exemptions for specified information relating to airports; amending s. 331.22, F.S., which provides exemptions from public records requirements for airport security plans of an aviation authority or county or municipal aviation department and for other material that depicts critical airport operating facilities; reenacting such exemptions and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 397**—A bill to be entitled An act relating to a public records exemption for certain information relating to prepayment of electronic toll facility charges; amending s. 338.155, F.S., which provides an exemption from public records requirements for personal identifying information given to the Department of Transportation, a county, or an expressway authority for the purpose of prepaying electronic toll facility charges by check, credit card, or charge card; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; clarifying a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 399**—A bill to be entitled An act relating to a public records exemption for certain information relating to emergency telephone number “911”; amending s. 365.171, F.S., which provides an exemption from public records requirements for information that reveals the name, address, telephone number, or personal information about, or other information that would identify, a person requesting emergency service or reporting an emergency; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; correcting a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 401**—A bill to be entitled An act relating to a public records exemption for certain information submitted to the Office of the Attorney General by members of the health care community; amending s. 408.185, F.S., which provides an exemption from public records requirements for certain documents, contracts, and proprietary confidential business information submitted by such entities in connection with a request for an antitrust no-action letter for a specified period; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 403**—A bill to be entitled An act relating to a public records exemption for records relating to pawnbroker transactions; amending s.

539.003, F.S., which provides an exemption from public records requirements for records relating to pawnbroker transactions delivered to appropriate law enforcement officials; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 405**—A bill to be entitled An act relating to public records exemptions for certain surplus lines insurance records; amending s. 626.921, F.S., which provides an exemption from public records requirements for certain surplus lines insurance information submitted to the Department of Insurance or available for inspection by the department; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; narrowing the exemption to apply to information specific to a particular policy or policyholder; providing an exemption from public records requirements for certain surplus lines insurance information submitted to the Florida Surplus Lines Service Office; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By the Committee on State Administration; Representative Brummer—

**HB 407**—A bill to be entitled An act relating to public records and meetings exemptions for university health services support organizations; repealing s. 240.2995(6), F.S., which provides that meetings of the governing board of a university health services support organization are public and requires that certain records be made available to the Department of Insurance; amending s. 240.2996, F.S., which provides exemptions from public records and meetings requirements for certain contracts and related documents, marketing plans, trade secrets, and evaluation records of such organizations, for meetings at which any of such records or information is discussed, and for records of such meetings; reenacting such exemptions and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; narrowing the type of marketing plans exempted; requiring university health services support organizations to make certain records available to the Department of Insurance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Council for Smarter Government.

By Representatives Farkas, Alexander, and Richardson—

**HB 409**—A bill to be entitled An act relating to educator professional liability insurance; creating s. 231.800, F.S.; providing legislative intent; requiring educator professional liability insurance coverage for all instructional personnel; providing for specific appropriations in the General Appropriations Act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Education Appropriations; and Council for Lifelong Learning.

By Representatives Kyle, Murman, Paul, Detert, Baxley, Hart, Byrd, Littlefield, Machek, Alexander, Spratt, Fiorentino, Mayfield, Farkas, Green, Bilirakis, Waters, Brummer, Crow, Kallinger, Kottkamp, Flanagan, Clarke, Bennett, Ross, Bowen, Russell, Harrington, Gannon, Dockery, Mealor, Cusack, and Romeo—

**HB 411**—A bill to be entitled An act relating to the Florida Mobile Home Act; creating s. 723.0025, F.S.; establishing the mobile home

owners' bill of rights; amending s. 723.003, F.S.; defining the term "proportionate share"; amending s. 723.005, F.S.; providing for regulation by the Division of Florida Land Sales, Condominiums, and Mobile Homes; amending s. 723.006, F.S.; providing for additional duties of the division; amending s. 723.011, F.S.; requiring park owners and the division to maintain specified records; amending s. 723.012, F.S.; providing that additional information be included in a prospectus; creating s. 723.015, F.S.; providing for notice of rental agreements, rules and regulations, and prospectuses; amending s. 723.021, F.S.; authorizing the division to impose a civil penalty for failure to meet the obligation of good-faith and fair dealings; amending s. 723.022, F.S.; requiring maintenance of trees and other vegetation by a mobile home park owner; amending s. 723.033, F.S.; declaring certain rental increases to be unreasonable; amending s. 723.035, F.S.; authorizing injunctive relief and a civil penalty; amending s. 723.037, F.S.; providing procedures for meetings that determine the status of changes in lot rentals, services, utilities, or rules and regulations; authorizing homeowners or park owners to petition the division to investigate the obligation of good-faith and fair dealings; amending s. 723.059, F.S.; providing for the rights of a purchaser of a mobile home within a mobile home park; amending s. 723.061, F.S.; revising standards for determining a homeowner's rights when there is an eviction for change in land use; amending s. 723.071, F.S.; providing procedures for the sale of mobile home parks; amending s. 723.072, F.S.; providing for an affidavit of compliance with certain statutory requirements; amending s. 723.078, F.S.; providing quorum requirements for homeowners' associations; amending s. 320.77, F.S.; redefining the term "mobile home broker"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Agriculture & Consumer Affairs; and Council for Smarter Government.

**HB 413**—Filed

By Representative Kyle—

**HB 415**—A bill to be entitled An act relating to lawyer assistance programs; providing for civil immunity for the good faith report of information to a lawyer assistance program; providing for a presumption of good faith; providing immunity for certain persons; providing that certain information is subject to the attorney-client privilege; providing for the confidentiality of certain records, proceedings, and communications; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

By Representative Kyle—

**HB 417**—A bill to be entitled An act relating to public transportation; amending s. 334.30, F.S.; providing for public-private partnership agreements for transportation facilities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; State Administration; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representative Gottlieb—

**HB 419**—A bill to be entitled An act relating to weapons and firearms; creating the "Children's Firearm Responsibility Act of 2001"; amending s. 790.001, F.S.; defining "unsafe handgun"; creating s. 790.0659, F.S.; prohibiting the manufacture and importation of unsafe handguns; providing exceptions; providing a penalty; amending s. 790.17, F.S.; prohibiting the furnishing of unsafe handguns to minors under 18 years of age; providing penalties; amending s. 784.05, F.S., relating to culpable negligence; providing a fine and additional penalties for persons convicted of leaving a loaded firearm within the reach or easy access of a minor under certain circumstances; amending s. 790.174, F.S., relating to required safe storage of firearms; providing applicability to

firearms stored or left within the interior of a motor vehicle; providing a penalty for failure to store or leave a firearm as required by law under certain circumstances; creating s. 985.4167, F.S.; establishing the juvenile gun violence prevention grant program; providing criteria; providing for administration of the program by the Department of Juvenile Justice; providing for a grant application process; requiring annual evaluation reports of entities receiving grant awards; providing for audit; amending s. 985.415, F.S., relating to the community juvenile justice partnership grant program; revising provisions to include community juvenile gun violence grants within the program; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Juvenile Justice; Criminal Justice Appropriations; and Council for Healthy Communities.

By Representatives Bean and Slosberg—

**HB 421**—A bill to be entitled An act relating to mental health; directing the Department of Children and Family Services to develop and implement a pilot project to provide client-directed and choice-based mental health treatment and support services to certain adults; requiring an independent evaluation; providing evaluation criteria; requiring reports; providing an appropriation; providing for expiration; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Elder & Long-Term Care; Health & Human Services Appropriations; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Greenstein and Bucher—

**HB 423**—A bill to be entitled An act relating to individual development accounts; providing purposes; providing definitions; requiring the Department of Children and Family Services to amend the Temporary Assistance for Needy Families State Plan to provide for use of funds for individual development accounts; specifying criteria and requirements for contributions to such accounts; specifying purposes for use of such accounts; directing the WAGES Program State Board to establish procedures for local WAGES coalitions to apply to offer individual development accounts; providing for procedures for withdrawals from such accounts; specifying certain organizations to act as fiduciary organizations for certain purposes; providing for penalties for withdrawal of moneys for certain purposes; providing for resolution of certain disputes; providing for transfer of ownership of such accounts under certain circumstances; providing for establishment of such accounts by certain financial institutions under certain circumstances; providing requirements; providing that account funds and matching funds do not affect certain program eligibility; providing for local WAGES coalition comment concerning the procedures developed by the WAGES State Board and for inclusion of the procedures in the annual plan; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Workforce & Technical Skills; General Government Appropriations; and Council for Lifelong Learning.

**HB 425**—Withdrawn

By Representative Fiorentino—

**HB 427**—A bill to be entitled An act relating to homelessness; creating the State Office on Homelessness within the Department of Children and Family Services; directing the Governor to appoint an executive director for the state office; providing duties of the executive director; creating the Council on Homelessness; providing for membership of the council; providing for reimbursement of council members' travel expenses; providing duties and responsibilities of the council; requiring an annual report; amending s. 228.041, F.S.; revising definition of "homeless child" for purposes of the Florida School Code;

requiring the Department of Education to adopt rules; amending s. 232.01, F.S.; requiring school districts to make reasonable efforts to remove policies that create barriers to enrollment of homeless students; amending s. 232.032, F.S.; providing a temporary exemption from required immunizations prior to school attendance for homeless children; amending s. 232.03, F.S.; providing a temporary exemption from proof-of-age requirements prior to school admittance for homeless children; amending s. 232.0315, F.S.; providing a temporary exemption from school-entry health examination requirements for homeless children; providing for followup; amending s. 420.5087, F.S., relating to the State Apartment Incentive Loan Program; providing for loans for homeless persons; revising a limitation on loans for the elderly; amending s. 420.511, F.S., relating to the Florida Housing Finance Corporation; requiring report of services provided to homeless persons; amending s. 420.609, F.S.; revising membership and duties of the Affordable Housing Study Commission; amending s. 420.621, F.S.; revising definition of "homeless" in provisions relating to local coalitions for the homeless and local community grants-in-aid; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Education Innovation; and Council for Smarter Government.

By Representatives Bendross-Mindingall, Fields, and Siplin—

**HJR 429**—A joint resolution proposing the amendment of Section 1 of Article IX of the State Constitution, relating to education, to prescribe a maximum number of students in public school classrooms for various grade levels.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Education Innovation; Education Appropriations; and Council for Smarter Government.

By Representatives Bendross-Mindingall and Fields—

**HB 431**—A bill to be entitled An act relating to parent-child privilege; creating s. 90.5045, F.S.; creating a parent-child privilege to prevent disclosure of communications that were intended to be made in confidence; providing proceedings in which the privilege does not exist; providing for waiver of the privilege; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Child & Family Security; Crime Prevention, Corrections & Safety; and Council for Smarter Government.

By Representative Ball—

**HB 433**—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.015, F.S.; defining "conservation lands"; directing the property appraiser to consider that the designation or delineation of lands as wetlands or conservation lands constitutes a constraint on the property appraiser's ability to determine the highest and best use of the property; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Agriculture & Consumer Affairs; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representative Farkas—

**HB 435**—A bill to be entitled An act relating to community contribution tax credits; creating s. 212.099, F.S.; providing for a community contribution tax credit against the tax on sales, use, and other transactions; providing definitions; providing the amount of the credit; providing limitations; providing for carryover of the credit; providing that the credit is an alternative to the community contribution credit against the corporate income tax; providing eligibility

requirements; providing application requirements for eligible sponsors and participating taxpayers; requiring approval by the Office of Tourism, Trade, and Economic Development; providing duties of the Department of Revenue; providing for rules; amending ss. 220.03, 220.183, and 624.5105, F.S.; revising the definition of “project” for purposes of the community contribution tax credits against the corporate income tax and insurance premium taxes to include provision of educational programs and materials by an eligible sponsor; including the community contribution credit against the sales tax within the limitation on such credits; amending ss. 14.2015 and 290.007, F.S., relating to duties of the office and incentives available in enterprise zones, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Economic Development & International Trade; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Farkas, Alexander, Murman, Sobel, Ritter, Harrell, Brummer, Greenstein, and Wishner—

**HB 437**—A bill to be entitled An act relating to pharmacy practice; creating s. 465.0075, F.S.; authorizing licensure of pharmacists by endorsement and providing requirements therefor, including a fee; providing for legislative review; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; State Administration; and Council for Healthy Communities.

By Representatives Wiles, Ausley, Cusack, Frankel, Justice, Gannon, Joyner, Gelber, Henriquez, Kosmas, Seiler, Romeo, Ryan, Wishner, Bullard, Weissman, Greenstein, Wilson, and Bucher—

**HB 439**—A bill to be entitled An act relating to elections; providing a short title; amending s. 106.011, F.S.; revising definitions of the terms “political committee,” “contribution,” “expenditure,” and “political advertisement”; amending s. 106.021, F.S.; eliminating a provision that authorizes the unrestricted expenditure of funds for the purpose of jointly endorsing three or more candidates; amending s. 106.03, F.S.; providing additional requirements for registration of political committees and certification of committees of continuous existence; providing penalties and applicability; amending s. 106.04, F.S.; requiring committees of continuous existence to update certain certification information; requiring an up-to-date membership list with the application for certification and with each annual and regular report; specifying information membership lists must provide; requiring membership dues to be reported in the same manner as regular contributions; prohibiting committees of continuous existence from making expenditures in support of or opposition to an elected public official without registering as a political committee; providing that records of a committee of continuous existence relating to political activities are public records; revising the fine for late filing of reports by committees of continuous existence; providing penalties; amending s. 106.07, F.S.; correcting a cross reference, to conform; amending s. 106.08, F.S.; providing limits on contributions to a political party; revising a provision relating to restrictions on contributions to a candidate by a political party; providing penalties; reenacting s. 106.19(1)(a), F.S., relating to penalties applicable to acceptance of contributions in excess of the limits provided by law, to incorporate the amendment to s. 106.08, F.S., in a reference thereto; amending s. 106.087, F.S.; eliminating a provision that prohibits certain political committees and committees of continuous existence from making independent expenditures in support of or opposition to a candidate or elected public official; amending s. 106.29, F.S.; requiring subordinate and executive committees of a political party to adhere to contribution limits for political parties; providing penalties; creating s. 106.291, F.S.; requiring state and county executive committees, including subordinate committees thereof, to report to the Division of Elections certain contributions received while the Legislature is in regular, extended, or special session; providing reporting requirements; providing for the

posting of such reports on the Internet; providing a fine for late filing; providing for severability; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; State Administration; Fiscal Policy & Resources; and Procedural & Redistricting Council.

By Representative Baker—

**HB 441**—A bill to be entitled An act relating to county government; amending s. 125.35, F.S.; providing an alternative procedure for the sale or disposition of certain property by boards of county commissioners; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Natural Resources & Environmental Protection; and Council for Smarter Government.

By Representative Wallace—

**HB 443**—A bill to be entitled An act relating to the State University System; creating s. 240.6065, F.S.; establishing the industrial partnership professorship program within the State University System; providing that certain professorships shall be established by contract; providing for contribution by sponsoring corporations; specifying percentage of such contribution; providing for credit against the corporate income tax for contributions made by a sponsoring corporation; creating s. 220.192, F.S.; providing a credit against the corporate income tax for contributions made by a corporation sponsoring an industrial partnership professorship; providing for carryover of the credit; authorizing rules; amending s. 220.02, F.S.; providing order of credits against the tax; providing for future repeal of ss. 240.6065 and 220.192, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representative Smith—

**HB 445**—A bill to be entitled An act relating to hunting; amending s. 372.57, F.S.; providing that the Fish and Wildlife Conservation Commission may not sponsor, conduct, or designate by rule special days for hunting by youths under 16 years of age in any wildlife management area; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; Juvenile Justice; Crime Prevention, Corrections & Safety; and Council for Ready Infrastructure.

By Representative Smith—

**HB 447**—A bill to be entitled An act relating to discrimination in the treatment of persons; amending s. 16.57, F.S.; providing for the Attorney General to investigate violations of rights secured by state law; amending s. 760.02, F.S.; defining the terms “place of public accommodation” and “undue burden” for purposes of the Florida Civil Rights Act of 1992; creating s. 760.101, F.S.; prohibiting a place of public accommodation from discriminating against an individual or class of individuals on the basis of a disability; specifying landlord and tenant responsibilities with respect to such prohibition; defining the term “individual or class of individuals”; creating s. 760.102, F.S.; requiring that goods and other services be provided to an individual with a disability in an integrated setting; creating s. 760.103, F.S.; prohibiting the exclusion or denial of goods and other services based on certain relationships with an individual with a disability; creating s. 760.104, F.S.; providing certain exceptions if an individual poses a direct threat to health or safety; defining the term “direct threat”; providing requirements for making such determination; amending s. 760.11, F.S.;

providing for filing a complaint against a place of public accommodation with the Florida Commission on Human Relations; prohibiting discrimination against an individual who participates in an investigation or proceeding under pt. I of ch. 760, F.S.; amending s. 760.34, F.S.; authorizing the Attorney General to intervene in certain civil actions to enforce compliance with pt. I of ch. 760, F.S.; authorizing the Attorney General to commence a civil action to obtain damages or other relief for a violation of rights secured by the State Constitution or state law; providing for a civil penalty; providing for attorney's fees and costs; amending s. 760.51, F.S.; authorizing the Attorney General to bring a civil or administrative action for certain violations of rights which involve coercion, intimidation, or threats; amending s. 760.60, F.S., relating to a prohibition against discriminatory practices by certain clubs; providing requirements for conciliation meetings and agreements; authorizing the Florida Commission on Human Relations or the Attorney General to conduct investigations and issue subpoenas; providing for enforcement of subpoenas; extending the period for the commission or the Attorney General to take certain actions with respect to resolving a complaint; authorizing the court to issue certain orders following a finding that a discriminatory practice has occurred at a club; providing for attorney's fees and costs; providing for certain administrative proceedings; providing for a final order of the commission to be appealed to the district court; amending s. 760.80, F.S.; including an individual with a disability within the definition of the term "minority person" for purposes of provisions requiring that minorities be represented on boards, commissions, councils, and committees; amending s. 413.08, F.S.; providing for the rights of individuals with disabilities who use service animals; deleting certain exceptions to requirements that such individuals be afforded full and equal accommodation; deleting a requirement that a dog guide or service dog be identified as being from a recognized school; deleting provisions that exempt certain rental property from modification for purposes of accommodating individuals with disabilities; deleting provisions that exempt an employer under certain circumstances from penalties for discriminating against an individual with a disability with respect to employment; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; State Administration; and Council for Smarter Government.

By Representatives Bense, Paul, Miller, Allen, and Harrington—

**HB 449**—A bill to be entitled An act relating to civil actions; creating s. 790.331, F.S.; providing legislative findings with respect to the lawful manufacture, distribution, and sale of firearms and ammunition; prohibiting civil actions on behalf of the state or other political subdivision against manufacturers, distributors, and dealers of firearms or ammunition and firearms trade associations; specifying that the act does not preclude an action by a person for breach of a contract or warranty or for injuries resulting from a defect in the manufacture of firearms or ammunition; providing for actions by the state or other political subdivision for breach of contract or warranty; providing for actions for injuries resulting from defects in design or manufacture; providing that the potential of firearms or ammunition to cause serious injury, damage, or death does not constitute a defective condition; providing for the award of expenses in certain civil actions; providing an exception; providing for application of the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; and Council for Healthy Communities.

By Representative Ritter—

**HB 451**—A bill to be entitled An act relating to Orange County; providing for the relief of Maria Garcia, as legal guardian of Delfina Benjumea; providing for an appropriation to compensate her for injuries and damages sustained by Delfina Benjumea as a result of the negligence of the Orange County Sheriff's Office; providing for a

reversionary interest to the Orange County Sheriff's Office; providing legislative intent with respect to expenditures; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representative Prieguez—

**HB 453**—A bill to be entitled An act relating to guaranteed energy performance savings contracting; amending s. 489.145, F.S.; changing provisions relating to energy efficiency contracting to provisions relating to guaranteed energy performance savings contracting; providing a short title; providing legislative intent; revising definitions, procedures, and contract provisions; providing criteria, requirements, procedures, and limitations for energy performance contracts; authorizing the Department of Management Services or the Office of the Comptroller to provide technical assistance to agencies for certain purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Fiscal Policy & Resources; and Council for Ready Infrastructure.

By Representative Detert—

**HB 455**—A bill to be entitled An act relating to continuing education requirements for mortgage brokers and mortgage lenders; amending s. 494.001, F.S.; providing a definition; amending s. 494.00311, F.S.; changing provisions relating to mortgage brokerage schools to mortgage business schools; creating s. 494.00295, F.S.; specifying certain professional education requirements for mortgage broker licensure; providing criteria; amending s. 494.0033, F.S.; including Internet-based education hours for certain mortgage broker continuing education requirements; amending s. 494.0034, F.S.; requiring receipt of confirmation of completion of certain professional education requirements for mortgage broker license renewal; amending s. 494.0035, F.S.; revising criteria for principal or branch broker requirements; authorizing the Department of Professional Regulation to adopt rules; amending s. 494.0061, F.S.; specifying additional mortgage lender's license requirements; amending s. 494.0062, F.S.; specifying additional correspondent mortgage lender's license requirements; amending s. 494.0064, F.S.; specifying certain professional education requirements for renewal of mortgage lender's licenses; amending s. 494.0067, F.S.; specifying that certain employees of mortgage lenders complete certain professional education requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Business Regulation; and Council for Smarter Government.

By Representative Lee—

**HB 457**—A bill to be entitled An act relating to property and casualty insurers; amending s. 624.4072, F.S.; increasing a period of exemption from certain taxes and assessments for certain minority businesses; extending a future repeal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; Economic Development & International Trade; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Brutus, Richardson, Siplin, Diaz-Balart, Lacasa, and Mack—

**HB 459**—A bill to be entitled An act relating to restriction on employment of relatives by public officials; amending s. 112.3135, F.S.;

eliminating exemptions from the prohibition against employment of relatives by public officials to apply the prohibition to public officials of universities, community colleges districts, and district school boards, for which there are penalties for violation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Education Innovation; and Council for Smarter Government.

By Representatives Wiles, Justice, and Gottlieb—

**HB 461**—A bill to be entitled An act relating to law enforcement; creating the Safer Highways Act of 2001; providing legislative intent; providing for the hiring of additional law enforcement personnel; providing for a minimum salary level for highway patrol troopers; providing for the creation of the Law Enforcement Commission; providing for membership and duties of the commission; providing for per diem and other expenses; providing appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Transportation; Council for Ready Infrastructure; and Committee on Transportation & Economic Development Appropriations.

By Representative Baxley—

**HB 463**—A bill to be entitled An act relating to the Florida Prepaid College Program; amending s. 240.551, F.S.; revising the accreditation requirements for independent college or university eligibility purposes; clarifying that the amount of benefits transferred to an eligible independent college or university, an eligible out-of-state college or university, an applied technology diploma program or vocational certificate program, or refunded to a purchaser shall not exceed the redemption value of the advance payment contract at a Florida public postsecondary education institution; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; Education Appropriations; and Council for Lifelong Learning.

By Representatives Baker and Clarke—

**HB 465**—A bill to be entitled An act relating to determinations of residency for tuition purposes; amending s. 240.1201, F.S.; revising provisions relating to determinations of residency for tuition purposes to classify members of the active Florida National Guard as residents for tuition purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; Education Appropriations; and Council for Lifelong Learning.

By Representative Lacasa—

**HB 467**—A bill to be entitled An act relating to local government; amending s. 218.503, F.S.; clarifying language; extending the repeal date for provisions which allow certain municipalities that have been declared in a state of financial emergency to impose a per-vehicle surcharge on revenues from the sale or rental of space at parking facilities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Lacasa—

**HB 469**—A bill to be entitled An act relating to road designations; designating a portion of roadway in the City of Miami in Miami-Dade

County as “Enrique Valledor Way”; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on State Administration; and Council for Smarter Government.

By Representative Lacasa—

**HJR 471**—A joint resolution proposing the creation of Section 7 of Article VIII of the State Constitution, relating to amending certain county charters by special law.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Judicial Oversight; and Council for Smarter Government.

By Representative Allen—

**HB 473**—A bill to be entitled An act relating to expressway authorities; amending s. 348.0012, F.S.; providing that the Florida Expressway Authority Act does not apply to an expressway authority which has been created pursuant to parts II-IX of ch. 348, F.S.; amending s. 348.754, F.S.; revising language with respect to purposes and powers; amending s. 348.7543, F.S.; revising language with respect to bond financing; amending ss. 348.7544 and 348.7545, F.S.; authorizing the refinancing of the Northwest Beltway Part A and the Western Beltway Part C with certain bonds; amending s. 348.755, F.S.; revising language with respect to bonds of the Orlando-Orange County Expressway Authority; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Transportation & Economic Development Appropriations; and Council for Ready Infrastructure.

By Representative Hogan—

**HB 475**—A bill to be entitled An act relating to public health; amending ss. 39.201, 63.0423, 383.50, and 827.035, F.S.; expanding the type of personnel and facilities that can accept abandoned newborns; amending s. 232.465, F.S.; expanding the type of personnel that can supervise nonmedical school district personnel; providing technical corrections; amending s. 381.0059, F.S.; revising background screening requirements for school health service personnel; amending ss. 382.003, 382.004, 382.013, 382.016, and 382.0255, F.S.; modifying provisions relating to vital records; amending s. 383.402, F.S.; modifying the annual report date for child abuse death reviews; amending s. 385.206, F.S., relating to the hematology-encology care center program; deleting data review by the Florida Association of Pediatric Tumor Programs, Inc.; amending s. 392.52, F.S.; providing additional definitions relating to tuberculosis control; creating s. 392.566, F.S.; providing for appointment of a guardian advocate for tuberculosis patients; specifying qualifications, training, and responsibilities of the guardian advocate; amending s. 401.113, F.S.; providing for use of funds in the Emergency Medical Services Trust Fund for injury prevention programs; amending s. 401.27, F.S.; exempting emergency medical services examination questions and answers from discovery; providing conditions for introduction in administrative proceedings; repealing s. 404.056(2), F.S., relating to the Florida Coordinating Council on Radon Protection; amending s. 404.056, F.S.; deleting an obsolete environmental radiation soil testing requirement; clarifying rulemaking authority; amending s. 742.10, F.S.; conforming terminology; correcting a cross reference; amending s. 3 of ch. 87-450, Laws of Florida; requiring school health programs of the Health Care District of Palm Beach County to be supplementary to and consistent with specified provisions of state law; repealing s. 385.205, F.S.; relating to kidney disease control programs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Judicial Oversight; State Administration; and Council for Healthy Communities.

By Representative Hogan—

**HB 477**—A bill to be entitled An act relating to public records; amending s. 383.51, F.S.; providing an exemption from public records requirements for information that identifies parents who leave newborn infants at emergency medical services stations; providing an exception; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Judicial Oversight; State Administration; and Council for Healthy Communities.

By Representatives Kendrick and Argenziano—

**HB 479**—A bill to be entitled An act relating to the Rainbow Lakes Estates Municipal Service District, an independent special district of the State of Florida in Marion and Levy Counties; codifying the district's charter, chapter 69-1298, Laws of Florida, as amended, pursuant to section 189.429, Florida Statutes; providing legislative intent; amending, codifying, and reenacting all special acts relating to the Rainbow Lakes Estates Municipal Service District as a single act; repealing all prior special acts related to the Rainbow Lakes Estates Municipal Service District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; and Fiscal Policy & Resources.

By Representative Sorensen—

**HB 481**—A bill to be entitled An act relating to educational finance; amending s. 236.081, F.S.; revising the limitation on the percentage of a school district's total K-12 Florida Education Finance Program calculation that may be produced by the district's revenue from required local effort millage for certain counties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Education Appropriations; and Council for Lifelong Learning.

By Representatives Wiles, Justice, Cusack, Bendross-Mindingall, and Joynes—

**HB 483**—A bill to be entitled An act relating to Medicaid eligibility; providing a short title; amending s. 409.904, F.S.; providing Medicaid eligibility for certain disabled persons under a Medicaid buy-in program, subject to specific federal authorization; directing the Agency for Health Care Administration to seek a federal grant, demonstration project, or waiver for establishment of such buy-in program, subject to a specific appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representatives Fiorentino, Harrell, and Atwater—

**HB 485**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; defining the term "teacher member" for purposes of the system; amending s. 121.071, F.S.; providing contribution rates for teacher members; amending s. 121.091, F.S.; providing retirement benefits payable to teacher members; providing retroactive applicability; providing for funding of the revision of the Florida Retirement System by this act; providing a finding of important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Education Innovation; Education Appropriations; and Council for Smarter Government.

By Representative Gibson—

**HB 487**—A bill to be entitled An act relating to educational benefits for children of slain law enforcement officers and firefighters; amending ss. 112.19, 112.191, F.S.; providing for graduate or postbaccalaureate educational expenses to be waived for children of officers and firefighters killed in the line of duty; providing for the waiver to apply to a child who attends a state institution as a full-time or part-time student; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; State Administration; Education Appropriations; and Council for Lifelong Learning.

By Representatives Johnson, Russell, Mayfield, Berfield, Allen, Bense, Hart, and Goodlette—

**HB 489**—A bill to be entitled An act relating to high-speed rail; creating the High-Speed Rail Study Commission; providing for membership and appointment; providing for staff; providing for duties of the commission; providing for dissolution of the commission upon submission of a required report; directing the Department of Transportation to begin collecting and organizing existing data on high-speed rail systems; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Fiscal Policy & Resources; Transportation & Economic Development Appropriations; and Council for Ready Infrastructure.

By Representative Baker—

**HB 491**—A bill to be entitled An act relating to comparative fault; amending s. 768.81, F.S.; specifying an additional type of negligence case for purposes of comparative fault in civil actions for damages; deleting actions based on an intentional tort from exclusions from application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Business Regulation; and Council for Smarter Government.

By Representative Bucher—

**HB 493**—A bill to be entitled An act relating to firearms; amending s. 790.33, F.S.; authorizing a board of county commissioners to adopt an ordinance requiring the installation of a trigger lock on any firearm purchased, sold, transferred, or possessed within the county; requiring that law enforcement officers be exempt from the ordinance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Crime Prevention, Corrections & Safety; Juvenile Justice; and Council for Smarter Government.

**HB 495**—Withdrawn

By Representative Andrews—

**HB 497**—A bill to be entitled An act relating to vehicular homicide; amending s. 782.071, F.S.; revising the offense of "vehicular homicide" to include the killing of a viable fetus by any injury to the mother which would be vehicular homicide if it resulted in the death of the mother; providing a right of action for civil damages; providing a definition; providing penalties; amending s. 782.09, F.S.; providing that killing an unborn quick child by injury to the mother which would be murder in any degree if it resulted in the death of the mother is murder in the same degree; providing penalties; providing that the unlawful killing of an unborn quick child by injury to the mother which would be

manslaughter if it resulted in the death of the mother is manslaughter; providing penalties; providing that the death of the mother does not bar prosecution under specified circumstances; reenacting ss. 921.0022(3)(g) and (h) and 960.03(3), F.S., relating to the Criminal Punishment Code offense severity ranking chart and the definition of "crime" with respect to the Florida Crimes Compensation Act, respectively, to incorporate said amendment in references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Crime Prevention, Corrections & Safety; and Council for Smarter Government.

By Representative Andrews—

**HB 499**—A bill to be entitled An act relating to holidays; creating s. 683.25, F.S.; designating December 15 as "Bill of Rights Day"; providing for a proclamation by the Governor to that effect; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on State Administration; and Council for Smarter Government.

By Representative Brummer—

**HB 501**—A bill to be entitled An act relating to abolishment of boards, commissions, councils, and other entities; repealing s. 14.203, F.S., to abolish the State Council on Competitive Government; repealing s. 24.106, F.S., to abolish the State Lottery Commission; repealing s. 24.103(3), F.S., to delete the definition of "commission," to conform; amending ss. 24.105, 24.108, and 24.123, F.S.; deleting references to the State Lottery Commission, to conform; repealing ss. 121.22, 121.23, 121.231, and 121.24, F.S., to abolish the State Retirement Commission and delete provisions relating to its duties; amending ss. 121.0515 and 121.091, F.S.; transferring to the Department of Management Services duties of the State Retirement Commission and revising cross references, to conform; repealing s. 228.054, F.S., to abolish the Joint Developmental Research School Planning, Articulation, and Evaluation Committee; amending s. 228.053, F.S.; transferring to the Commissioner of Education duties of the Joint Developmental Research School Planning, Articulation, and Evaluation Committee relating to the securing of waivers to the Florida School Code, to conform; amending s. 228.2001, F.S.; deleting provisions authorizing the Task Force on Gender Equity in Education; amending s. 230.2305, F.S., and repealing subsection (7), relating to district interagency coordinating councils on early childhood services, to abolish the councils and delete provisions relating to their duties; transferring to the Department of Education duties of the district interagency coordinating councils, to conform; amending ss. 230.2303, 230.2306, 402.3015, 409.178, and 411.01, F.S.; deleting provisions relating to duties of the interagency coordinating councils on early childhood services, to conform; repealing s. 232.2466(3), F.S., to delete authority for the college-ready diploma program task forces; repealing s. 255.565, F.S., to abolish the Asbestos Oversight Program Team; amending ss. 255.553, 255.556, and 255.563, F.S.; removing references to the Asbestos Oversight Program Team, to conform; repealing s. 272.12(2)-(6), F.S., to abolish the Capitol Center Planning Commission and delete provisions relating to its duties; amending ss. 272.121 and 295.184, F.S.; removing and revising references to the Capitol Center Planning Commission, to conform; transferring duties of the Capitol Center Planning Commission to the City of Tallahassee and the Department of Management Services; providing for current owners' permits within the Capitol Center Planning District to continue; repealing s. 282.3095, F.S., to abolish the Task Force on Privacy and Technology created by the State Technology Office; repealing s. 285.19, F.S., to abolish the Creek Indian Council; repealing s. 286.30, F.S., to abolish the Commission on Government Accountability to the People; amending s. 216.235, F.S.; providing for appointment of a member to the State Innovation Committee by the Governor in lieu of the Commission on Government Accountability to the People, to conform; repealing s. 391.222, F.S., to abolish the Cardiac Advisory Council; repealing s. 392.69(4), F.S., to abolish the A. G. Holley

State Hospital advisory board under the Department of Health; amending s. 402.40, F.S.; deleting an obsolete reference to the Child Welfare Training Council; repealing s. 404.056(2), F.S., to abolish the Florida Coordinating Council on Radon Protection; repealing s. 430.05, F.S., to abolish the Department of Elderly Affairs Advisory Council; repealing s. 440.4416, F.S., to abolish the Workers' Compensation Oversight Board; amending s. 440.345, F.S.; deleting reference to the Workers' Compensation Oversight Board, to conform; amending s. 440.49, F.S., and repealing subsections (13) and (14), relating to the Special Disability Trust Fund Privatization Commission and the Florida Special Disability Trust Fund Financing Corporation, to abolish the commission and corporation and delete or revise references thereto; abolishing the advisory committee on conservation of the fund; repealing s. 442.105, F.S., to abolish the Toxic Substances Advisory Council; repealing ss. 499.005(26) and 499.05(1)(c), F.S., to delete obsolete references to the Florida Drug Technical Review Panel and the investigational drug program; amending s. 499.015, F.S.; deleting an obsolete reference to the investigational drug program; repealing s. 548.045, F.S., to abolish the Medical Advisory Council under the Florida State Boxing Commission; amending s. 548.046, F.S.; deleting reference to the Medical Advisory Council, to conform; repealing s. 580.151, F.S., to abolish the Commercial Feed Technical Council; repealing s. 570.248, F.S., to abolish the Agricultural Economic Development Project Review Committee; repealing s. 13, ch. 99-332, Laws of Florida, to abolish the Task Force on Home Health Services Licensure Provisions; repealing s. 11, ch. 99-354, Laws of Florida, to abolish the Information Service Technology Development Task Force; repealing s. 240.5186(11), F.S., relating to authority of the Institute on Urban Policy and Commerce to subcontract with the Information Service Technology Development Task Force for assistance under the Community High-Technology Investment Partnership (CHIP) program, to conform; repealing s. 6, ch. 99-393, Laws of Florida, to abolish the advisory group on the submission and payment of health claims established by the Director of the Agency for Health Care Administration; repealing s. 192, ch. 99-397, Laws of Florida, to abolish the task force established to review funding sources of the Public Medical Assistance Trust Fund; abolishing the Diversity Council and the State Customer Advisory Council under the Department of Labor and Employment Security; abolishing the Florida Business Partners for Prevention under the Department of Juvenile Justice; abolishing the State Agency Law Enforcement Radio System Review Panel under the Department of Management Services; abolishing the Driver's Under the Influence (DUI) Advisory Council and the Florida Rider Training Program Citizen Motorcycle Safety Council under the Department of Highway Safety and Motor Vehicles; abolishing the Agriculture and Livestock Fair Council, Bonifay State Farmers Market Advisory Council, Florida City State Farmers Market Advisory Committee, Fort Myers State Farmers Market Advisory Council, Fort Pierce State Farmers Market Advisory Council, Gadsden County State Farmers Market Advisory Council, Immokalee State Farmers Market Advisory Council, Nitrate Bill Best Management Practices Advisory Group, Palatka State Farmers Market Advisory Council, Plant City State Farmers Market Advisory Council, Racing Quarter Horse Advisory Council, Sanford State Farmers Market Advisory Council, Seed Potato Advisory Council, Starke State Farmers Market Advisory Council, Suwannee Valley State Farmers Market Advisory Council, Trenton State Farmers Market Advisory Council, Tropical Soda Apple Task Force, and Wauchula State Farmers Market Advisory Council; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on State Administration; and Council for Smarter Government.

By Representative Fasano—

**HB 503**—A bill to be entitled An act relating to trust funds; creating the Public Employees Optional Retirement Program Trust Fund within the Department of Management Services; providing for sources of money and purpose; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Cusack—

**HB 505**—A bill to be entitled An act relating to time limitations for sexual battery prosecutions; amending s. 775.15, F.S.; revising the victim's age at which the time limitations begin to run for prosecution of specified sexual crimes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; and Council for Healthy Communities.

By Representatives Ross, Dockery, Ritter, Greenstein, Flanagan, Barreiro, Murman, Siplin, Andrews, Alexander, Argenziano, Attkisson, Byrd, Diaz de la Portilla, and Smith—

**HB 507**—A bill to be entitled An act relating to high-speed rail transportation; creating the "Florida High-Speed Rail Authority Act"; creating s. 341.82, F.S.; providing a short title; creating s. 341.821, F.S.; providing legislative findings, policy, purpose, and intent with respect to the development, financing, construction, and operation of an intrastate high-speed rail transportation system in the state; creating s. 341.822, F.S.; providing definitions; creating s. 341.823, F.S.; creating the Florida High-Speed Rail Authority; providing membership, terms, organization, and compensation of the authority; providing duties of the authority; creating s. 341.824, F.S., relating to specified conflicts of interest with respect to authority members; creating s. 341.825, F.S.; assigning the authority to the Department of Transportation for administrative purposes; creating s. 341.826, F.S.; providing powers and duties of the authority; creating s. 341.827, F.S.; providing for payment of expenses incurred under the act; creating s. 341.828, F.S.; requiring the authority to designate local areas of the state to be served by the intrastate high-speed rail transportation system; providing for sequence of system construction; creating s. 341.829, F.S.; creating the high-speed rail alignment advisory committees; providing purpose of the advisory committees; providing membership and organization of the advisory committees; creating s. 341.830, F.S.; authorizing the authority to fix, revise, charge, and collect rates, rents, fees, charges, and revenues, and to enter into contracts, to finance intrastate high-speed rail transportation system projects; providing that specified revenues shall be set aside in a sinking fund; creating s. 341.831, F.S.; authorizing the authority to issue revenue bonds for any corporate purpose; creating s. 341.832, F.S.; authorizing the authority to issue refunding bonds; creating s. 341.833, F.S.; providing that moneys received by the authority pursuant to the act shall be funds held in trust; creating s. 341.834, F.S.; providing for validity of bonds and validation proceedings; creating s. 341.835, F.S.; providing remedies of bondholders; creating s. 341.836, F.S.; providing tax exemptions for property acquired or used by the authority, bonds issued by the authority, or specified income; providing an exception; creating s. 341.837, F.S.; providing that bonds issued by the authority are legal investments; creating s. 341.838, F.S.; pledging the agreement of the state not to limit or alter the rights vested in the authority; creating s. 341.839, F.S.; providing that the act is supplemental and additional to powers conferred by other laws; exempting powers of the authority from specified supervision, regulation, approval, or consent; creating s. 341.840, F.S.; providing pledge of the state not to restrict certain rights of the authority; creating s. 341.841, F.S.; requiring annual reports by the authority; creating s. 341.842, F.S.; providing construction of the act; creating s. 341.843, F.S.; providing that inconsistent provisions of other laws are superseded; creating s. 341.844, F.S.; providing for powers and duties of the Department of Environmental Regulation with respect to the act; creating s. 341.845, F.S.; providing requirements of the Department of Environmental Protection with respect to certification procedures; creating s. 341.846, F.S.; authorizing specified agreements concerning the contents of certification applications and supporting documentation; creating s. 341.847, F.S.; providing procedures for review of certification applications; creating s. 341.848, F.S.; providing for the appointment of an administrative law judge to conduct hearings on certification applications; creating s. 341.849, F.S.; providing for alteration of time limitations specified by the act; creating s. 341.850, F.S.; providing for preparation and submission of reports verifying or supplementing information contained in certification applications; creating s. 341.851,

F.S.; providing for publication and contents of notice of certification application and proceedings; creating s. 341.852, F.S.; providing for certification hearings; creating s. 341.853, F.S.; providing for final disposition of a certification application; creating s. 341.854, F.S.; providing for effect of certification; providing that certification shall constitute the sole license of the state as to the approval of the location, construction, operation, and maintenance of any rail line, guideway, transit station, or associated development identified in the certification and subject to the conditions specified in the certification; specifying certain certification requirements; requiring certain notice; authorizing the exemption of licensees from specified licenses, permits, certificates, or similar agency documents; requiring applicants to seek necessary interests in specified state lands; creating s. 341.855, F.S.; authorizing the authority or an applicant to undertake any associated development included in the certification; providing eligibility requirements for inclusion in a certification; creating s. 341.856, F.S.; requiring the Department of Environmental Protection to file notice of a certified corridor route; providing contents of notice; creating s. 341.857, F.S.; authorizing the department to modify the terms and conditions of certification; providing procedure for modification; providing specified notice; amending s. 288.109, F.S.; removing a cross reference; amending s. 334.30, F.S.; removing a cross reference; amending s. 337.251, F.S.; removing a cross reference; amending s. 341.501, F.S.; providing that specified actions do not apply to the Florida High-Speed Rail Authority Act; amending s. 206.46, F.S.; revising the distribution of state revenues deposited in the State Transportation Trust Fund to be committed annually for designated transportation projects; providing appropriations; repealing s. 341.3201, F.S., relating to the short title for ss. 341.3201-341.386, F.S., the "Florida High-Speed Rail Transportation Act"; repealing s. 341.321, F.S., relating to legislative findings, policy, purpose, and intent with respect to the development of a high-speed rail transportation system connecting the major urban areas of the state; repealing s. 341.322, F.S., relating to definitions of terms; repealing s. 341.325, F.S., relating to special powers and duties of the Department of Transportation; repealing s. 341.327, F.S., which provides that the Florida High-Speed Rail Transportation Act is the sole and exclusive determination of need for any high-speed rail transportation system established under the act, thereby preempting specified determinations of need; repealing s. 341.329, F.S., relating to the issuance of bonds to finance a high-speed rail transportation system; repealing s. 341.331, F.S., relating to designation of the areas of the state to be served by the high-speed rail transportation system and designation of termini; repealing s. 341.332, F.S., relating to the award of franchises by the Department of Transportation to establish a high-speed rail transportation system; repealing s. 341.3331, F.S., relating to request for proposals; repealing s. 341.3332, F.S., relating to notice of issuance of request for proposals; repealing s. 341.3333, F.S., relating to requirements with respect to an application for franchise, and confidentiality of the application and portions of the application relating to trade secrets; repealing s. 341.3334, F.S., relating to the departmental review process of application for franchise; repealing s. 341.3335, F.S., relating to interagency coordination of franchise application review; repealing s. 341.3336, F.S., relating to public meetings on franchise applications; repealing s. 341.3337, F.S., relating to determination and award of franchise; repealing s. 341.3338, F.S., relating to effect of franchise; repealing s. 341.3339, F.S., relating to postfranchise agreements; repealing s. 341.334, F.S., relating to the powers and duties of the Department of Transportation with respect to the act; repealing s. 341.335, F.S., relating to the powers and duties of the Florida Land and Water Adjudicatory Commission sitting as the board; repealing s. 341.336, F.S., relating to the powers and duties of the Department of Environmental Protection, the Department of Community Affairs, and other affected agencies; repealing s. 341.3365, F.S., relating to certification procedures; repealing s. 341.342, F.S., relating to agreements concerning contents of certification application and supporting documentation; repealing s. 341.343, F.S., relating to review of certification applications; repealing s. 341.344, F.S., relating to the establishment, composition, organization, and duties of the Citizens' Planning and Environmental Advisory Committee; repealing s. 341.345, F.S., relating to alternate corridors or transit station locations; repealing s. 341.346, F.S., relating to the powers and duties of an administrative law judge appointed to conduct hearings under the

act; repealing s. 341.3465, F.S., relating to alteration of time limitations specified by the act; repealing s. 341.347, F.S., relating to required combined public meetings and land use and zoning hearings to be conducted by local governments; repealing s. 341.348, F.S., relating to reports and studies required of various agencies by the act; repealing s. 341.351, F.S., relating to publication and contents of notice of certification application and proceedings; repealing s. 341.352, F.S., relating to certification hearings; repealing s. 341.353, F.S., relating to final disposition of certification applications; repealing s. 341.363, F.S., relating to the effect of certification; repealing s. 341.364, F.S., relating to a franchisee's right to appeal to the Florida Land and Water Adjudicatory Commission under specified circumstances; repealing s. 341.365, F.S., relating to associated development; repealing s. 341.366, F.S., relating to recording of notice of certified corridor route; repealing s. 341.368, F.S., relating to modification of certification or franchise; repealing s. 341.369, F.S., relating to fees imposed by the department and the disposition of such fees; repealing s. 341.371, F.S., relating to revocation or suspension of franchise or certification; repealing s. 341.372, F.S., relating to imposition by the department of specified administrative fines in lieu of revocation or suspension of franchise; repealing s. 341.375, F.S., relating to the required participation by women, minorities, and economically disadvantaged individuals in all phases of the design, construction, maintenance, and operation of a high-speed rail transportation system developed under the act, and required plans for compliance by franchisees; repealing s. 341.381, F.S., relating to applicability of the act; repealing s. 341.382, F.S., relating to laws and regulations superseded by the act; repealing s. 341.383, F.S., relating to the authority of local governments to assess specified fees; repealing s. 341.386, F.S., relating to the admissibility of the award of a franchise and of a certification under the act in eminent domain proceedings; providing appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Transportation; Fiscal Policy & Resources; and Transportation & Economic Development Appropriations.

By Representatives Attkisson and Murman—

**HB 509**—A bill to be entitled An act for the relief of Towanna Denise Hopkins, incompetent, by and through Willie Lee Hopkins, her father and legally appointed guardian, Robert Keith Bowman, Jr., son of Towanna Denise Hopkins, and Willie Lee Hopkins, individually; authorizing and directing the Florida Board of Regents, the University of South Florida, and the USF Health Sciences Center Insurance Company to compensate them for injuries and damages sustained as a result of the negligence of agents of the Florida Board of Regents by and through the University of South Florida College of Medicine; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representative Bullard—

**HB 511**—A bill to be entitled An act relating to charter school capital outlay funding; amending s. 228.0561, F.S.; requiring procedures developed by the Commissioner of Education relating to submission and approval of requests for funding to provide for district school board input; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Fiscal Policy & Resources; Education Appropriations; and Council for Lifelong Learning.

By Representative Bullard—

**HB 513**—A bill to be entitled An act relating to compulsory school attendance; amending s. 232.01, F.S.; establishing a 2-year pilot program in the Miami-Dade school district in which the compulsory

school attendance age will be lowered to include those children who have attained the age of 5 years by a certain date; requiring an appropriation; limiting implementation to the extent specifically funded in the General Appropriations Act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Education Appropriations; and Council for Lifelong Learning.

By Representatives Henriquez and Gannon—

**HB 515**—A bill to be entitled An act relating to district school personnel; amending s. 231.40, F.S.; providing for use of employees' sick leave by their family members who also are district employees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; General Education; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Henriquez—

**HB 517**—A bill to be entitled An act relating to student financial aid; amending s. 240.40645, F.S.; establishing the Instructional Paraprofessional Scholarship Program to provide tuition reimbursements for eligible program participants; providing limitations on the amount, number of semester hours or equivalent quarter hours, and award of such reimbursements; providing eligibility requirements; limiting implementation to the amount funded in the General Appropriations Act; requiring funds appropriated to be deposited in the State Student Financial Assistance Trust Fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Education Appropriations; and Council for Lifelong Learning.

**HB 519**—Withdrawn

By Representatives Green and Goodlette—

**HB 521**—A bill to be entitled An act relating to financial institutions; amending ss. 655.043, 655.411, and 658.23, F.S.; deleting provisions relating to reservation of proposed names of financial entities with the Department of State; providing legislative intent; specifying certain deposits as pay-on-death designated accounts under certain circumstances; amending s. 655.50, F.S.; clarifying certain exemption provisions relating to reports by financial institutions for money laundering purposes; amending s. 658.12, F.S.; revising a definition of banker's bank; amending s. 658.165, F.S.; providing criteria for formation of a banker's bank; providing application; amending s. 658.19, F.S.; providing for return and resubmission of certain applications under certain circumstances; amending s. 658.21, F.S.; revising application approval criteria relating to limitations on certain capital accounts and experience of certain officers; amending s. 658.235, F.S.; clarifying a requirement for subscriptions for stock; amending s. 658.25, F.S.; revising bank or trust company opening for business date criterion; amending s. 658.26, F.S.; clarifying provisions relating to branch places of transacting business; revising certain operational characteristics; renumbering s. 663.066, F.S., as s. 658.285, F.S.; amending s. 658.34, F.S.; revising a condition for the issuance of authorized but unissued bank or trust company capital stock; amending s. 658.73, F.S.; revising certain fees and assessments provisions; imposing an additional fee for certain certificates; amending s. 663.09, F.S.; deleting an administrative fine provision for certain late audits; repealing s. 655.81, F.S., relating to deposits in trust; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representative Green—

**HB 523**—A bill to be entitled An act relating to the Nursing Student Loan Forgiveness Program; amending ss. 240.4075 and 240.4076, F.S.; including family practice teaching hospitals and specialty hospitals for children as eligible facilities under the program; exempting such hospitals from the fund-matching requirements of the program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Colleges & Universities; Fiscal Policy & Resources; and Council for Lifelong Learning.

**HB 525**—Withdrawn

By Representatives Wallace, Brown, Stansel, and Baxley—

**HB 527**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the exemption for industrial machinery and equipment used in expanding spaceport or manufacturing facilities; removing the restriction that the exemption apply only to expanding facilities; providing for full, rather than partial, exemption; amending s. 212.0805, F.S.; removing provisions relating to qualification for the exemption for machinery and equipment used in expanding phosphate or other solid minerals severance, mining, or processing operations, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Economic Development & International Trade; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Wallace—

**HB 529**—A bill to be entitled An act creating the Outcome-Based Total Accountability Act; amending s. 216.023, F.S.; requiring state agencies to submit additional information in legislative budget requests; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Gardiner—

**HB 531**—A bill to be entitled An act relating to counterfeit payment instruments; providing a definition; making unlawful the counterfeiting of payment instruments with intent to defraud; providing a felony penalty; specifying prima facie evidence of intent to defraud; providing an exception for law enforcement agencies under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Crime Prevention, Corrections & Safety; and Council for Competitive Commerce.

By Representatives Miller and Greenstein—

**HB 533**—A bill to be entitled An act relating to professions regulated by the Department of Business and Professional Regulation; amending s. 455.2281, F.S.; authorizing any profession regulated by the department which offers services that are not subject to regulation when provided by an unlicensed person to use funds in its unlicensed activity account to inform the public of such situation; authorizing a board or profession regulated by the department to transfer funds in its operating fund account to its unlicensed activity account under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Agriculture & Consumer Affairs; and Fiscal Responsibility Council.

By Representative Rich—

**HB 535**—A bill to be entitled An act relating to sale or transfer of firearms at gun shows; amending s. 790.001, F.S.; defining “gun show,” “gun show promoter,” and “gun show vendor”; creating s. 790.0653, F.S.; prohibiting the sale or transfer of a firearm by a gun show vendor at a gun show unless a criminal history background check of the prospective transferee has been conducted; requiring approval of the transfer from the Department of Law Enforcement; providing a third degree felony penalty for violation; providing a third degree felony penalty for the willful and knowing provision of false identification or fraudulent information relative to the sale or transfer of a firearm at a gun show; requiring licensed gun dealers conducting criminal history background checks at gun shows to record the transfer of a firearm and retain records as otherwise required by law; requiring gun show promoters to arrange for the services of one or more licensed gun dealers to be on the premises of a gun show for the purpose of obtaining background checks; requiring posting of specified notice at gun shows; providing a first degree misdemeanor penalty for failure to post such notice; exempting antique firearms from the requirements of the act; authorizing licensed gun dealers to charge a fee for conducting background checks at gun shows; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Crime Prevention, Corrections & Safety; Agriculture & Consumer Affairs; and Council for Smarter Government.

By Representative Bendross-Mindingall—

**HB 537**—A bill to be entitled An act relating to student assessment programs; amending s. 229.57, F.S.; prescribing a time for administration of the FCAT examination; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representative Mahon—

**HB 539**—A bill to be entitled An act relating to district courts of appeal; amending s. 35.05, F.S.; providing that the First District Court of Appeal shall establish an annex in Duval County; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Criminal Justice Appropriations; and Fiscal Responsibility Council.

By Representative Rubio—

**HB 541**—A bill to be entitled An act relating to the Beverage Law; amending ss. 562.11 and 562.111, F.S.; providing an exemption for giving or serving to certain underage students alcoholic beverages that are delivered as part of a required curriculum at an accredited institution; providing an exemption for the possession of alcoholic beverages by underage students in specified circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Colleges & Universities; and Council for Smarter Government.

By Representatives Wilson and Gannon—

**HB 543**—A bill to be entitled An act relating to the Transition to Teaching Pilot Program; creating the Transition to Teaching Pilot Program with the intent of addressing the need of high-poverty school districts for teachers; defining terms; providing procedures for applying to participate in the program; providing for the award of stipends; requiring the Commissioner of Education to distribute awards equitably; requiring a program participant to serve in a high-poverty

school district for 3 years; requiring the commissioner to establish requirements to ensure that eligible program participants fulfill their service obligation or repay any stipend or financial incentive received; providing funding for the award of stipends; providing for program evaluation; authorizing the adoption of rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Education Appropriations; and Council for Lifelong Learning.

By Representatives Carassas and Berfield—

**HB 545**—A bill to be entitled An act relating to school board service programs; creating the “David Levitt School Food Anti-Hunger Act of 2001”; amending s. 228.195, F.S.; requiring school districts to donate unused food to programs that assist hungry families under certain circumstances; providing exceptions; authorizing the Department of Education to adopt rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on General Education; and Council for Smarter Government.

By Representatives Harrell, Murman, Maygarden, Wallace, and Bennett—

**HB 547**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.02, F.S.; exempting dues and fees paid to private physical fitness facilities from said tax; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Gottlieb—

**HB 549**—A bill to be entitled An act relating to dependent children; creating s. 39.4087, F.S.; providing for the establishment of a pilot program for the representation of dependent children; providing legislative intent; providing responsibilities of the Statewide Public Guardianship Office; providing for contract with a public or private entity to establish the pilot program; providing for measurable outcomes; providing for a pilot program administrator; providing for employment and training of attorneys; providing for appointment of the pilot program to represent children at shelter hearings; providing for appointment of the guardian ad litem program to represent the child’s best interests, under certain circumstances; directing the Broward County sheriff’s office and the Department of Children and Family Services to provide certain notices and information to the pilot program administrator; directing the Office of the State Courts Administrator to evaluate the pilot program and submit reports to the Legislature; requesting the Supreme Court to adopt rules; providing appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Juvenile Justice; Elder & Long-Term Care; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Gottlieb, Weissman, Slosberg, Meadows, Jennings, Greenstein, Holloway, Sobel, Bucher, Henriquez, Ryan, Cusack, Wilson, Gannon, Rich, and Crow—

**HB 551**—A bill to be entitled An act relating to payments to Florida residents based on certain federal tax credits; providing for an annual payment to a Florida resident equal to a percentage of the federal earned income tax credit allowed to that person; providing duties of the Department of Revenue; providing for transfers from the federal Temporary Assistance to Needy Families program to cover costs of such

payments and providing effect if such payments exceed such transfers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Child & Family Security; and Fiscal Responsibility Council.

By Representatives Haridopolos, Sobel, Harrell, Ritter, Rubio, Bense, Bilirakis, Murman, Littlefield, Negron, Atwater, Lacasa, Carassas, and Garcia—

**HB 553**—A bill to be entitled An act relating to medical practice; amending ss. 458.331 and 459.015, F.S.; providing that delegating ocular postoperative responsibilities to a person who is not a licensed physician or osteopathic physician constitutes grounds for disciplinary action; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representative Peterman—

**HB 555**—A bill to be entitled An act relating to public school instruction; amending s. 233.061, F.S., relating to required instruction; providing further requirements pertaining to instruction in African-American history; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Fiscal Policy & Resources; and Council for Lifelong Learning.

By Representative Peterman—

**HB 557**—A bill to be entitled An act relating to drivers’ licenses; amending s. 322.056, F.S.; authorizing the court to direct the Department of Highway Safety and Motor Vehicles to issue a driver’s license restricted to business or employment purposes only to certain persons under age 18 found guilty of certain alcohol, drug, or tobacco offenses; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; Crime Prevention, Corrections & Safety; and Council for Ready Infrastructure.

By Representative Peterman—

**HB 559**—A bill to be entitled An act relating to the Pinellas County School District; providing for a seven-member district school board, with four members elected from single-member districts and three members elected from the county at large, notwithstanding the provisions of s. 230.061, s. 230.10, or s. 230.105, F.S.; providing for implementation at specified elections; providing that school board members shall continue to be elected on a nonpartisan basis and shall be elected in conjunction with the first primary and general election; providing qualifying and other applicable election procedures; providing for future reapportionment of the single-member districts; providing for a referendum; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; and Rules, Ethics & Elections.

By Representative Lynn—

**HB 561**—A bill to be entitled An act relating to Volusia County; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S., relating to Daytona Beach Racing and Recreational Facilities District, an independent special district in Volusia County; providing legislative intent, and codifying and reenacting provisions of chapter 29588, Laws of Florida, chapter 29590, Laws of Florida, chapter 31343, Laws of Florida, chapter 63-2023, Laws

of Florida, chapter 73-647, Laws of Florida, and chapter 80-494, Laws of Florida; providing a district charter; providing for the severability of provisions deemed invalid; providing for the repeal of prior special acts relating to the Daytona Beach Racing and Recreational Facilities District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; and Fiscal Policy & Resources.

By Representative Fasano—

**HB 563**—A bill to be entitled An act relating to the Lawton Chiles Endowment Fund; amending ss. 17.41, 20.435, F.S.; conforming statutory cross-references; amending s. 215.5601, F.S.; providing legislative intent to provide funds for the support of public health and biomedical research; revising procedures for the administration of the endowment fund; revising provisions concerning the availability and use of funds from the endowment; deleting statutory authority for advisory councils; amending s. 215.5602, F.S.; providing for public health and biomedical research; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Health Promotion; and Fiscal Responsibility Council.

By Representative Brutus—

**HB 565**—A bill to be entitled An act relating to disciplinary actions against instructional personnel; amending s. 231.2615, F.S.; establishing sanctions for failure of a superintendent to report the commission of certain acts by certified instructional personnel to the department; amending s. 231.085, F.S.; requiring each school principal to report the commission of certain acts by certified instructional personnel to the superintendent of schools; establishing sanctions for noncompliance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on General Education; Crime Prevention, Corrections & Safety; and Council for Lifelong Learning.

By Representatives McGriff, Harrell, and Richardson—

**HB 567**—A bill to be entitled An act relating to state agencies leasing space; amending s. 255.25, F.S.; revising language with respect to the extension of certain existing leases by an agency; providing for direct negotiation with a building owner for leased space in certain areas without competitive bid requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Economic Development & International Trade; Fiscal Policy & Resources; and Council for Smarter Government.

By Representatives Garcia and Rubio—

**HB 569**—A bill to be entitled An act relating to violations of probation or community control; amending s. 948.06, F.S.; providing for the period of probation or community control for an offender to be tolled following the filing of an affidavit alleging a violation of the probation or community control and the issuance of a warrant; providing for reinstatement of a previously imposed period of probation or community control following dismissal of such an affidavit; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Judicial Oversight; and Council for Healthy Communities.

By Representative Johnson—

**HJR 571**—A joint resolution proposing a revision of Article XI, Section 5 of the State Constitution requiring the Legislature to provide

by general law for the provision of an economic impact statement of each proposed amendment or revision to the State Constitution prior to its adoption by the voters of the state.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Fiscal Policy & Resources; and Procedural & Redistricting Council.

By Representative Gibson—

**HB 573**—A bill to be entitled An act relating to ad valorem taxation; creating s. 193.703, F.S.; providing for a reduction in assessment for living quarters of parents or grandparents of property owners or of their spouses; providing limitations; providing application procedures; providing penalties for making a willfully false statement in the application; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Local Government & Veterans Affairs; and Council for Smarter Government.

By Representatives Baker, Fiorentino, Detert, Kallinger, Clarke, Hart, Brown, Baxley, Trovillion, Bean, and Green—

**HB 575**—A bill to be entitled An act relating to filing fees; amending s. 15.16, F.S.; authorizing the Department of State to discount certain filing fees under certain circumstances; amending s. 607.193, F.S.; providing an exception to imposition of a late charge for a supplemental corporate fee under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Fiscal Policy & Resources; and Council for Competitive Commerce.

By Representatives Atwater and Jordan—

**HB 577**—A bill to be entitled An act relating to high school grades; amending s. 232.2463, F.S.; altering the required ranges of percentage grades that equate to letter grades and grade points; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Education Appropriations; and Council for Lifelong Learning.

By Representative Crow—

**HB 579**—A bill to be entitled An act relating to the Uniform Commercial Code; revising ch. 679, F.S., relating to secured transactions; creating ss. 679.1011, 679.1021, 679.1031, 679.1041, 679.1051, 679.1061, 679.1071, 679.1081, 679.1091, 679.1101, F.S.; providing a short title, definitions, and general concepts; creating ss. 679.2011, 679.2021, 679.2031, 679.2041, 679.2051, 679.2061, 679.2071, 679.2081, 679.209, 679.210, F.S.; providing for the effectiveness and attachment of security agreements; prescribing rights and duties of secured parties; creating ss. 679.3011, 679.3021, 679.3031, 679.3041, 679.3051, 679.3061, 679.3071, 679.3081, 679.091, 679.3101, 679.3111, 679.3121, 679.3131, 679.3141, 679.3151, 679.3161, 679.3171, 679.3181, 679.319, 679.320, 679.321, 679.322, 679.323, 679.324, 679.325, 679.326, 679.327, 679.328, 679.329, 679.330, 679.331, 679.332, 679.333, 679.334, 679.335, 679.336, 679.337, 679.338, 679.340, 679.341, 679.342, F.S.; providing for perfection and priority of security interests; creating ss. 679.4011, 679.4021, 679.4031, 679.4041, 679.4051, 679.4061, 679.4071, 679.4081, 679.409, F.S.; prescribing rights of third parties; creating ss. 679.5011, 679.5021, 679.5031, 679.5041, 679.5051, 679.5061, 679.5071, 679.508, 679.509, 679.510, 679.511, 679.512, 679.513, 679.524, 679.515, 679.516, 679.517, 679.518, 679.519, 679.520, 679.521, 679.522, 679.523, 679.524, 679.525, 679.526, 679.527, F.S.; prescribing filing procedures for perfection of a security interest; providing forms; providing duties and operation of filing office; creating ss. 679.601, 679.602, 679.603, 679.604, 679.605, 679.606, 679.607, 679.608, 679.609, 679.610, 679.611, 679.612, 679.613, 679.614, 679.615, 679.616, 679.617, 679.618, 679.619,

679.620, 679.621, 679.622, 679.623, 679.624, 679.625, 679.626, 679.627, F.S.; prescribing procedures for default and enforcement of security interests; providing for forms; creating ss. 679.701, 679.702, 679.703, 679.704, 679.705, 679.706, 679.707, 679.708, 679.709, F.S.; providing transitional effective dates and savings clause for perfected and unperfected security interests, specified actions, and financing statements; specifying priority of conflicting claims; amending s. 671.105, F.S.; specifying the precedence of law governing the perfection, the effect of perfection or nonperfection, and the priority of security interests and agricultural liens; amending s. 671.201, F.S.; revising definitions used in the Uniform Commercial Code; amending s. 672.103, F.S.; conforming a cross-reference; amending s. 672.210, F.S.; providing that the creation, attachment, perfection, or enforcement of a security interest in the seller's interest under a contract is not a transfer that materially affects the buyer unless the enforcement actually results in a delegation of material performance of the seller; amending s. 672.326, F.S.; eliminating provisions relating to consignment sales; amending s. 672.502, F.S.; modifying buyers' rights to goods on a seller's repudiation, failure to deliver, or insolvency; amending s. 672.716, F.S.; providing that, for goods bought for personal, family, or household purposes, the buyer's right of replevin vests upon acquisition of a special property; amending s. 674.2101, F.S.; conforming a cross-reference; creating s. 675.1181, F.S.; specifying conditions under which an issuer or nominated person has a security interest in a document presented under a letter of credit; amending ss. 677.503, 678.1031, F.S.; conforming cross-references; amending s. 678.1061, F.S.; specifying a condition under which a purchaser has control of a security entitlement; amending s. 678.1101, F.S.; modifying rules that determine a securities intermediary's jurisdiction; amending s. 678.3011, F.S.; providing for delivery of a certificated security to a purchaser; amending s. 678.3021, F.S.; eliminating a requirement that a purchaser of a certificated or uncertificated security receive delivery prior to acquiring all rights in the security; amending s. 678.5101, F.S.; prescribing rights of a purchaser of a security entitlement from an entitlement holder; amending ss. 680.1031, 680.303, 680.307, 680.309, F.S.; conforming cross-references; repealing ss. 679.101, 679.102, 679.103, 679.104, 679.105, 679.106, 679.107, 679.108, 679.109, 679.110, 679.112, 679.113, 679.114, 679.115, 679.116, F.S., relating to the short title, applicability, and definitions of ch. 679, F.S.; repealing ss. 679.201, 679.202, 679.203, 679.204, 679.205, 679.206, 679.207, 679.208, F.S., relating to the validity of security agreements and the rights of parties to such agreements; repealing ss. 679.301, 679.302, 679.303, 679.304, 679.305, 679.306, 679.307, 679.308, 679.309, 679.310, 679.311, 679.312, 679.313, 679.314, 679.315, 679.316, 679.317, 679.318, F.S., relating to rights of third parties, perfected and unperfected security interests, and rules of priority; repealing ss. 679.401, 679.4011, 679.402, 679.403, 679.404, 679.405, 679.406, 679.407, 679.408, F.S., relating to filing of security interests; repealing ss. 679.501, 679.502, 679.503, 679.504, 679.505, 679.506, 679.507, F.S., relating to rights of the parties upon default under a security agreement; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Business Regulation; and Council for Smarter Government.

By Representative Brutus—

**HB 581**—A bill to be entitled An act relating to regulating heir finders; providing legislative findings and intent; providing definitions; requiring licensure of heir finders and heir finder businesses; providing for administration by the Department of Business and Professional Regulation; providing powers and duties of the department; providing qualifications; requiring examinations; requiring a bond; providing limitations; providing for license renewal and reactivation; providing for fees; providing for local licensing requirements; providing for licensing of nonresidents; specifying prohibited acts; providing penalties; providing a felony penalty for certain activities; providing for an Heir Finder Recovery Fund as a separate account in the Professional Regulation Trust Fund; providing for administration by the department; providing for duties and responsibilities of the Treasurer; providing for investing moneys of the fund; providing for uses of the

fund; providing conditions for recovery from the fund under certain circumstances; providing for eligibility; providing for a surcharge to license fees; providing assessing licensees under certain circumstances for certain purposes; providing for payments from the fund under certain circumstances; providing for payment of claims; providing for license suspension under certain circumstances; providing for repayment by licensees; providing for expenditure of excess funds for certain purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Brutus—

**HB 583**—A bill to be entitled An act relating to trust funds; creating the Heir Finder Recovery Fund within the Department of Business and Professional Regulation; providing for sources of moneys and purposes; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Crime Prevention, Corrections & Safety; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Harrell—

**HB 585**—A bill to be entitled An act relating to Martin County; amending sections 1, 2, 3, and 4 of chapter 65-1906, Laws of Florida, as amended; revising authority of the Board of County Commissioners to levy a tax for indigent health care; revising the name of the fund into which the tax is paid; revising the uses of the fund; revising requirements relating to disbursements from the fund and unexpended balances in the fund; revising the name of the review board and the hospital board; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; and Local Government & Veterans Affairs.

**HB 587**—Withdrawn

By Representative Fasano—

**HB 589**—A bill to be entitled An act relating to local government utilities assistance; providing a short title; providing legislative findings; providing definitions; establishing a pilot local government utilities assistance program; providing for administration by the Department of Environmental Protection; providing for the uses of certain moneys for certain purposes; providing for criteria for grants and allocation of revenues for acquiring certain private water-wastewater utilities; providing for transfer of certain moneys from the Solid Waste Management Trust Fund to the program; providing for distribution of such moneys for certain purposes; providing for issuing revenue bonds for certain purposes under certain circumstances; authorizing the Department of Environmental Protection to adopt rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; General Government Appropriations; and Council for Ready Infrastructure.

By Representative Kilmer—

**HB 591**—A bill to be entitled An act relating to historic preservation; creating the "Florida Historical Monuments and Memorials Protection Act"; prohibiting the relocation, removal, disturbance, or alteration of a

monument, memorial, plaque, marker, or historic flag commemorating or memorializing specified wars and military engagements displayed on public property of the state or any of its political subdivisions; prohibiting a person or organization from preventing the public or private body responsible for the protection, preservation, or care of any monument, memorial, plaque, marker, or historic flag from exercising its responsibility to provide such protection, preservation, or care; providing a penalty for violation; prohibiting the renaming or rededication of a street, park, bridge, building, school, preserve, reserve, or other public area of the state or any of its political subdivisions dedicated in memory of or named for any historic figure or event; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Tourism; State Administration; and Council for Competitive Commerce.

By Representative Bowen—

**HB 593**—A bill to be entitled An act relating to law enforcement officers; amending s. 901.252, F.S.; providing authority to municipal law enforcement officers to patrol property and facilities leased by the municipality but located outside its territorial jurisdiction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Local Government & Veterans Affairs; and Council for Healthy Communities.

By Representative Haridopolos—

**HB 595**—A bill to be entitled An act relating to landlord and tenant; amending s. 83.49, F.S.; increasing the time period within which a landlord must return a security deposit; amending s. 83.67, F.S.; exempting certain landlords from a requirement to give notice to former tenants regarding personal property; amending ss. 715.105, 715.106, and 715.109, F.S.; increasing the value of abandoned personal property that may be kept, sold, or destroyed by a landlord; conforming notice provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Agriculture & Consumer Affairs; and Council for Smarter Government.

By Representative Bean—

**HB 597**—A bill to be entitled An act relating to the Money Transmitters' Code; amending s. 560.119, F.S.; eliminating examination fees; shifting the deposit of funds from one trust fund to another; amending s. 560.205, F.S.; providing for application fees; amending s. 560.206, F.S.; providing for an extended registration period; amending s. 560.207, F.S.; revising renewal dates and fees; amending s. 560.208, F.S.; providing for notice of branch location openings and closings; providing fees for branch locations and authorized vendors; amending s. 560.307, F.S.; providing fees and notice of openings and closings of branch locations or authorized vendors; amending s. 560.308, F.S.; revising renewal dates and fees; repealing s. 560.118(1)(d) and (e), F.S., which provides for examination costs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Banking; Business Regulation; and Council for Competitive Commerce.

By Representatives Mack, Sobel, Greenstein, Rich, Gottlieb, Seiler, Ritter, and Smith—

**HB 599**—A bill to be entitled An act relating to public records; providing an exemption from the public records requirements for information in the possession of a non-Title IV-D county child support enforcement agency which reveals the identity of applicants for and recipients of child support services; providing for future legislative

review and repeal; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Child & Family Security; State Administration; and Council for Healthy Communities.

By Representative Kottkamp—

**HB 601**—A bill to be entitled An act relating to judgment liens on personal property; amending s. 55.201, F.S.; revising language with respect to the central database of judgment liens on certain personal property; amending s. 55.202, F.S.; revising language with respect to liens on personal property which are the result of judgments, orders, and decrees; amending s. 55.203, F.S.; revising language with respect to judgment lien certificates; deleting the requirement of the inclusion of certain information; amending s. 55.204, F.S.; revising language with respect to the duration and continuation of a judgment lien; revising a timeframe for the acquisition of a second judgment lien; increasing the time period for the retention of a lien file by the Department of State; amending s. 55.205, F.S.; revising language with respect to the effect of a judgment lien; providing for certain liens to be superior to a judgment lien; amending s. 55.206, F.S.; revising language with respect to the amendment of a filed judgment lien; amending s. 55.207, F.S.; revising language with respect to the correction of a judgment lien file; amending s. 55.208, F.S.; revising language with respect to the effect of a filed judgment lien on writs of execution previously delivered to a sheriff; amending s. 55.209, F.S.; revising language with respect to the duties of the Department of State in collecting processing fees for filed documents; amending s. 55.604, F.S.; revising language with respect to the recognition and enforcement of certain foreign judgments; amending s. 55.605, F.S.; revising language with respect to grounds for nonrecognition; eliminating the requirement that the department maintain a described list; amending s. 56.21, F.S.; revising language with respect to execution sales; amending s. 56.27, F.S.; revising language with respect to executions; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Fiscal Policy & Resources; and Council for Smarter Government.

By Representative Mahon—

**HB 603**—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; expanding the exemption to the prohibited advertising, offering, or providing of specified forms of free insurance to include motor vehicle service agreements offered by the manufacturer at the time of sale of a new motor vehicle; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Insurance; Judicial Oversight; and Council for Competitive Commerce.

By Representatives Gibson and Kravitz—

**HB 605**—A bill to be entitled An act relating to nursing homes and related health care facilities; creating ss. 400.1755, 400.4786, 400.55715, and 400.626, F.S.; providing requirements for dementia-specific training for individuals employed by nursing home facilities, home health agencies, adult day care centers, and adult family-care homes that care for persons with Alzheimer's disease or other related disorders; amending s. 400.4178, F.S.; revising training requirements for staff of assisted living facilities that care for persons with Alzheimer's disease or other related disorders; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Elder & Long-Term Care; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representative Mahon—

**HB 607**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Kharmilia Ferguson, a minor, and for the relief

of Angela Jones and Raymond Ferguson, individually and as the natural parents and guardians of Kharmilia Ferguson; authorizing and directing the Palm Beach County Sheriff's Office to compensate them for injuries they suffered as a result of the negligence of an employee of the sheriff's office; providing for reversion of funds; providing for reimbursement of all unreimbursed medical payments made by Medicaid up to the date that this act becomes a law; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representative Harper—

**HB 609**—A bill to be entitled An act relating to the City of Belle Glade; providing for the relief of Willie Police, III, Cora Donaldson, Willie Police, Sr., and the Estate of Willie Police, Jr.; authorizing and directing the City of Belle Glade to compensate them for injuries suffered as a result of the death of Willie Police, Jr., due to the negligence of employees of the city; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Claims; and Procedural & Redistricting Council.

By Representatives Haridopolos, Ritter, and Siplin—

**HB 611**—A bill to be entitled An act relating to telecommunications network access services; amending s. 364.163, F.S.; revising telecommunications network access services rate requirements; providing for capping certain rates under certain circumstances; providing for reducing certain rates under certain circumstances; providing for petition to reduce certain rates of certain local telecommunications companies; authorizing the Public Service Commission to order certain telecommunications companies to decrease certain rates under certain circumstances; authorizing certain local telecommunications companies to petition the commission to increase certain rates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Agriculture & Consumer Affairs; General Government Appropriations; and Council for Ready Infrastructure.

By Representative Ross—

**HB 613**—A bill to be entitled An act relating to construction contracts; amending s. 255.05, F.S.; clarifying criteria for performance of bonds; clarifying provisions relating to notice of claim against a bond; amending s. 713.06, F.S.; clarifying provisions relating to notice of claim against a lien; amending s. 713.18, F.S.; revising provisions relating to manner of serving notices and certain instruments; providing for service of notice on corporations or business entities; amending s. 713.23, F.S.; including certain unpaid finance charges under a written notice of nonpayment of a payment bond; correcting a cross reference, to conform; repealing s. 713.245, F.S., relating to conditional payment bonds; amending s. 713.235, F.S.; correcting a cross reference, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Judicial Oversight; and Council for Smarter Government.

By Representatives Kallinger, Bense, and Melvin—

**HB 615**—A bill to be entitled An act relating to payment or performance bonds; amending s. 255.05, F.S.; prohibiting requiring

specific insurance or surety companies, agents, or brokers for payment or performance bonds for certain projects; providing a felony penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Crime Prevention, Corrections & Safety; and Council for Smarter Government.

By Representative Harper—

**HB 617**—A bill to be entitled An act relating to the sentencing of juveniles; amending s. 985.233, F.S.; providing for the court to sentence a juvenile who has committed a criminal offense to a combination of juvenile and adult sanctions; requiring that the juvenile complete a juvenile commitment program as part of such a sentence; authorizing the court to impose adult sanctions if the juvenile violates any provision of the juvenile commitment program; deleting provisions prohibiting the court from imposing a combination of adult and juvenile punishments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Juvenile Justice; Crime Prevention, Corrections & Safety; and Council for Healthy Communities.

By Representative Harper—

**HB 619**—A bill to be entitled An act relating to long-term care; creating the "Moses General Miles Act"; authorizing the Institute on Urban Policy and Commerce at Florida Agricultural and Mechanical University to develop a grant program for pilot projects in assisted living facility long-term care for elderly persons in urban distressed communities; providing for eligibility and priority for funding; creating a review panel to evaluate proposed pilot projects; providing membership of the review panel; directing the institute to provide program technical assistance support; providing rulemaking authority; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Elder & Long-Term Care; Colleges & Universities; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representative Fiorentino—

**HB 621**—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.1975, F.S., relating to exemptions for nonprofit homes for the aged; specifying that the exemption applicable to such homes the residents of which meet certain income limitations applies to individual units or apartments of such homes; providing for application of a residency affidavit requirement to applicants for such an exemption; clarifying provisions relating to qualification for the alternative exemption provided by that section for those portions of a home in which the residents do not meet the income limitations; providing that s. 196.195, F.S., relating to requirements and criteria for determining the profit or nonprofit status of an applicant for exemption, and s. 196.196, F.S., relating to criteria for determining whether property is entitled to a charitable, religious, scientific, or literary exemption, do not apply to that section; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Mack—

**HB 623**—A bill to be entitled An act relating to government accountability and legal proceedings; amending s. 11.066, F.S.; providing that property of the state or a monetary recovery made on behalf of the state is not subject to a lien unless authorized by law; amending s. 112.3175, F.S.; providing that certain contracts executed in violation of part III of ch. 112, F.S., are presumed void or voidable; amending s. 112.3185, F.S.; prohibiting a state employee from holding

certain employment or contractual relationships following resignation of such employment; amending s. 287.058, F.S.; requiring that certain state contracts be subject to cancellation upon refusal by the contractor to allow access to public records; amending s. 287.059, F.S.; providing additional requirements for contracts for private attorney services; providing requirements for contingency fee contracts; providing requirements if multiple law firms are parties to a contract; providing requirements for private attorneys with respect to maintaining documents and records and making such documents and records available for inspection; creating s. 60.08, F.S.; providing for injunctions without bond when sought by the state or its agencies; providing for severability; amending s. 45.062, F.S.; providing additional requirements with respect to notification of certain settlements or orders; providing that certain settlements or orders shall be contingent upon and subject to legislative appropriation or statutory amendment; providing for the disposition of funds; providing legislative intent; amending s. 216.023, F.S.; providing for an inventory of all litigation in which an agency is involved which may require additional appropriations to the agency or amendments to the law under which the agency operates as a part of legislative budget requests; amending s. 284.385, F.S.; revising provisions relating to the reporting and handling of claims by the Department of Insurance covered by the State Risk Management Trust Fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Local Government & Veterans Affairs; and Council for Smarter Government.

By Representative Bean—

**HB 625**—A bill to be entitled An act relating to security for public deposits; amending ss. 280.02, 280.04, 280.041, 280.05, 280.051, 280.054, 280.055, 280.07, 280.08, 280.09, 280.10, 280.11, 280.13, and 280.16, F.S.; revising definitions; revising provisions requiring collateral for public deposits; providing for use of certain letters of credit; requiring additional collateral under certain circumstances; providing penalties; specifying certain agreements for use as collateral; prohibiting a qualified public depository from acting as its own custodian; authorizing use of certain letters of credit; providing requirements; revising triggering events for certain actions by the Treasurer; revising powers and duties of the Treasurer; clarifying grounds for suspension or disqualification of a qualified public depository; revising conditions for imposition of an administrative penalty; clarifying criteria for the Treasurer to issue certain orders; providing for contingent liability; clarifying procedures for payment of losses; providing for deposit of draws on letters of credit into the Public Deposits Trust Fund; revising procedures and requirements relating to effect of mergers, acquisitions, or consolidations; providing conditions for eligibility of certain letters of credit as collateral; clarifying requirements of qualified public depositories; creating s. 280.071, F.S.; creating the Qualified Public Depository Oversight Board; providing purposes; requiring the Treasurer to initiate selection of board members; providing for selection of board members by certain qualified public depositories; providing qualifications; providing powers and duties of the board; authorizing the Treasurer to adopt rules for certain purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Banking; and Council for Smarter Government.

By Representative Brummer—

**HJR 627**—A joint resolution proposing an amendment to Article V of the State Constitution, relating to the judiciary.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

By Representative Argenziano—

**HB 629**—A bill to be entitled An act relating to Citrus County; specifying rights of certain employees and appointees of the Citrus

County Sheriff; providing definitions; providing proceedings and provisions with respect to dismissal; providing for transition between administrations; providing for career appeals boards; providing for appeals procedures; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Local Government & Veterans Affairs; State Administration; and Council for Smarter Government.

**HB 631**—Withdrawn

By Representatives Hart, Haridopolos, Waters, and Miller—

**HB 633**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing a full, rather than partial, exemption for machinery and equipment used to produce defense or space technology products or used in defense or space research and development activities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Economic Development & International Trade; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Hart, Garcia, and Kallinger—

**HB 635**—A bill to be entitled An act relating to drivers' licenses; creating s. 322.0515, F.S.; providing for compliance with federal requirements by certain applicants for drivers' licenses or identification cards; directing the Department of Highway Safety and Motor Vehicles to forward certain information to the federal Selective Service System with respect to certain applicants; providing described notice to applicants; directing the department to include a described statement on certain applications for drivers' licenses or identification cards; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Transportation; and Council for Smarter Government.

By Representatives Hart, Henriquez, Joyner, Bilirakis, Littlefield, Alexander, Murman, Byrd, Romeo, Peterman, Cantens, Waters, Mack, Ross, and Baker—

**HB 637**—A bill to be entitled An act relating to cigarette taxes; amending s. 210.20, F.S.; providing for the payment of a portion of cigarette taxes to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used for certain purposes; amending s. 210.201, F.S.; providing for a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representatives Weissman, Greenstein, Smith, Henriquez, Meadows, Siplin, Gelber, Gannon, Slosberg, Bendross-Mindingall, Seiler, and Romeo—

**HB 639**—A bill to be entitled An act relating to local government code enforcement; amending s. 162.09, F.S.; providing that money judgments on liens apply to specified real and personal property; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Local Government & Veterans Affairs; and Council for Smarter Government.

**HB 641**—Withdrawn

By Representative Seiler—

**HB 643**—A bill to be entitled An act relating to the criminal use of personal identification information; amending s. 817.568, F.S.;

providing that the willful and fraudulent use of personal identification information of another individual is a felony of the second degree if the value of the pecuniary benefit resulting from such use is of a specified amount or more; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; Information Technology; and Council for Healthy Communities.

By Representative Henriquez—

**HB 645**—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.501, F.S.; providing an exemption from the surcharge on alcoholic beverages for specified nonprofit organizations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Wilson—

**HB 647**—A bill to be entitled An act relating to class size; amending s. 236.687, F.S.; revising priorities for the use of funds for class size reduction; providing funds for the construction of primary learning centers; defining the term “primary learning center”; requiring that funds received for class size reduction be returned to the Department of Education under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Education Innovation; Fiscal Policy & Resources; Education Appropriations; and Council for Lifelong Learning.

By Representative Bilirakis—

**HB 649**—A bill to be entitled An act relating to law enforcement officers’ disabilities; amending s. 112.18, F.S.; including county law enforcement officers within special provisions creating a presumption relating to causes of certain disabilities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Crime Prevention, Corrections & Safety; State Administration; Criminal Justice Appropriations; and Council for Healthy Communities.

By Representative Bilirakis—

**HB 651**—A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; providing for a repurchase of prior service credit for certain members of the Special Risk Class or Special Risk Administrative Support Class of the Florida Retirement System who retired or terminated employment before July 1, 2000; providing for actuarial funding of benefits; providing a declaration of an important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; Fiscal Policy & Resources; and Fiscal Responsibility Council.

By Representative Bilirakis—

**HB 653**—A bill to be entitled An act relating to medical treatment; creating the “Access to Medical Treatment Act”; authorizing a licensed physician to treat an individual for a life-threatening illness or condition by means of an investigational medical treatment authorized by the individual or the individual’s legal representative; specifying acts and disclosures that are required before a physician may provide such treatment; providing that investigational medical treatment provided in

compliance with the act does not constitute unprofessional conduct; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Judicial Oversight; and Council for Healthy Communities.

By Representative Baker—

**HJR 655**—A joint resolution proposing amendments to Sections 3, 10, and 11 of Article V and the creation of Section 26 of Article XII of the State Constitution relating to the election of justices of the Supreme Court.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; Rules, Ethics & Elections; and Procedural & Redistricting Council.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 657**—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 2001 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2001 shall be effective immediately upon publication; providing that general laws enacted during the 2000 regular session and prior thereto and not included in the Florida Statutes 2001 are repealed; providing that general laws enacted during the 2001 regular session are not repealed by this adoption act.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 659**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 11.513, 17.26, 20.12, 20.315, 20.3315, 20.50, 24.113, 39.0015, 39.202, 39.3065, 55.209, 101.545, 110.112, 121.021, 121.051, 125.0108, 163.065, 163.2517, 163.345, 163.458, 166.231, 171.093, 186.504, 192.001, and 212.08, F.S.; renumbering s. 20.171(5)(c), F.S.; reenacting ss. 20.316(4)(f), 162.04(5), and 212.055(2)(c), F.S.; and repealing ss. 20.331(6)(d), 121.091(9)(b)11., 122.20(2), 163.2520(3), and 210.20(2)(b), F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 661**—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 215.96, 216.015, 216.177, 216.181, 216.348, 218.21, 228.082, 228.195, 229.006, 229.085, 229.57, 231.262, 231.6215, 232.50, 233.0655, 233.068, 235.26, 236.1225, 240.145, 240.2995, 240.345, 240.40208, 240.5285, 240.529, 240.711, 252.32, 252.34, 252.35, 252.36, 252.38, 252.46, 252.47, 252.50, 252.52, 253.115, 253.7829, 255.101, 255.102, 255.25, 255.5535, 259.037, 259.101, 265.284, 267.171, 282.303, 283.33, 285.18, 287.042, 287.055, 287.057, 287.0943, 288.012, 288.106, 288.1066, 288.1167, 288.1169, 288.1229, 290.0065, 290.007, 320.0848, 320.20, 320.27, 323.001, 328.16, 331.304, and 348.7543, F.S.; reenacting ss. 216.292(1)(b), 228.056(10), 231.600, 259.032(12),

265.284(4), 287.055(4)(b), and 322.051(1), F.S.; and repealing ss. 236.25(5)(b)1.-3. and 288.7771(1), F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 663**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 370.0603, 370.092, 370.093, 370.12, 372.5712, 372.5715, 373.4135, 375.021, 376.30713, 377.703, 380.012, 380.0555, 381.003, 381.004, 381.0065, 381.0303, 381.90, 383.50, 384.29, 393.0641, 394.875, 395.0163, 395.4045, 395.602, 395.7015, 400.0091, 400.022, 400.023, 400.141, 400.408, 400.464, 400.980, 402.166, 402.28, 402.50, 403.031, 403.714, 403.718, 403.7191, 403.7192, 408.02, 408.0361, 409.145, 409.1685, 409.908, 409.912, 409.946, 414.105, 418.302, 420.506, 420.507, 435.03, 435.05, 435.07, 440.15, 440.381, 440.4416, 443.1715, 445.024, 446.50, 456.025, 456.039, 458.3135, 458.319, and 460.403, F.S.; reenacting ss. 370.021(2), 375.045, 397.405, 409.9122(1), 445.003(6)(b), 445.009(7)(c), 467.001, 467.002, 467.004, 467.011, 467.0125, 467.014, 467.015, 467.016, 467.017, 467.201, 467.203, 467.205, 467.207, and 468.354(3)(b), F.S.; and repealing ss. 373.4593(2)(a)-(c), 381.0045(3), 383.0112(2)(g), 411.01(9)(c), 421.37, 421.38, 421.39, 421.40, 421.41, 421.42, 421.43, 421.44, 421.45, 427.0159(2), and 464.0045, F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 665**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 470.016, 471.025, 472.001, 472.003, 472.005, 472.011, 472.015, 472.021, 472.025, 472.027, 472.031, 472.037, 476.024, 494.0017, 498.025, 499.015, 499.03, 499.05, 501.34, 514.0231, 527.01, 527.02, 538.11, 550.6305, 550.904, 550.912, 553.381, 553.507, 553.902, 569.11, 570.21, 576.045, 589.065, 597.003, 597.0041, 607.1901, 617.1622, 620.8101, 620.9901, 626.112, 626.621, 626.6215, 626.797, 626.844, 626.8734, 626.909, 626.9911, 626.99275, 627.031, 627.062, 627.357, 627.481, 627.6487, 627.6699, 627.6735, 627.736, 627.9403, 627.9407, 627.94072, 627.944, 628.909, 631.718, and 631.911, F.S.; and repealing ss. 489.1136(1)(g), 499.005(26), 550.2633(3) and (4), 624.408(1)(b)1., and 627.0661, F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions

unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 667**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 632.635, 633.021, 633.025, 634.191, 634.281, 641.185, 641.225, 642.032, 642.043, 648.44, 651.095, 651.106, 655.50, 655.962, 663.02, 663.09, 663.14, 715.07, 718.103, 718.111, 718.112, 718.504, 784.075, 817.55, 828.1231, 849.086, 849.0931, 914.27, 921.0022, 943.08, 943.11, 943.125, 960.065, 984.03, 985.201, 985.215, 985.225, and 985.228, F.S.; and reenacting ss. 985.23 and 985.3141, F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 669**—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 17.43(3), 20.2553(3), 61.182, 240.3835, 240.408, 290.0075, 403.8533(3), 442.001, 442.002, 442.003, 442.004, 442.005, 442.006, 442.007, 442.008, 442.009, 442.0105, 442.011, 442.012, 442.013, 442.014, 442.015, 442.016, 442.017, 442.018, 442.019, 442.020, 442.021, 442.022, 442.023, 442.101, 442.102, 442.103, 442.104, 442.105, 442.106, 442.107, 442.108, 442.109, 442.111, 442.112, 442.113, 442.115, 442.116, 442.118, 442.1185, 442.119, 442.121, 442.123, 442.125, 442.126, 442.127, 442.20, 442.21, 570.205(3), and 713.5955, F.S., pursuant to s. 11.242, F.S.; all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the Florida Statutes 2001 only through a reviser's bill duly enacted by the Legislature; repealing s. 290.009(2)(c), F.S., to conform to the repeal of s. 290.0075, F.S.; repealing s. 448.24(2)(d), F.S., to conform to the repeal of chapter 442, F.S.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Committee on Rules, Ethics & Elections; Representative Goodlette—

**HB 671**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.90, 228.082, 445.004, 570.61, and 893.138, F.S., to conform to the directive in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from the Florida Statutes without substantive change in legal effect.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By Representative Wilson—

**HB 673**—A bill to be entitled An act relating to voter registration; creating s. 97.0584, F.S.; requiring each school district to establish a voter registration program that offers eligible high school students in the district the opportunity to register to vote or to update a voter registration record at least once a year in the spring; providing that participation is mandatory for public high schools and voluntary for

nonpublic high schools; providing requirements of the participating high schools, the school districts, and the supervisors of elections with respect to the program; specifying eligibility requirements; providing for use of county voting equipment in certain school elections; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Rules, Ethics & Elections; State Administration; Education Appropriations; and Procedural & Redistricting Council.

By Representatives Lerner, Detert, Ritter, Henriquez, Greenstein, Heyman, Sobel, and Meadows—

**HB 675**—A bill to be entitled An act relating to juveniles; amending s. 39.013, F.S.; providing for circuit court jurisdiction in dependency proceedings until the child reaches a specified age; providing for an annual review during the time a child remains in the custody of or under the supervision of the Department of Children and Family Services; amending s. 409.145, F.S.; deleting a requirement that foster care services be terminated upon a child's leaving an educational program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Health & Human Services Appropriations; and Council for Smarter Government.

By Representatives Lerner and Sobel—

**HB 677**—A bill to be entitled An act relating to health insurance coverage for infertility; creating ss. 627.64062 and 627.65742, F.S., and amending s. 641.31, F.S.; requiring coverage by health insurance policies, group, franchise, and blanket health insurance policies, and health maintenance contracts for diagnosis and treatment of infertility under certain circumstances; providing requirements and criteria; providing limitations; providing definitions; providing an exception for certain religious organizations; providing application; excluding payments for donor eggs or certain medical services; amending ss. 627.651, 627.6515, and 627.6699, F.S.; providing for application to group contracts and plans of self-insurance, out-of-state groups, and standard, basic, and limited health benefit plans; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Insurance; Fiscal Policy & Resources; and Council for Healthy Communities.

By Representatives Lerner, Rich, Ritter, Henriquez, Greenstein, Sobel, Romeo, Gannon, Weissman, McGriff, Joyner, Bendross-Mindingall, Cusack, Gelber, Seiler, Betancourt, Meadows, Jennings, Ausley, Kosmas, and Frankel—

**HB 679**—A bill to be entitled An act relating to the Florida Kidcare Act; amending ss. 409.814, 409.815, 409.8177, 409.818, 409.904, and 624.91, F.S.; deleting references to Medikids program components; revising criteria for Kidcare program components; deleting obsolete provisions; providing for state funding of the Kidcare program; requiring uniform and joint administration of Kidcare program implementation; requiring joint development of a plan for Kidcare eligibility determinations and plan implementation by a date certain; creating s. 409.81753, F.S.; providing for Kidcare program providers; requiring the Department of Health to develop and implement uniform provider standards for Kidcare components; repealing s. 409.811(19), F.S., relating to a definition of Medikids; repealing s. 409.813(2), F.S., relating to the Medikids component of the Kidcare program; repealing s. 409.8132, F.S., relating to the Medikids program component; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Insurance; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representatives Waters, Flanagan, and Brummer—

**HB 681**—A bill to be entitled An act relating to governmental reorganization; amending s. 20.04, F.S.; providing an exception to departmental structure requirements; deleting reference to the Department of Banking and Finance and substituting therefor the Department of Insurance and Financial Services; creating s. 20.121, F.S.; creating the Office of Chief Financial Officer; providing duties; creating s. 20.131, F.S.; creating the Department of Insurance and Financial Services; providing for an executive director; providing for departmental structure; creating the Offices of Commissioner of Insurance, Commissioner of Financial Institutions, and Commissioner of Securities; providing for appointment and specifying qualifications for each commissioner; providing jurisdiction of the commissioners' offices; providing for exercise of executive authority; transferring certain powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds to the Office of Chief Financial Officer and the Department of Insurance and Financial Services; specifying that administrative rules of the Department of Banking and Finance and the Department of Insurance become administrative rules of the Department of Insurance and Financial Services; specifying that such rules become administrative rules of the Office of Chief Financial Officer under certain circumstances; providing for preservation of validity of judicial or administrative actions involving such departments; providing for substitution of certain parties in interest in such actions; creating the Office of Transition Management; specifying powers and duties thereof; providing for appropriations; requiring reports to the Governor and the Legislature; directing the Division of Statutory Revision to prepare proposed substantive legislation by a certain time for certain purposes; repealing ss. 20.12 and 20.13, F.S., relating to the Department of Banking and Finance and the Department of Insurance, respectively; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on State Administration; General Government Appropriations; and Council for Competitive Commerce.

By Representative Romeo—

**HB 683**—A bill to be entitled An act relating to advanced registered nurse practitioners; amending s. 893.02, F.S.; redefining the term "practitioners" to give advanced registered nurse practitioners the privilege of prescribing controlled substances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Regulation; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representatives Romeo, Gannon, Sobel, Weissman, and Peterman—

**HB 685**—A bill to be entitled An act relating to consumer protection; amending s. 501.203, F.S.; including business or commercial entity within the definition of the term "consumer" for purposes of ch. 501, F.S.; amending s. 501.207, F.S.; authorizing an action on behalf of a governmental entity for damages caused by a violation of part II of ch. 501, F.S.; amending s. 501.2075, F.S.; providing for waiver of civil penalties if restitution is made for actual damages to a governmental entity; repealing s. 501.2091, F.S., relating to an authorization for a stay of proceedings pending trial by a party to an action under part II of ch. 501, F.S.; amending s. 501.211, F.S.; providing for the recovery of actual damages on the part of a person who suffers a loss as a result of a violation of part II of ch. 501, F.S.; amending s. 501.212, F.S.; eliminating an exemption from regulation under part II of ch. 501, F.S., for persons regulated under laws administered by other agencies; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; State Administration; and Council for Competitive Commerce.

By Representatives Romeo, Gannon, Bucher, Sobel, Lerner, McGriff, Greenstein, Gelber, Weissman, Cusack, Peterman, and Betancourt—

**HB 687**—A bill to be entitled An act relating to medically essential electric public utility service; creating s. 366.15, F.S.; defining the term “medically essential”; requiring electric public utilities to provide medically essential service under specified circumstances; providing procedures for certification of medically essential utility service; authorizing utilities to disconnect service under certain circumstances; providing for notice to customers; providing for payment for service; providing for monitoring of customers; providing responsibilities for customers; providing for the identification of sources for funding purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Health Promotion; and Council for Ready Infrastructure.

By Representative Wallace—

**HJR 689**—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 26 of Article XII of the State Constitution relating to a limitation on legislative power to impose or increase taxes, fees, penalties, and fines.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Fiscal Policy & Resources; Judicial Oversight; and Fiscal Responsibility Council.

By Representative Allen—

**HB 691**—A bill to be entitled An act relating to telecommunications; amending s. 364.025, F.S.; extending certain time periods for provision of universal service obligations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Agriculture & Consumer Affairs; and Council for Ready Infrastructure.

By Representatives Meadows and Slosberg—

**HB 693**—A bill to be entitled An act relating to food product dating; requiring that food products display shelf-life expiration dates; providing exceptions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Agriculture & Consumer Affairs; Business Regulation; and Council for Competitive Commerce.

By Representative Mack—

**HB 695**—A bill to be entitled An act relating to sentencing; amending s. 874.04, F.S.; providing for enhanced penalties for the commission of a felony or misdemeanor, or a delinquent act or violation of law that would be a felony or misdemeanor if committed by an adult, under specified circumstances when the defendant committed the charged offense for the purpose of benefiting, promoting, or furthering the interest of a criminal street gang; amending s. 921.0024, F.S., relating to the Criminal Punishment Code worksheet computations and scoresheets; revising guidelines for applying a specified sentence multiplier for offenses committed for the purpose of benefiting, promoting, or furthering the interests of a criminal street gang; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Crime Prevention, Corrections & Safety; and Council for Smarter Government.

By Representative Goodlette—

**HB 697**—A bill to be entitled An act relating to the judiciary; creating ss. 43.201, 43.202, 43.203, 43.204, 43.205, 43.206, 43.207, 43.208,

43.209, F.S.; creating the Capital Case Staff Attorney Program; providing for statewide distribution of capital case staff attorneys; providing for hiring, supervision, and duties of such attorneys; providing for salaries, benefits, and training; providing for assignment of such attorneys across circuit lines; providing an annual report; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Crime Prevention, Corrections & Safety; Criminal Justice Appropriations; and Council for Smarter Government.

By Representative Goodlette—

**HB 699**—A bill to be entitled An act relating to rural electric cooperatives; amending s. 425.09, F.S.; authorizing cooperative bylaws to permit voting by limited proxy for certain purposes and under certain circumstances; providing criteria and limitations; prohibiting voting by general proxy; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Utilities & Telecommunications; Judicial Oversight; and Council for Ready Infrastructure.

By Representatives Bean and Slosberg—

**HB 701**—A bill to be entitled An act relating to road designations; designating a portion of State Road 16 as the Correctional Officers Memorial Highway; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Transportation; and Transportation & Economic Development Appropriations.

By Representatives Benson, Farkas, and Melvin—

**HB 703**—A bill to be entitled An act relating to insurance coverage for investigational cancer treatments; requiring coverage for investigational cancer treatments under certain circumstances; specifying covered costs; providing exceptions; providing criteria for certain cancer trials; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Health Promotion; Insurance; Health & Human Services Appropriations; and Council for Healthy Communities.

By Representatives Spratt, Alexander, Dockery, Harrington, Greenstein, Cantens, Lacasa, Diaz-Balart, Machek, Sorensen, Barreiro, Diaz de la Portilla, Gottlieb, Ritter, Attkisson, Mayfield, Garcia, Bendross-Mindingall, Miller, Bennett, and Brown—

**HB 705**—A bill to be entitled An act relating to aquifer storage and recovery wells; creating s. 403.065, F.S.; providing findings; providing for classifications and permitting of aquifer storage and recovery wells; providing a zone of discharge for aquifer storage and recovery wells meeting specific criteria; providing monitoring requirements for aquifer storage and recovery wells; requiring an aquifer exemption for an aquifer storage and recovery well that does not meet primary drinking water standards other than those relating to total coliform bacteria or sodium; requiring the Department of Environmental Protection to make a reasonable effort to issue or deny permits within a specified period; providing rulemaking authority; creating s. 373.222, F.S.; providing requirements for certain domestic wells; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Natural Resources & Environmental Protection; General Government Appropriations; and Council for Ready Infrastructure.

By the Committee on Business Regulation; Representative Kyle—

**HB 707**—A bill to be entitled An act relating to the State Lottery Commission; repealing ss. 24.103(3) and 24.106, F.S., relating to the

State Lottery Commission; abolishing the commission; amending ss. 24.105, 24.108, and 24.123, F.S.; deleting references to the commission, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By Representative Ryan—

**HB 709**—A bill to be entitled An act relating to the City of Hialeah; providing for the relief of Jose Pena, as Personal Representative of the Estate of Carmen Pena, deceased, and individually, as surviving father of Katherine Pena and Richard Pena, minor children of Carmen Pena, deceased, and Jose Pena; providing for the relief of Johannes Pena, surviving son of Carmen Pena; providing for an appropriation to compensate them for the death of Carmen Pena, Katherine Pena, and Richard Pena as a result of the negligence of the City of Hialeah; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Meadows—

**HB 711**—A bill to be entitled An act relating to Orange County; providing for the relief of Pamela McMahan San Juan; providing for an appropriation to compensate her for injuries and damages sustained due to the negligence of Orange County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 713**—A bill to be entitled An act relating to Marion County; creating the Rainbow River Access Point and providing boundaries; providing for limited usage; providing for riparian rights; providing a saving clause in the event any provision of the act is deemed invalid; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Lerner, Detert, Ritter, Henriquez, Greenstein, Heyman, Rich, Weissman, Mahon, Frankel, Sobel, Seiler, Betancourt, Meadows, Ausley, and Kosmas—

**HB 715**—A bill to be entitled An act relating to Medicaid assistance for breast and cervical cancer treatment; amending s. 409.906, F.S.; authorizing Medicaid reimbursement for medical assistance provided to certain persons for treatment of breast or cervical cancer; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Stansel—

**HB 717**—A bill to be entitled An act relating to assessment of agricultural property; amending s. 193.461, F.S.; providing that, for purposes of the income methodology approach to such assessment, certain litter containment and animal waste nutrient containment structures shall be considered a part of the average yields per acre and have no separately assessable contributory value; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Stansel, Spratt, Alexander, and Kendrick—

**HB 719**—A bill to be entitled An act relating to damage or destruction of agricultural products; creating s. 604.60, F.S.; providing that certain agricultural growers or producers shall have a right to recover damages as a result of willful and knowing damage or destruction of specified agricultural field crops; providing considerations and limits in award of

damages; providing for costs and attorney's fees; amending s. 810.09, F.S.; prohibiting trespass upon specified legally posted agricultural sites; providing a penalty; reenacting ss. 260.0125(5)(b) and 810.011(5)(b), F.S., to incorporate the amendment to s. 810.09, F.S., in references thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Stansel, Alexander, Kendrick, and Spratt—

**HB 721**—A bill to be entitled An act relating to public records; amending s. 403.067, F.S.; providing an exemption from public records requirements for certain individual agricultural records reported to the Department of Agriculture and Consumer Services in connection with its duties relating to pollution reduction under the total maximum daily load program for water bodies; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Sobel, Romeo, Frankel, Brutus, Wilson, Gannon, Ryan, Betancourt, Slosberg, Melvin, Peterman, Rich, Fields, Bendross-Mindingall, and Cusack—

**HB 723**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; eliminating the limitation on employment after retirement for retired members who are reemployed by a district school board; providing requirements for reemployment; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Sobel, Greenstein, Lee, Henriquez, Gottlieb, Weissman, Gannon, Green, Holloway, Wilson, and Fields—

**HB 725**—A bill to be entitled An act relating to interscholastic athletics; amending s. 232.61, F.S.; requiring the Florida High School Activities Association to adopt bylaws which require students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation prior to participating in interscholastic athletic competition or engaging in practice with an interscholastic athletic team; providing requirements with respect to such evaluation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Stansel, Kilmer, and Kendrick—

**HB 727**—A bill to be entitled An act relating to the Correctional Privatization Commission; abolishing the Correctional Privatization Commission; transferring the powers, duties, personnel, property, and unexpended balances of funds of the Correctional Privatization Commission to the Department of Corrections; repealing ch. 957, F.S., the Correctional Privatization Commission Act; amending ss. 394.9151, 395.002, 408.036, 943.053, 943.13, 943.133, 944.02, 944.023, 944.115, 944.72, 944.8041, 945.215, 946.5025, and 946.503, F.S.; conforming provisions to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 729**—A bill to be entitled An act relating to environmental control; amending s. 253.03, F.S.; providing that the Board of Trustees of the Internal Improvement Trust Fund and the state may not control, regulate, permit, or charge for specified removed organic detrital material; amending s. 369.20, F.S.; requiring the Department of Environmental Protection to develop by rule standards which provide specific criteria for the removal and replanting of vegetation permitted under the Florida Aquatic Weed Control Act; revising an exemption from permitting requirements with respect to removal by a riparian owner of specified herbaceous aquatic plants and semiwoody herbaceous plants in freshwater bodies; including free-floating vegetation, invasive plants, and organic detrital material within such exemption; amending

s. 403.813, F.S.; revising an exemption from permitting requirements under ch. 403, F.S., to include the removal of invasive plants and the removal of organic detrital material from freshwater lakes and rivers under specified conditions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kottkamp—

**HB 731**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing exemptions from public records requirements for specified identifying information relating to local government or water management district human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers and their spouses and children; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wiles and Justice—

**HB 733**—A bill to be entitled An act relating to lighthouses; directing the Department of Community Affairs and the Department of State to conduct a study of lighthouses in the state; providing requirements of the study; providing for planning and funding responsibilities; directing each department to make a budget request for funding purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Gannon—

**HB 735**—A bill to be entitled An act relating to rules of evidence; amending s. 794.022, F.S.; providing for certain rules of evidence applicable to the criminal prosecution of the crime of sexual battery to apply in any civil action brought under the Florida Civil Rights Act involving the perpetration or alleged perpetration of such crime; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Lerner, Heyman, Green, and Detert—

**HB 737**—A bill to be entitled An act relating to security of medical facilities and supplies; amending s. 784.07, F.S.; redefining the term “emergency medical care provider” for purposes of enhanced penalties for assaults on such persons; amending s. 812.014, F.S.; providing first-degree felony penalties for theft of certain medical equipment; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of theft of medical equipment on the offense severity ranking chart; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Brown—

**HB 739**—A bill to be entitled An act for the relief of Billie Jo McIntire; providing an appropriation to compensate Billie Jo McIntire, as surviving spouse and Personal Representative of the Estate of Jeffrey Scott McIntire, deceased, and Sarah Ellen Megan McIntire and Christian Jeffrey Taylor McIntire, surviving minor children of Jeffrey Scott McIntire, deceased, for the wrongful death of their husband and father, Jeffrey Scott McIntire, as a result of the negligence of the Florida Department of Transportation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Diaz de la Portilla—

**HB 741**—A bill to be entitled An act relating to campaign financing; amending s. 106.08, F.S.; providing that only individuals may contribute to candidates for election to or retention in office; raising the contribution limits; eliminating limits on contributions to political committees; providing penalties; amending ss. 106.011, 106.021, 106.04, 106.06, 106.07, and 106.071, F.S., relating to the definition of “political

committee,” the appointment and duties of campaign treasurers, the contributions of committees of continuous existence, the inspection of campaign accounts, the contents of campaign finance reports, and the filing of independent expenditures, to conform; reenacting ss. 106.075(2) and 106.19(1)(a), F.S., relating to the limitation on contributions to pay loans and the penalty for acceptance of excess contributions, to incorporate the amendment to s. 106.08, F.S., in references thereto; amending s. 106.1437, F.S.; prohibiting advertisements intending to influence public policy or the vote of a public official from mentioning, showing, or using the voice of any candidate for office during a specified period preceding the general election; providing for a civil fine; amending ss. 420.503 and 420.512, F.S.; eliminating provisions regulating or prohibiting campaign contributions for the offices of Governor and member of the Cabinet sitting on the State Board of Administration from service providers under the Florida Housing Finance Corporation Act; repealing ss. 106.082, 627.0623, and 655.019, F.S., to eliminate provisions regulating campaign contributions from the offices of Commissioner of Agriculture, Treasurer, and Comptroller for persons or entities regulated by such officers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kosmas—

**HB 743**—A bill to be entitled An act relating to Medicaid prescription drugs; amending s. 409.91195, F.S.; providing for the development of a restricted drug formulary by the Medicaid Pharmaceutical and Therapeutics Committee; revising membership of the committee; requiring the Agency for Health Care Administration to establish a restricted drug formulary upon recommendation by the committee; providing for revisions to the formulary by the committee and the agency; requiring the agency to publish and disseminate the formulary to all Medicaid providers in the state; amending s. 409.912, F.S.; revising the method of determining reimbursement to pharmacies for Medicaid-prescribed drugs under the Medicaid-prescribed drug spending-control program implemented by the agency; authorizing the agency to establish a restricted formulary and to negotiate supplemental rebates from manufacturers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Diaz de la Portilla—

**HB 745**—A bill to be entitled An act relating to elections; providing a short title; amending s. 97.055, F.S.; eliminating the book-closing period for voter registration; providing for registration and changes in registration at the polls on election day; amending ss. 97.021, 97.053, 97.071, 98.065, 98.081, 98.231, 101.045, 101.64, and 101.663, F.S., to conform; amending s. 101.657, F.S.; requiring the office of the supervisor of elections and any branch office to be open on the Saturday prior to any statewide election or other election held in conjunction therewith, for the purpose of allowing early in-person absentee voting for that election; amending ss. 97.057 and 97.058, F.S.; requiring supervisors of elections to provide assistance necessary to ensure the timely forwarding of completed voter registration applications processed or received by the Department of Highway Safety and Motor Vehicles and voter registration agencies; creating s. 101.005, F.S.; providing for a uniform statewide voting system and ballots; providing rulemaking authority to the Department of State to implement and adopt standards for the system, including ballot requirements; amending ss. 102.111 and 102.112, F.S.; providing that county returns submitted to the Department of State after the required deadline must be ignored and the results shown by the returns on file certified; amending s. 102.141, F.S.; requiring a manual recount of all ballots in all counties for any election in which a candidate for statewide or multidistrict office was defeated or eliminated by one-half of a percent or less of the votes cast for such office; amending s. 102.166, F.S.; defining the terms “error in the vote tabulation” and “affect the outcome of the election” for purposes of establishing the grounds for conducting a manual recount that is not automatically required; requiring all manual recounts to be open to the public and follow certain procedures; creating s. 102.1665, F.S.; providing standards for the manual recount of punchcard ballots; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Brown—

**HB 747**—A bill to be entitled An act relating to credit insurance; amending s. 626.321, F.S.; authorizing certain individuals or entities to sell credit insurance; revising requirements for licensure; amending s. 626.9551, F.S.; excluding sales of credit insurance from application of a limitation on sales of insurance in connection with certain loans; amending s. 627.679, F.S.; revising disclosure requirements for sales of credit life insurance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Dockery—

**HB 749**—A bill to be entitled An act relating to absentee ballots; amending s. 101.62, F.S.; deleting the requirement that a person requesting an absentee ballot disclose his or her social security number and the last four digits of the elector's social security number; amending ss. 101.64 and 101.65, F.S.; revising the voter's certificate and the instructions to absent electors to delete the requirement that an absent elector provide the last four digits of the elector's social security number; amending s. 101.68, F.S.; deleting the requirement that the last four digits of the elector's social security number be provided for an absentee ballot to be considered legal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives McGriff, Murman, Bean, Henriquez, and Miller—

**HB 751**—A bill to be entitled An act relating to financial responsibility for indigent hospital patients; amending s. 154.306, F.S.; providing procedures for computing the maximum amount that specified counties must pay for the treatment of an indigent resident of the county at a hospital located outside the county; providing for the exclusion of active-duty military personnel and certain institutionalized county residents from state population estimates when calculating a county's financial responsibility for such hospital care; requiring the county of residence to accept the hospital's documentation of financial eligibility and county residence; requiring that the documentation meet specified criteria; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Meadows—

**HB 753**—A bill to be entitled An act relating to defamation actions; allowing law enforcement officers to bring defamation actions against persons who have filed certain false complaints against the officers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Flanagan—

**HB 755**—A bill to be entitled An act relating to ad valorem tax exemption; creating s. 196.1987, F.S.; providing that real and personal property used as a nonprofit family wellness center is exempt from ad valorem taxation under specified conditions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Barreiro—

**HB 757**—A bill to be entitled An act relating to wrecker liens; creating s. 319.227, F.S.; providing for notice of transfer of motor vehicle or mobile home; amending s. 320.03, F.S.; including a cross reference; providing that the term "civil penalties and fines" does not include reference to a wrecker operator's lien; amending s. 713.78, F.S.; providing that the Department of Highway Safety and Motor Vehicles shall not issue a license plate or revalidation sticker for certain motor vehicles, vessels, or motor homes for which a wrecker operator's lien has been issued; providing procedures with respect to such liens; creating s. 328.25, F.S.; providing for notice of transfer of vessel; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Crime Prevention, Corrections & Safety; Representative Bilirakis—

**HB 759**—A bill to be entitled An act relating to character evidence; amending s. 90.404, F.S.; revising a provision of law governing character evidence to permit the admission of certain evidence of the defendant's commission of acts of child molestation under certain circumstances; providing a definition; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bullard—

**HB 761**—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Hilda De Paz; authorizing and directing Miami-Dade County to compensate Hilda De Paz for injuries suffered due to the negligence of county employees; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sorensen—

**HB 763**—A bill to be entitled An act relating to Monroe County; amending chapter 69-1191, Laws of Florida, as amended; revising provisions relating to the Utility Board of the City of Key West; authorizing the board to sell tangible personal property related to its utility services under certain circumstances; providing for salaries of board members to be set by resolution; authorizing the board to extend beyond the limits of Monroe County any public utilities under its jurisdiction under certain circumstances; providing for issuance of refunding revenue bonds by the board; authorizing the board to issue commercial paper notes and variable rate bonds and enter into interest rate swap transactions; revising notice provisions relating to sale of bonds; providing for sale of bonds at competitive or negotiated sale rather than public sale; revising eligibility requirements for a special utility rate; authorizing the board to make expenditures for advertising the utility system; authorizing the board to expend funds for emergency purchases; changing a time period for delivery of annual audits to the City Commission of the City of Key West; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Harrington—

**HB 765**—A bill to be entitled An act relating to liens on commercial real estate by brokers and appraisers; creating chapter 714, F.S., the "Broker's and Appraiser's Lien on Commercial Real Estate Act"; providing applicability; providing definitions; specifying conditions under which a commission is earned and payable; providing address requirements for required notices to brokers; specifying conditions under which a broker is entitled to a lien on commercial real estate and requiring disclosure of such right in the commission agreement; providing requirements relating to waiver, release, or discharge of a lien and assumption of an obligation for a commission; providing for affidavit identifying brokers due a commission; providing for filing of notice of lien; providing for contents of notice of lien; providing for service of notice of lien; providing for date of inception of lien; providing for priority of liens; providing applicability to mixed-use real estate; providing for change in use of real estate; providing time limits to file a notice of lien; providing for suit to foreclose lien; providing a statute of limitations on suits to foreclose a lien; providing for assessment of costs, fees, and interest in suits to foreclose a lien; providing for release of lien; providing for escrow accounts; providing for named escrow agent; providing for costs of interpleader actions; providing conditions under which a party may not refuse to close a transaction; providing the term of an escrow account; providing for extinguishment of a lien on commercial real estate and transfer of the lien to the proceeds of the escrow account upon establishment thereof; providing for the filing of a bond to indemnify against a lien; providing bond requirements; providing for notice of bond; providing for recording of bond and notice; providing for action on bond; providing owner's or tenant's remedies;

providing broker's remedies; amending s. 475.42, F.S.; providing that brokers may place liens on property as provided by law; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Brown and Ross—

**HB 767**—A bill to be entitled An act relating to the transfer of structured settlements; specifying the purpose of the act; providing definitions; providing requirements for the direct or indirect transfer of structured settlement payment rights; requiring that any such transfer be approved by a court or judge of compensation claims; requiring that the court or judge make certain findings with respect to the transfer; authorizing an interested party to file an objection to a proposed transfer; providing requirements for an order approving a transfer; requiring that an obligor make certain disclosures to a claimant in negotiating a settlement of claims; requiring a transferee to provide certain notice with respect to a proposed transfer of structured settlement payment rights; providing for penalties to be imposed for certain violations of the act; authorizing the state attorney to bring an action for injunctive relief; providing that the act does not authorize transfers that contravene other applicable law; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bullard—

**HJR 769**—A joint resolution proposing amendments to Section 15 of Article III, Section 5 of Article IV, and Sections 4 and 7 of Article VI of the State Constitution; revising the terms of office for certain elected constitutional officers; providing for staggered terms of office; revising limitations on the number of consecutive years during which certain elected constitutional officers may hold office; limiting the amount that a person or other entity may contribute to a candidate for local or statewide public office or to a political party.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Rubio—

**HB 771**—A bill to be entitled An act relating to health care regulation; amending s. 395.002, F.S.; revising definitions relating to hospital licensing and regulation; amending ss. 395.003 and 400.102, F.S.; restricting persons who may initiate or intervene in an action on an application for licensure of a health care facility, program, or service; creating s. 395.0095, F.S.; providing minimum standards for specified inpatient services; specifying requirements for cardiac catheterization and angioplasty, open heart surgery, inpatient comprehensive medical rehabilitation, inpatient general psychiatric services, inpatient substance abuse services, neonatal intensive care services, specialty burn units, heart transplantation, liver transplantation, kidney transplantation, and bone marrow transplantation; amending s. 400.071, F.S.; providing additional requirements for application for a nursing home license; amending s. 400.121, F.S.; restricting persons who may initiate or intervene in an action on an application for licensure of a nursing home facility, program, or service; providing penalties for failure of a nursing home to demonstrate financial feasibility in its application for licensure; amending s. 400.605, F.S.; providing for an expedited licensure process for community-based hospice services; amending s. 400.606, F.S.; providing additional requirements for application for licensure of a hospice; deleting language relating to certificate of need to conform to the act; restricting persons who may initiate or intervene in an action or application for licensure of a hospice; providing penalties for failure of a hospice to demonstrate financial feasibility in its application for licensure; repealing ss. 408.031, 408.032(2), (3), (4), (6), and (7), 408.034, 408.035, 408.036, 408.0361, 408.037, 408.038, 408.039, 408.040, 408.041, 408.042, 408.043, 408.044, 408.045, 408.0455, and 651.118, F.S., relating to requirements for certificate-of-need review and approval for health care facilities and services; repealing s. 154.245, F.S., relating to certificates of need required as a condition of certain bond validation; amending s. 408.033, F.S.; revising provisions relating to local and state

health planning; amending ss. 20.42, 154.205, 154.213, 154.219, 159.27, 189.415, 395.0191, 395.1055, 395.603, 395.604, 395.605, 400.23, 400.602, 400.6085, 430.705, 430.708, and 651.021, F.S., to conform to the repeal of certificate-of-need requirements and the process of certificate-of-need review; amending ss. 383.50, 394.4787, 395.602, 395.701, 400.051, 409.905, 468.505, and 766.316, F.S.; correcting cross references; providing a grandfather clause for specified inpatient services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sorensen—

**HB 773**—A bill to be entitled An act relating to the Florida Windstorm Underwriting Association; prohibiting the association from requiring flood insurance under certain circumstances; authorizing certain premium reductions under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Goodlette—

**HB 775**—A bill to be entitled An act relating to Collier Mosquito Control District, an independent special tax district in Collier County, Florida; ratifying and confirming the creation of Collier Mosquito Control District pursuant to chapter 390, F.S. (1949), as an independent mosquito control district; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S.; providing legislative intent; providing for applicability of chapters 388 and 189, F.S., and other general laws; providing a district charter; providing for amended district boundaries on October 1, 2001; providing for liability and group insurance; providing for repeal of prior special acts related to Collier Mosquito Control District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Hart, Murman, Byrd, Bennett, Romeo, Peterman, Joyner, Henriquez, Wallace, Bilirakis, Littlefield, and Alexander—

**HB 777**—A bill to be entitled An act relating to Hillsborough County; compiling, codifying, and revising chapter 83-423, Laws of Florida, as amended, relating to the Public Transportation Commission; removing gender-specific references; providing legislative intent; protecting the rights of commission employees; creating the commission; providing the commission is an independent special district; prohibiting discriminatory practices; providing for, amending, and adding definitions; providing for the composition of the commission and its procedures; providing for, amending, and adding mandatory and discretionary powers, including the addition of civil penalties and an automatic lien under certain circumstances; providing for commission staff; providing for and amending an application for certificate process, including establishing public convenience and necessity and procedures for resubmission upon denial; providing for a public vehicle driver's license and adding that a person convicted of being a sexual offender or sexual predator may be denied such licensure and that any such licensure must be revoked upon conviction as a sexual offender or sexual predator; providing penalties; adding provisions relating to citations, administrative hearings in connection with citations, and appeals procedures; adding procedures relating to variances and waivers and an appeals procedure; providing for county responsibility in funding the commission; adding a provision relating to recodification; adding a limited savings clause for rules of the commission; providing for dissolution; providing a severance clause; repealing chapters 83-423, 87-496, 88-493, 95-490, and 2000-441, Laws of Florida, relating to the public transportation commission; providing a savings clause; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fields—

**HB 779**—A bill to be entitled An act relating to municipal firefighters' pension trust funds; amending s. 175.101, F.S.; authorizing the

consolidated City of Jacksonville to qualify for state excise tax on all insurance premiums collected on property insurance policies covering property within the boundaries of the consolidated government, regardless of whether the properties are located within one or more separately incorporated areas within the consolidated government, so long as the consolidated City of Jacksonville is providing fire protection services to the properties within that area; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fields—

**HB 781**—A bill to be entitled An act relating to education; creating the “Education Investment Act”; providing definitions; providing legislative intent for certain investments and enhancements; authorizing certain programs; authorizing improved curriculum; requiring improved counseling ratios in certain schools; authorizing a test-preparation program for certain students; providing for separation of open-enrollment programs within schools for certain purposes; authorizing expanded student assistance programs at universities; authorizing fee waivers for students and former students of certain schools; providing for rulemaking by the Department of Education; authorizing state-funded test-preparation courses for certain students; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Johnson—

**HJR 783**—A joint resolution proposing the amendment of Sections 3, 10, and 11 of Article V and the creation of Section 26 of Article XII of the State Constitution relating to the election of justices and judges.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Rules, Ethics & Elections; and Council for Smarter Government.

By Representative Richardson—

**HB 785**—A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; revising the method of calculating the monthly benefit for members of the Regular Class of the Florida Retirement System; providing for contribution rate increases to fund this act; requesting the Division of Statutory Revision to adjust contribution rates set forth in s. 121.071, F.S.; declaring that this act fulfills an important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Richardson—

**HB 787**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “average final compensation” to be the average of the 3 highest fiscal years of compensation and the term “normal retirement date” to mean attainment of 5 years of creditable service; providing for funding of the revision of the system by this act; revising contribution rates; providing a finding of important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Mealor—

**HB 789**—A bill to be entitled An act relating to copyright of governmental data processing software; creating s. 119.084, F.S.; providing definitions; authorizing governmental agencies to hold and enforce copyrights for data processing software they create; authorizing sale or license of such software and providing for fees; providing requirements for electronic recordkeeping systems and for access to public records in such systems; providing for fees; prohibiting contracts for public records databases that impair public access to such records; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hogan—

**HB 791**—A bill to be entitled An act relating to property exempt from legal process; amending s. 222.25, F.S.; exempting certain debtor’s interests from attachment, garnishment, or legal process; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hogan—

**HB 793**—A bill to be entitled An act relating to elderly persons and disabled adults; requiring that the Department of Children and Family Services select professional guardians on a rotating basis from a list of guardians who have agreed to serve; requiring that any such guardian agree to accept a certain proportion of indigent cases; amending s. 825.101, F.S.; defining the term “position of trust and confidence”; amending s. 772.11, F.S.; prescribing civil remedies for theft and other offenses in which the victim is an elderly person or disabled adult; providing that a violation of patient rights is not a cause of action under the act; providing for continuation of a cause of action upon the death of the elderly person or disabled adult; authorizing the court to advance a trial on the docket which involves a victim who is an elderly person or disabled adult; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Justice—

**HB 795**—A bill to be entitled An act relating to the City of St. Petersburg; providing for the relief of Alfred Brinkley Roberts; authorizing and directing the City of St. Petersburg to compensate him for injuries suffered due to the negligence of an employee of the city; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Harrell, Melvin, Romeo, Sobel, Littlefield, Negron, Kallinger, Fiorentino, and Murman—

**HB 797**—A bill to be entitled An act relating to insurance; amending s. 627.736, F.S.; modifying time period for providers of certain medical services under personal injury protection coverage to provide an insurer with a statement of charges; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Spratt—

**HB 799**—A bill to be entitled An act relating to the Barron Water Control District, an independent special district in Glades County and Hendry County, codifying the District’s charter pursuant to section 189.429, Florida Statutes; providing legislative intent; amending, codifying, and reenacting the special laws relating to the Barron Water Control District as a single act; declaring the status of the District; providing for the corporate life of the District and the term of office of the supervisors of the District; repealing chapters 84-436 and 2000-416, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Diaz de la Portilla—

**HB 801**—A bill to be entitled An act relating to the Monroe County School District; providing for the relief of Joshua England, a minor, by and through his natural and custodial parent and next best friend, Zerhade Jackson; authorizing and directing the District School Board of Monroe County to compensate Joshua England for personal injuries that he suffered due to the negligence of Monroe County district school board employees; specifying use of funds; providing for reversion of funds; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Negron—

**HB 803**—A bill to be entitled An act relating to physician collective negotiations; providing legislative findings; providing definitions; authorizing competing physicians within a health plan service area to meet and communicate for collective negotiation of certain contract terms and conditions; providing a prohibition; providing an exception; imposing criteria on such collective negotiations; providing requirements for physicians' representatives; providing duties of the Department of Insurance; providing for antitrust application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Benson—

**HB 805**—A bill to be entitled An act relating to swimming pool/spa servicing contracting; amending s. 489.111, F.S.; providing alternative eligibility requirements to take the examination for certification as a swimming pool/spa servicing contractor; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Gardiner—

**HB 807**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; providing that certain vehicles of the Department of Health are authorized emergency vehicles; amending s. 316.228, F.S.; requiring strobe lights to be placed on the exterior of a commercial vehicle transporting unprocessed forest products extending more than 4 feet beyond the rear of the vehicle; providing an alternate method for placing strobe lights in certain instances; requiring the use of a red flag on the load; amending s. 316.2397, F.S.; authorizing the emergency response vehicles of the Department of Health to use red flashing lights; amending s. 316.520, F.S.; clarifying that a violation of a provision governing loads on vehicles is a moving rather than a nonmoving violation; amending s. 319.001, F.S.; providing definitions; amending s. 319.14, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to place a decal on a rebuilt vehicle so as to clarify its identity; providing a penalty for the removal of the decal; amending s. 319.23, F.S.; conforming the requirements for the transfer of ownership on an antique vehicle to that of any other motor vehicle; amending s. 319.28, F.S.; deleting the requirement that a copy of a contract for processing an application for title based on a contractual default be provided; amending s. 319.30, F.S.; clarifying the major component parts of a motor vehicle; amending s. 320.01, F.S.; conforming the length limitation for a motor home to that established in chapter 316, F.S.; amending s. 320.023, F.S.; conforming this section to the Florida Single Audit Act; amending s. 320.025, F.S.; conforming the vessel registration law to the motor vehicle registration law; requiring a decal to be affixed to a vessel that is registered under a fictitious name and operated by any law enforcement agency; amending s. 320.05, F.S.; conforming the vessel registration law to the motor vehicle registration law; providing instructions for the release of information regarding a vessel to the public; amending s. 320.055, F.S.; correcting the registration period for nonapportioned vehicles; amending s. 320.06, F.S.; providing for the placement of only one decal rather than two on a license plate; amending s. 320.072, F.S.; reducing the timeframe a registrant can use a previous license plate for the initial registration fee exemption; amending s. 320.0805, F.S.; reducing the timeframe for a personalized license plate to remain out of circulation prior to reassignment; amending s. 320.08056, F.S.; including two more colleges to the discontinuance exemptions provided for collegiate specialty license plates; amending s. 320.08062, F.S.; conforming this section to the Florida Single Audit Act; amending s. 320.083, F.S.; increasing the weight restriction for a private-use vehicle so as to be eligible to apply for the Amateur Radio Operator specialty license plate; amending s. 320.089, F.S.; increasing the weight restriction for a private-use vehicle so as to be eligible to apply for the EX-POW or Purple Heart specialty license plate; amending s. 320.27, F.S.; redefining the term "motor vehicle auction"; deleting the requirement for a licensee to have the certificate of title or ownership indicia in his or her possession at an auction; amending s. 322.05, F.S.;

correcting a statutory reference regarding the requirements for an individual under 18 years of age to apply for a driver's license; amending s. 322.081, F.S.; conforming this section to the Florida Single Audit Act; amending s. 322.126, F.S.; revising the requirements for reporting a disability which could affect an individual's ability to drive a motor vehicle; creating s. 322.222, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to hold a hearing when an individual's driver's license has been suspended or revoked due to medical reasons; amending s. 322.25, F.S.; correcting a cross reference; amending s. 322.2615, F.S.; complying the USDOT's drunk driving prevention incentive program; reducing the timeframe for a temporary permit that is allotted when an individual is charged with driving with an unlawful blood-alcohol level; amending s. 322.27, F.S.; clarifying the time period for a driver's license revocation of a habitual traffic offender; amending s. 322.28, F.S.; deleting obsolete language regarding the revocation of a driver's license; repealing s. 322.282, F.S., relating to the procedure when the court revokes or suspends license or driving privilege and orders reinstatement; amending s. 322.292, F.S.; adding the requirement that DUI programs must be governmental programs or not-for-profit corporations; amending s. 322.61, F.S.; complying with the Federal Motor Carrier Safety Regulations; adding two more violations for which a commercial motor vehicle may be disqualified of driving privileges; amending s. 322.64, F.S.; reducing the timeframe for a temporary permit allotted when an individual holding a commercial driver's license is charged with an unlawful blood-alcohol level; repealing s. 322.331, F.S., relating to the reinstatement of a license of an habitual traffic offender; amending s. 328.01, F.S.; deleting the requirement for a copy of a contract upon which a claim of ownership of a vessel is made on a contractual default; amending s. 328.42, F.S.; authorizing the department to deny or cancel any vessel registration, license plate, or fuel use decal when given a dishonored check by the customer; amending s. 328.56, F.S.; deleting the terms "commercial" and "recreational" when referring to vessels operated on the waters of this state; amending s. 328.72, F.S.; deleting the requirements for the transfer of ownership of an antique vessel; amending s. 328.76, F.S.; providing for the appropriation allotted for fiscal year 2000-2001 to be deposited into the Highway Safety Operating Trust Fund; amending s. 713.78, F.S.; adding the insurance company to the list of individuals to be contacted when a vehicle has been towed; repealing s. 715.05, F.S., relating to the reporting of unclaimed motor vehicles; amending s. 715.07, F.S.; conforming the vessel registration law to the motor vehicle registration law; defining the term "vessel"; authorizing the removal of an undocumented vessel parked on private property; amending s. 832.09, F.S.; authorizing the department to create a standardized form to be used for notification of satisfaction of a worthless check; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Waters, Benson, Harrell, Ritter, Sobel, Slosberg, Farkas, Simmons, Negron, Romeo, Prieguez, Melvin, Kallinger, Ross, Clarke, Bucher, and Cusack—

**HB 809**—A bill to be entitled An act relating to insurance and health care service organizations; amending ss. 626.9541, 641.3903, F.S.; prohibiting coercion or certain other actions against a provider who does not participate in other plans or programs of the insurer or organization; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Clarke—

**HB 811**—A bill to be entitled An act relating to criminal history records; amending ss. 943.0585 and 943.059, F.S.; prohibiting a court from expunging or sealing the criminal history record of a person who has been found guilty of or pled guilty or nolo contendere to distributing or showing obscene material to a minor or who has been found guilty of or pled guilty or nolo contendere to certain activities involving computer pornography; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Justice—

**HB 813**—A bill to be entitled An act relating to pharmacists; defining the term "pharmaceutical adverse incident" and requiring that such

incidents be reported to the Department of Health; providing for the adoption of rules and forms; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Cantens—

**HB 815**—A bill to be entitled An act relating to state employees; requiring the Department of Management Services and the Board of Regents to contract with a private vendor for a tax-sheltered plan for state employees who are eligible for payment for accumulated sick leave, annual leave, and special compensation payment upon termination of employment; providing conditions; providing for continuous quality-assurance oversight; authorizing employees to withdraw such funds upon termination of employment; providing for a tax-sheltered plan for certain career service employees and employees participating in the Deferred Retirement Option Program; creating s. 110.1315, F.S.; providing for alternative benefits for other-personal-services employees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Cantens—

**HB 817**—A bill to be entitled An act relating to bail bonds; amending s. 648.29, F.S.; providing for build-up funds to be maintained in government bonds, certificates, or certain other obligations; providing that the limitation on build-up funds be established by the rate of premium filed by the insurance company; amending s. 648.33, F.S.; permitting certain fees to be charged with regard to transfers or use of credit cards; requiring certain notice of such fees; amending s. 648.34, F.S.; requiring separate entrances for each bail bond agency and branch office; amending s. 648.385, F.S.; revising language relating to continuing education requirements for bail bond agents; amending s. 648.386, F.S.; prohibiting the use of certain video instruction tapes in continuing education classes; increasing the number of years of experience as a manager or officer required for department approval as a supervising instructor; amending s. 648.44, F.S.; prohibiting certain contact by a bail bond agent or runner; providing penalties; amending s. 648.571, F.S.; permitting a bail bond agent to charge certain fees when accepting a credit card for collateral; requiring the fee to be stated and the fee schedule to be posted; amending s. 903.045, F.S.; providing for exoneration of the surety upon failure of the state to extradite the principal on a bail bond under certain circumstances; amending s. 903.046, F.S.; providing that a defendant charged with a second or subsequent felony within a certain period shall forfeit the presumption in favor of nonmonetary release, under certain circumstances; amending s. 903.21, F.S.; providing penalties for an official who refuses to take a defendant into custody; amending s. 903.26, F.S.; requiring the clerk to provide a certified copy of warrant or capias at no cost under certain circumstances; deleting provision relating to prohibition of the discharge of a forfeiture; providing circumstances for discharge of forfeiture of bond, discharge of bond, and assessment of costs for defendants arrested outside the county or state of jurisdiction; amending s. 903.28, F.S.; providing for interest to accrue on remission of forfeiture under certain circumstances; amending s. 903.31, F.S.; revising provisions relating to cancellation of bond; providing circumstances under which an appearance bond does not guarantee a defendant's conduct or appearance in court; amending s. 907.041, F.S.; requiring certification to the court in writing of certain information prior to release on nonmonetary conditions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Harper—

**HB 819**—A bill to be entitled An act relating to the Palm Beach County Health Care District; providing for the relief of James Torrence; authorizing and directing the Palm Beach County Health Care District to compensate him for personal injuries resulting from surgery negligently performed by a health care district employee; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Arza—

**HB 821**—A bill to be entitled An act relating to the City of Miami; providing for the relief of Oscar Ortiz; providing for an appropriation to compensate Oscar Ortiz for injuries and damages sustained as a result of the negligence of the City of Miami; providing for reversion of funds; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fields—

**HB 823**—A bill to be entitled An act relating to the City of Clearwater; providing for the relief of Eva Skowronek as the widow of Wieslaw Skowronek and as Personal Representative of the Estate of Wieslaw Skowronek and for the relief of Anna Marie Skowronek, Victor Skowronek, and Hubert Alexander Skowronek, minor children of Wieslaw Skowronek; authorizing and directing the City of Clearwater to compensate them for the death of Wieslaw Skowronek as a result of the negligence of the City of Clearwater; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Gardiner—

**HJR 825**—A joint resolution proposing an amendment to Section 5 of Article XI of the State Constitution relating to approval of constitutional amendments.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Brummer—

**HJR 827**—A joint resolution proposing an amendment to Section 11 of Article V of the State Constitution; requiring judicial nominating commissions to forward to the Governor a list of all eligible candidates for judicial vacancies rather than a list of three to six persons; requiring judicial nominating commissions to provide the Governor with information relative to each eligible person; requiring that judicial appointees be confirmed by the State Senate; authorizing the convening of the Senate in special session for such purpose; transferring rulemaking authority for judicial nominating commissions to the Governor from the commissions; permitting the Legislature to repeal any portion of such rules by joint resolution.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Judicial Oversight; and Council for Smarter Government.

By Representative Ritter—

**HB 829**—A bill to be entitled An act relating to Broward County; extending the corporate limits of the Town of Lauderdale-By-The-Sea; amending chapter 99-465, Laws of Florida; providing for an interlocal agreement between Broward County and the Town of Lauderdale-By-The-Sea; providing for the effective date of annexation; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 831**—A bill to be entitled An act relating to the City of Pompano Beach, Broward County; amending chapter 2000-476, Laws of Florida; providing for an interlocal agreement which would include provisions to jointly fund program infrastructure improvements between the City of Pompano Beach and Broward County, provided the city is not limited in its ability to receive anticipated utility taxes, franchise fees, or other fees; providing that calculations of population census of the City of Pompano Beach begin with the fiscal year 2000 and include all new

residents added to the city as a result of chapter 2000-476, Laws of Florida; providing for retroactive application to September 15, 2000; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 833**—A bill to be entitled An act relating to Broward County; directing the Board of County Commissioners to issue a certificate of public convenience and necessity to any municipality within the county that is an applicant for licensure as a basic life support or advanced life support service; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 835**—A bill to be entitled An act relating to Broward County, Florida; amending chapter 2000-475, Laws of Florida; providing for deannexation of certain lands from the Town of Davie; providing for annexation of certain lands into the Town of Southwest Ranches; providing for the transfer of all public roads and rights-of-way on the Broward County Road System lying within the corporate boundaries of the Town of Southwest Ranches as of June 6, 2000; excluding certain portions of Sheridan Street and Griffin Road from the transfer; providing for confirmation of corporate existence of the Town of Southwest Ranches on June 6, 2000; providing for retroactive application; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 837**—A bill to be entitled An act relating to the Sunshine Drainage District, in Broward County, amending chapter 63-609, Laws of Florida, in order to provide for the creation of a board of supervisors separate from the provisions of ch. 298, F.S., to create a five-member board; providing for elections by electors residing within the district; providing for the appointment of a Coral Springs City Commissioner as a board member; providing for the establishment of regular and special board meetings; providing for a quorum; providing for severability of the provisions of the act; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 839**—A bill to be entitled An act relating to Broward County; authorizing each municipality within the county to adopt an ordinance regulating in public places the control and confinement of certain dogs; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 841**—A bill to be entitled An act relating to Broward County; amending chapter 91-355, Laws of Florida, the Broward County Natural Resource Protection Act; clarifying legislative intent to include authority of Board to issue notices to assess a civil penalty for violations of the act; amending provisions relating to enforcement and civil penalties; authorizing the Board of County Commissioners of Broward County to prescribe procedures for the issuance of notices of hearing to assess a civil penalty for violation of ordinances protecting the natural

resources of Broward County; identifying certain violations; providing factors to be considered in assessing civil penalties; providing for recovery of costs and attorney's fees; amending provisions relating to issuance of citations; authorizing natural resource enforcement officers to collect civil penalties as prescribed in the code by the Board of County Commissioners; prohibiting the issuance of a citation under certain circumstances; providing for recovery of costs and attorney's fees; amending provisions relating to liens; providing that orders imposing certain costs or requiring corrective actions or mitigation may be recorded by Broward County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 843**—A bill to be entitled An act relating to the City of Coral Springs, Broward County; extending and enlarging the corporate limits of the City of Coral Springs to include specified unincorporated lands within said corporate limits; providing for land use and zoning designations; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 845**—A bill to be entitled An act relating to the West Lauderdale Water Control District; repealing section 9.02 of chapter 96-472, Laws of Florida; providing for the dissolution of the West Lauderdale Water Control District on a specified date; providing for the assumption of its assets and liabilities by the Bonaventure Development District; providing for continuance of certain contracts; providing for limitations and restrictions on the use of the assets and revenues of the West Lauderdale Water Control District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kendrick—

**HB 847**—A bill to be entitled An act relating to the Dog Island Conservation District, Franklin County; providing for codification of special laws relating to the Dog Island Conservation District; providing legislative intent; codifying and reenacting chapters 75-374, 79-461, and 84-430, Laws of Florida; providing for the repeal of all prior special acts related to the Dog Island Conservation District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Crow—

**HB 849**—A bill to be entitled An act relating to Pinellas County; amending chapter 80-585, Laws of Florida, as amended; increasing the number of members of the Emergency Medical Services Authority required for a quorum from three to four; correcting terminology; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Byrd, Romeo, Peterman, Joyner, Henriquez, Wallace, Bilirakis, Littlefield, Alexander, and Hart—

**HB 851**—A bill to be entitled An act relating to the Hillsborough County Hospital Authority; amending subsection (10) of section 5, relating to facilitating an employee advisory committee, subsection (2) of section 6, relating to an employee advisory committee, subsection (3) of section 7, relating to reimbursement for services to indigents, and section 9, relating to parking and office facilities of chapter 96-449, Laws

of Florida; providing that those subsections and section are applicable only when a hospital is operated by the hospital authority; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Carassas—

**HB 853**—A bill to be entitled An act relating to Pinellas County; providing for the composition of members of the Pinellas County Tourist Development Council appointed pursuant to section 125.0104, Florida Statutes, the “Local Option Tourist Development Act”; providing a contingent effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 855**—A bill to be entitled An act relating to Citrus County; amending chapter 99-442, Laws of Florida, the charter of the Citrus County Hospital Board; reducing the time a member may hold office on the board; revising borrowing authority of the board; revising provisions relating to indebtedness of the board; revising a provision relating to outstanding bonds payable from ad valorem taxes; repealing an obsolete provision; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Harper—

**HB 857**—A bill to be entitled An act relating to Palm Beach County; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S., relating to Highland Glades Water Control District, a special tax district in Palm Beach County; providing legislative intent; codifying and reenacting special acts relating to the district; providing district status and boundaries; providing for applicability of chapters 298 and 189, Florida Statutes, and other general laws; providing a district charter; providing for ratification of prior acts; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; repealing chapters 8885 (1921) and 89-466, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Harper—

**HB 859**—A bill to be entitled An act relating to Gladeview Water Control District, an independent special tax district in Palm Beach County; providing legislative intent; codifying, reenacting, amending, and repealing special acts relating to the district; providing district status and boundaries; providing for applicability of chapters 298 and 189, Florida Statutes, and other general laws; providing a district charter; providing for ratification of prior acts; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Harper—

**HB 861**—A bill to be entitled An act relating to Palm Beach County; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S., relating to Shawano Water Control District, a special tax district in Palm Beach County; providing legislative intent; codifying, repealing, amending, and reenacting special acts relating to the district; providing district status and

boundaries; providing for applicability of chapters 298 and 189, Florida Statutes, and other general laws; providing a district charter; providing for ratification of prior acts; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 863**—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 71-580, Laws of Florida, as amended; increasing the board of supervisors to a total of five members; providing for elections by electors residing within the district; providing for the appointment of a city commissioner from the City of Coral Springs and a city commissioner from the City of Parkland as board members; providing for regular and special board meetings instead of landowner meetings; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Harper—

**HB 865**—A bill to be entitled An act relating to Indian Trail Improvement District, Palm Beach County; providing for codification of special laws relating to the Indian Trail Improvement District, a special tax district of the State of Florida; providing legislative intent; codifying, repealing, reenacting, and amending special acts relating to the district; providing for minimum charter requirements; amending the boundaries of the District to include additional lands; providing for Supervisor qualifications, terms of office, and election procedures; providing for provisions of other laws made applicable; providing for ratification of prior actions; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Romeo, Murman, Byrd, Peterman, Joyner, Henriquez, Wallace, Bilirakis, Littlefield, Alexander, and Hart—

**HB 867**—A bill to be entitled An act relating to Hillsborough County; providing that, notwithstanding any provision of general law, the Hillsborough County Tourist Development Council shall consist of 11 members; providing that an elected municipal official shall be appointed to the council from each municipality within the county; providing that seven members shall be persons involved in the tourist industry; providing that the additional members shall be appointed within 30 days of the effective date of this act; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 869**—A bill to be entitled An act relating to Broward County; authorizing local governments in the county to grant an exception from the concurrency requirement for transportation facilities under s. 163.3180, F.S., for certain developments; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 871**—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the City of Fort Lauderdale or the City of Plantation; providing for annexation of the unincorporated area known as Melrose Park; providing for an election; providing for an effective date of annexation; providing for an interlocal

agreement; providing legislative intent; providing for a continuation of certain Broward County regulations; providing for the transfer of public roads and rights-of-way; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Frankel—

**HB 873**—A bill to be entitled An act relating to the City of West Palm Beach, Palm Beach County; amending section 16 of chapter 24981, Laws of Florida, as amended, relating to the West Palm Beach Police Pension Fund; revising the provision for age and service requirements for retirement; revising the provisions for early retirement; revising the provisions of the share accounts related to death of a member; revising the provisions of the deferred retirement option plan; revising the death benefit provisions; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bucher—

**HB 875**—A bill to be entitled An act relating to Palm Beach County; amending chapter 93-367, Laws of Florida, as amended; defining “career service employee” and providing restrictions for reduction in rank of certain employees; providing applicability; specifying rights of such employees; revising procedures for appeal of disciplinary actions and complaints against employees of the Sheriff; revising provisions for the appointment of boards to hear appeals and procedures with respect thereto; revising provisions relating to monetary emoluments based on performance; extending collective bargaining status to deputy sheriffs; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Machek—

**HB 877**—A bill to be entitled An act relating to Palm Beach, Hendry, and Glades Counties; providing for codification of special laws relating to the Everglades Agricultural Area Environmental Protection District, a special tax district in Palm Beach, Hendry, and Glades Counties; providing legislative intent; amending, codifying, reenacting, and repealing chapters 89-423 and 90-423, Laws of Florida, relating to the Everglades Agricultural Area Environmental District; re-creating and reenacting the district’s charter; providing district status and boundaries; providing for applicability of chapters 373 and 403, Florida Statutes, and other general laws; providing for ratification of prior acts; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Atwater—

**HB 879**—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; providing for codification of special laws relating to the South Indian River Water Control District; amending, codifying, reenacting, and repealing all prior special acts; providing for creation, status, charter amendments, and boundaries; providing for a board of supervisors and powers and duties; providing minimum charter requirements in accordance with s. 189.404, F.S.; providing for construction and effect; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lee—

**HB 881**—A bill to be entitled An act relating to Martin County; providing for the relief of Margaret B. Helm for injuries and damages

sustained as a result of the negligence of the Martin County Volunteer Fire Department; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Mayfield—

**HB 883**—A bill to be entitled An act relating to the City of Vero Beach; providing for the relief of Joseph Arvay; providing for an appropriation to compensate Joseph Arvay for injuries caused by the negligence of a City of Vero Beach police officer; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Romeo, Peterman, Joyner, Henriquez, Wallace, Bilirakis, Littlefield, Alexander, and Hart—

**HB 885**—A bill to be entitled An act relating to Hillsborough County; amending chapter 98-499, Laws of Florida, relating to liens authorized by ordinance in favor of hospitals providing medical care, treatment, or maintenance to a patient, and in favor of the County when it pays for medical care, treatment, or maintenance of a patient; providing definitions; providing optional and mandatory components, both substantive and procedural, of any such implementing ordinance including establishing limitations on lien amounts, and providing for the treatment of other claims, noneconomic damages, and attorney’s fees; requiring the ordinance to provide identical procedural remedies to hospitals and the County; providing for an offset for the cost of an insurance policy resulting in payment of any part of the lien amount; barring a lienholder or the lienholder’s legal representative from additional compensation from the patient and others in relation to the charges covered by a lien; providing penalties; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Melvin, Miller, and Brown—

**HB 887**—A bill to be entitled An act relating to Okaloosa County; amending chapter 99-478, Laws of Florida, relating to the Ocean City-Wright Fire Control District; providing for the annexation of certain unincorporated areas of Okaloosa County into the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bucher—

**HB 889**—A bill to be entitled An act relating to the City of West Palm Beach; providing for the relief of Rosemary Falkinburg; authorizing and directing the City of West Palm Beach to compensate Rosemary Falkinburg for personal injuries she suffered due to the negligence of a city employee; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wiles, Kosmas, and Cusack—

**HB 891**—A bill to be entitled An act relating to the City of Daytona Beach, Volusia County; providing for the lease of certain submerged lands to the city by the state; providing for the duration of the lease; specifying the amount of the lease; providing for the purpose of the lease; providing that the lease is contingent upon the city’s acquisition of the pier situated upon the leased lands; providing additional terms of the lease; prohibiting transfer of lease without legislative action; providing for severability; requiring written submission of acceptance of

terms to the Department of Environmental Protection; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Siplin—

**HB 893**—A bill to be entitled An act relating to Halifax Hospital Medical Center, a special taxing district in Volusia County d/b/a Halifax Medical Center; providing for the relief of Steven Mitchell; authorizing and directing Halifax Hospital Medical Center to compensate Steven Mitchell for personal injuries that he suffered while at Halifax Medical Center; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Byrd, Romeo, Peterman, Joyner, Littlefield, Henriquez, and Alexander—

**HB 895**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending s. 3(B), chapter 23559, Laws of Florida, 1945, as amended; providing for membership in Division B of the General Employees' Retirement Plan; amending s. 7, chapter 23559, Laws of Florida, 1945, as amended; providing for certain employees to elect to receive credit in the General Employees' Retirement Plan under certain conditions; amending s. 17, chapter 23559, Laws of Florida, 1945, as amended; providing for certain elective officers, department heads, and appointive officers, to elect to receive credit in the General Employees' Retirement Plan under certain conditions; repealing chapter 86-405, Laws of Florida, and all other laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wiles, Hogan, Kravitz, and Pickens—

**HB 897**—A bill to be entitled An act relating to Clay County; providing for codification of special acts pursuant to s. 189.429, F.S., relating to the Clay County Development Authority, an independent special district; providing legislative intent; codifying, reenacting, and amending chapters 57-1226, 61-2004, 63-1223, and 72-504, Laws of Florida; providing for minimum charter requirements; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; repealing chapters 57-1226, 61-2004, 63-1223, and 72-504, Laws of Florida, 10 days after effective date of act; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Romeo, Peterman, Joyner, Henriquez, Wallace, Bilirakis, Littlefield, Alexander, and Hart—

**HB 899**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, and particularly to the City Pension Fund for Firefighters and Police Officers in the City of Tampa; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to provide for an increase in the accrual of benefits from 2.5 percent to 2.75 percent for each year of service; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Davis and Kravitz—

**HB 901**—A bill to be entitled An act relating to the City of Jacksonville; extending the operation of chapters 89-439 and 91-362, Laws of Florida, relating to the Council of the City of Jacksonville and

the City of Jacksonville Environmental Protection Board, notwithstanding the board's scheduled expiration on October 1, 2001; providing for the use of procedures under chapter 120, Florida Statutes, including the hiring of administrative law judges, for proceedings involving air or water pollution in which the board seeks to impose a penalty; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Davis, Fields, Mahon, and Jordan—

**HB 903**—A bill to be entitled An act relating to the Consolidated City of Jacksonville; creating and establishing separate airport and seaport authorities; providing for governing bodies, appointment of members, terms, staggered terms, rules of procedure; providing for employment of a managing director and other employees, providing for interrelations with and use of services of the City of Jacksonville; providing definitions; establishing powers; providing for issuance of bonds; providing for budgetary and financial matters; providing for rights of bondholders; providing rights of employees; establishing the separate authorities as county authorities; providing for participation in the Florida Retirement System; providing for cooperation with other entities; providing for audits and bonds; providing for purchasing, procurement, and award of contracts; providing for execution of instruments and examination of claims; providing for transfer of assets and liabilities from the Jacksonville Port Authority to the separate seaport and airport authorities and for assumption of responsibilities; making the Port Facilities Financing Act applicable to seaport operations; declaring a county and public purpose; providing for liberal construction; providing for severability; repealing certain existing local laws relative to the creation and operation of the Jacksonville Port Authority; providing for conforming amendments to sections 18.07 and 24.04, of chapter 92-341, Laws of Florida, being the Charter of the City of Jacksonville, to replace references to the Jacksonville Port Authority with references to the Jacksonville Seaport Authority and the Jacksonville Airport Authority; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 905**—A bill to be entitled An act relating to the Pine Tree Water Control District, Broward County; codifying, repealing, amending, and reenacting special acts relating to the district; providing legislative intent; deleting gender specific references; providing a district charter; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 907**—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the Town of Pembroke Park; providing for annexation of unincorporated areas within Broward County; providing for revision of the Charter of the Town of Pembroke Park; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ausley—

**HB 909**—A bill to be entitled An act relating to Gulf County; providing for the relief of Elizabeth Linton, as personal representative of the estate of her father, Harold Armstrong, deceased; providing an appropriation in compensation for the death of Harold Armstrong as a result of the negligence of Gulf County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Romeo, Peterman, Hart, Alexander, Littlefield, Bilirakis, Henriquez, and Joyner—

**HB 911**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising certain death benefits; repealing all laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Murman, Romeo, Peterman, Joyner, Henriquez, Wallace, Bilirakis, Littlefield, Alexander, and Hart—

**HB 913**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, and particularly to the City Pension Fund for Firefighters and Police Officers in the City of Tampa; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to provide for the purchase of creditable service for past service; amending chapter 23559, Laws of Florida, 1945, as amended, relating to the General Employees' Pension Plan of the City of Tampa; revising the benefits to certain firefighters and police officers; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 915**—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the cities of Fort Lauderdale and Dania Beach; providing for annexation of specified unincorporated land; providing for an election; providing for an effective date of annexation; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bucher—

**HB 917**—A bill to be entitled An act relating to Palm Beach County; amending chapter 90-445, Laws of Florida, as amended; providing for the uniform implementation, interpretation, and enforcement of building code requirements pursuant to the Florida Building Code; providing and amending definitions; providing for enforcement; providing for repeal of conflicting laws; providing for interpretation of codes and revision; deleting provisions relating to appointments; providing for authority for building code amendments; providing for amending provisions for product and system evaluation, including application fees and revocation and renewal of product and system compliance; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Miller, Maygarden, Melvin, and Benson—

**HB 919**—A bill to be entitled An act relating to Escambia County; codifying, repealing, amending, and reenacting special laws relating to the Escambia County Utilities Authority; providing legislative intent; declaring the authority to be an independent special district; restoring words inadvertently omitted in the preparation of House Bill 1517, which was enacted as chapter 97-364, Laws of Florida; repealing obsolete provisions; deleting gender-specific references; providing a district charter; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bennett—

**HB 921**—A bill to be entitled An act relating to the Cedar Hammock Fire Control District and the Southern Manatee Fire and Rescue

District, Manatee County; providing for merger of the two districts pursuant to s. 191.014, F.S.; creating the South Manatee Fire & Rescue District; providing legislative intent; providing for incorporation as a special fire control district; providing district boundaries; providing for election and duties of a governing board of said district; providing for non-ad valorem assessments and impact fees; providing a schedule of non-ad valorem assessments; providing for district powers, functions, and duties; authorizing employees of the South Manatee Fire & Rescue District to exercise certain choices with regard to retirement plans; providing for construction and effect; providing for repeal of chapters 2000-391 and 2000-402, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bennett—

**HB 923**—A bill to be entitled An act relating to Bayshore Gardens Park and Recreation District, Manatee County; codifying, reenacting, amending, and repealing special acts relating to the district; providing legislative intent; providing district status and boundaries; providing for applicability of chapters 418 and 189, F.S., and other general laws; providing a district charter; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Betancourt—

**HB 925**—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Jessica Ann Calderon, personal representative of the Estate of Roberto Luis Calderon, Sean Ryan Calderon, minor child of Roberto Luis Calderon and Jessica Ann Calderon, and Lily Ann Calderon, minor child of Roberto Luis Calderon and Jessica Ann Calderon; providing for an appropriation to compensate them for the wrongful death of Roberto Luis Calderon as a result of the negligence of a Miami-Dade County employee; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Waters—

**HB 927**—A bill to be entitled An act relating to Pinellas Park Water Management District, Pinellas County; providing for codification of special laws relating to Pinellas Park Water Management District pursuant to s. 189.429, F.S.; providing legislative intent; amending, repealing, codifying, and reenacting special acts relating to the district; providing a title; providing definitions; providing for creation of the Pinellas Park Water Management District Authority and amendment of its charter; providing for a governing body for the authority; providing for reimbursement of expenses pursuant to s. 112.061, F.S.; providing duties and powers; providing for a budget; providing boundaries of the authority; providing for elections and referenda; providing for amendment of authority boundaries; providing tax exemptions; providing construction and effect; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Mayfield—

**HB 929**—A bill to be entitled An act relating to the Rupert J. Smith Law Library of Saint Lucie County; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S., relating to the Rupert J. Smith Law Library of Saint Lucie County; providing legislative intent; codifying, amending, and reenacting chapter 57-1790, Laws of Florida, as amended; declaring the district to be an independent special district; providing a district charter; repealing chapters 57-1790, 71-895, 83-512, and 88-516, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

**HB 931**—A bill to be entitled An act relating to the Coral Springs Improvement District, Broward County; providing for codification of special laws regarding special districts pursuant to s. 189.429, Florida Statutes, relating to the Coral Springs Improvement District; codifying, reenacting, amending, and repealing special acts relating to the Coral Springs Improvement District; providing legislative intent; deleting gender-specific references; providing a district charter; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Miller, Maygarden, Melvin, and Benson—

**HB 933**—A bill to be entitled An act relating to the General Pension and Retirement Fund of the City of Pensacola, Escambia County; amending chapter 99-474, Laws of Florida, as amended by chapter 2000-470, Laws of Florida; converting said act as amended to an ordinance of the City of Pensacola; revising definitions; revising provisions relating to designation of employee contributions; revising provisions relating to refund of contributions with less than 10 years of credited service; revising provisions relating to disability injury or illness in line of duty and for disability injury or illness not in the line of duty; revising provisions relating to other benefit provisions; providing for protection of benefits from legal process; revising provisions for investment of funds; providing for repeal of conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Miller, Maygarden, Melvin, and Benson—

**HB 935**—A bill to be entitled An act relating to the Civil Service System of the City of Pensacola, Escambia County, Florida; converting chapter 84-510, Laws of Florida, as amended by chapters 88-537, 86-447, and 90-473, Laws of Florida, into an ordinance of the City of Pensacola; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Miller, Maygarden, Melvin, and Benson—

**HB 937**—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending section 4 of chapter 15425, Laws of Florida, 1931, as amended; providing for clarification of the qualifications for a candidate for election to or appointment to fill a vacancy on the city council; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Miller, Maygarden, Melvin, and Benson—

**HB 939**—A bill to be entitled An act relating to Escambia County; providing for codification of special laws regarding special districts pursuant to chapter 97-255, Laws of Florida, relating to the Pensacola-Escambia Governmental Center Authority, a special district in Escambia County; providing legislative intent; amending, repealing, codifying, and reenacting special acts related to the district; declaring the Authority to be a dependent special district; providing a district charter; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Jordan, Kravitz, and Davis—

**HB 941**—A bill to be entitled An act relating to the City of Jacksonville; amending chapter 92-341, Laws of Florida, as amended;

clarifying exemptions provided in the Charter of the City of Jacksonville to the civil service status of designated positions; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 4001**—A bill to be entitled An act relating to protection of water resources; repealing ss. 373.616 and 373.6161, F.S., relating to liberal construction and enforcement of state laws relating to the protection of water resources under ch. 373, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Natural Resources & Environmental Protection; and Council for Ready Infrastructure.

By Representative Argenziano—

**HB 4003**—A bill to be entitled An act relating to illegal fishing devices; repealing s. 372.321, F.S., relating to liberal construction and enforcement of state laws prohibiting the illegal use of nets, traps, or fishing devices under ss. 372.31-372.319, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Natural Resources & Environmental Protection; and Council for Ready Infrastructure.

By Representative Ball—

**HB 4005**—A bill to be entitled An act relating to motor fuel marketing practices; amending s. 526.303, F.S.; repealing the definitions of the terms “direct labor cost,” “nonrefiner,” “nonrefiner cost,” “reasonable rental value,” and “refiner cost” with respect to regulating motor fuel marketing practices; repealing s. 526.304, F.S., relating to unlawful predatory practices; repealing s. 526.309, F.S., relating to exempt sales; amending s. 526.305, F.S.; deleting an obsolete cross-reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Business Regulation; Agriculture & Consumer Affairs; and Council for Competitive Commerce.

By Representative Mahon—

**HB 4007**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 20.055(2)(b), F.S., relating to assessment of information on performance measures and standards provided by agencies to be submitted to the Governor by agency inspectors general; repealing s. 20.171(5)(c), F.S., relating to Department of Labor and Employment Security; deleting the Division of Blind Services from the Department of Labor and Employment Security to conform to the transfer of said division by chapter 99-240, Laws of Florida; repealing s. 34.021(3), F.S., relating to qualifications of county court judges; amending s. 39.824, F.S.; deleting obsolete provision relating to adoption of rules of criminal procedure; repealing s. 193.102(1), F.S., relating to obsolete provisions relating to lands subject to tax sale certificates and assessments; repealing s. 206.9825(2), F.S., relating to limitation on aviation fuel tax; amending s. 212.08, F.S.; repealing obsolete provisions relating to the sales, rental, use, consumption, distribution, and storage tax; amending s. 220.1501, F.S., relating to rulemaking authority to implement s. 220.15(2)(c), (4)(c), and (8), F.S.; deleting obsolete provision relating to report by Board of Regents; repealing s. 255.259(3), F.S.; deleting obsolete provision relating to xeriscape landscaping on public property; repealing s. 373.0361(3), F.S.; deleting obsolete provision relating to regional water supply planning; repealing s. 381.895(7), F.S., relating to standards for compressed air used for recreational diving; deleting

obsolete effective date for said section; amending s. 394.4985, F.S.; deleting obsolete provision relating to implementation plan for a districtwide comprehensive child and adolescent mental health information and referral network; repealing s. 409.2559, F.S., relating to state disbursement unit; repealing s. 414.70(5), F.S.; deleting obsolete provision relating to evaluations and recommendations relating to the drug-screening and drug-testing program; amending s. 420.504, F.S.; repealing obsolete provision relating to changes in membership categories; amending s. 440.4416, F.S.; repealing obsolete provision relating to a report to the Legislature by the Workers' Compensation Oversight Board; amending s. 456.072, F.S.; repealing obsolete provision relating to convictions, findings, adjudications, and pleas; repealing s. 468.609(6)(b), F.S.; deleting obsolete provision relating to building code administrators, plans examiners, and building code inspectors; repealing s. 570.381(1), F.S., relating to legislative findings relating to Appaloosa racing and breeding; repealing s. 624.4085(11), F.S., relating to risk-based capital reports; repealing s. 624.4392(2), F.S., relating to multiple-employer welfare arrangements; amending s. 626.2815, F.S.; repealing obsolete provision relating to establishment of criteria by the continuing education advisory board; amending s. 626.918, F.S.; repealing obsolete provisions relating to the required surplus as to policyholders for surplus lines insurers; repealing s. 627.4145 (6)(e), F.S., relating to obsolete exception to provisions relating to readable language in insurance policies; repealing s. 627.4147(3), F.S., relating to expired provision relating to medical malpractice insurance contracts; amending s. 627.6492, F.S.; repealing obsolete provision relating to operating losses by insurers; amending s. 629.401, F.S.; deleting obsolete provisions relating to capitalization by underwriting members and certain investments existing prior to July 2, 1987; repealing s. 631.911(1), F.S., relating to creation of the Florida Workers' Compensation Insurance Guaranty Association, Incorporated, merger, and effect of merger; repealing s. 631.912(3), F.S., relating to board of directors of the Florida Workers' Compensation Insurance Guaranty Association, Incorporated; deleting references to s. 631.911(1), F.S., to conform; repealing s. 631.929, F.S., relating to election of remedies; amending s. 636.016, F.S.; repealing obsolete provision relating to prepaid limited health service organizations licensed prior to October 1, 1993; amending s. 636.043, F.S.; repealing obsolete provisions relating to financial statements required by certain prepaid limited health service organizations; repealing s. 655.963, F.S., relating to access devices; repealing s. 713.5955, F.S., relating to acquisition of title to unclaimed molds; repealing s. 717.104, F.S., relating to traveler's checks and money orders; amending s. 717.105, F.S., and repealing s. 717.118(4), F.S., relating to notice and publication of lists of abandoned property; deleting cross references, to conform; amending s. 721.24, F.S.; repealing obsolete provisions relating to delay of installation of firesafety equipment for timeshare units of timeshare plans; amending s. 744.7021, F.S.; repealing obsolete provision relating to submission of report relating to the Statewide Public Guardianship Office; repealing s. 753.004, F.S., relating to supervised visitation projects; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee on Rules, Ethics & Elections.

By Representative Brutus—

**HB 4009**—A bill to be entitled An act relating to wrongful death; amending s. 768.21, F.S.; deleting a provision precluding recovery for pain and suffering for wrongful death with respect to medical malpractice by certain persons; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committees on Judicial Oversight; Health Regulation; and Council for Healthy Communities.

#### First Reading of Council and Committee Substitutes by Publication

By the Committee on Crime Prevention, Corrections & Safety; Representatives Ball and Bean—

**CS/HB 3**—A bill to be entitled An act relating to offenses by public servants; creating the "Citizens' Right to Honest Government Act";

amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution to prosecute violations of ch. 838, F.S.; amending s. 838.014, F.S.; revising, providing, and deleting definitions; amending ss. 838.015 and 838.016, F.S.; increasing penalties; creating ss. 838.022, 838.20, 838.21, 838.22, 838.23, and 838.24, F.S.; providing criminal penalties for official misconduct, criminal misuse of official position, disclosure or use of confidential criminal justice information, and bid tampering; providing status of confidential informants or confidential sources; authorizing public servants who are subjected to an investigation for official misconduct to recover attorney's fees; amending s. 837.02, F.S.; providing a criminal penalty for perjury in an official proceeding by a public servant; amending s. 921.0022, F.S.; deleting specified felonies from and adding specified felonies to the Criminal Punishment Code offense severity ranking chart; repealing s. 838.15, F.S., relating to commercial bribe receiving; repealing s. 838.16, F.S., relating to commercial bribery; repealing s. 839.25, F.S., relating to official misconduct; amending ss. 112.3173, 112.534, 117.01, and 121.091, F.S.; deleting and conforming cross references to changes made by the act; providing an effective date.

By the Committee on Crime Prevention, Corrections & Safety; Representatives Heyman and Fields—

**CS/HB 11**—A bill to be entitled An act relating to State Uniform Traffic Control; amending s. 316.655, F.S.; providing for enhanced penalties for certain violations of chapter 316, F.S.; creating s. 318.211, F.S.; providing for the disposition of such enhanced penalties; providing an effective date.

By the Committee on Local Government & Veterans Affairs; Representatives Greenstein and Fields—

**CS/HB 19**—A bill to be entitled An act relating to the Fair Housing Act; amending s. 760.29, F.S.; providing that a facility or community claiming an exemption from said act with respect to familial status for housing for older persons shall register with the Florida Commission on Human Relations and affirm compliance with specified requirements; providing for a registration fee; providing for fines; amending s. 760.31, F.S.; providing for rules; providing an effective date.

By the Fiscal Responsibility Council; Representatives Fasano, Ritter, and Fiorentino—

**CS/HB 55**—A bill to be entitled An act relating to public medical assistance; amending s. 395.701, F.S.; reducing the annual assessment on hospital outpatient services to fund public medical assistance; limiting the financial information that may be required to determine the amount of the assessment; amending s. 395.7015, F.S.; reducing the annual assessment on certain other health care entities to fund public medical assistance; amending s. 395.7016, F.S.; providing for annual appropriations to replace funds lost due to such reductions; providing an effective date.

By the Committee on Crime Prevention, Corrections & Safety; Representatives Slosberg, Prieguez, Cantens, Gottlieb, Gannon, Romeo, Weissman, Garcia, Meadows, Greenstein, and Rich—

**CS/HB 67**—A bill to be entitled An act relating to the Florida Safety Belt Law; creating the "Dori Slosberg Act of 2001"; amending s. 316.614, F.S.; deleting obsolete language; providing for all persons in a motor vehicle to wear a safety belt; revising the Florida Safety Belt Law to eliminate the requirement that the law be enforced as a secondary action when a driver of a motor vehicle has been detained for another violation; providing restrictions on authority to search based on a safety belt violation; providing an effective date.

By the Committee on Local Government & Veterans Affairs; Representative Sorensen—

**CS/HB 77**—A bill to be entitled An act relating to the Key Largo Hammocks State Botanical Site; changing the name of the site; providing an effective date.

By the Committee on Transportation; Representatives Greenstein, Bucher, Gannon, McGriff, Crow, and Slosberg—

**CS/HB 79**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 320.03, F.S.; imposing a fee for the registration of certain trucks, trailers, and motorcycles and for tag transfers and temporary tags to be deposited into the Transportation Disadvantaged Trust Fund; providing an effective date.

By the Committee on Banking; Representatives Prieguez, Cantens, and Gottlieb—

**CS/HB 107**—A bill to be entitled An act relating to unclaimed property; revising provisions of ch. 717, F.S., to refer to property considered abandoned as unclaimed property; amending s. 717.101, F.S.; revising certain definitions; amending ss. 717.102, 717.103, 717.1035, 717.104, 717.105, 717.107, 717.108, 717.109, 717.1101, 717.111, 717.113, 717.115, 717.116, 717.1201, 717.122, 717.125, and 717.129, F.S.; changing references to property from being abandoned to being unclaimed; amending s. 717.106, F.S., to conform; providing an additional criterion for certain property in financial organizations being presumed unclaimed; amending s. 717.112, F.S., to conform; providing a presumption that certain intangible property is unclaimed under certain circumstances; amending s. 717.117, F.S., to conform; deleting a report verification requirement; revising unclaimed property report requirements; revising search and notification requirements for inactive accounts; amending s. 717.118, F.S., to conform; revising certain notification procedures; amending s. 717.119, F.S., to conform; authorizing payment of unclaimed funds by electronic transfer; deleting an authorization to deduct reasonable fees from certain sale proceeds; providing valuation and remission of contents of safe-deposit boxes; amending s. 717.122, F.S., to conform; authorizing the department to dispose of certain property under certain circumstances; amending s. 717.123, F.S.; revising the disposition of funds held by the Department of Banking and Finance relating to unclaimed property; amending s. 717.124, F.S.; revising certain procedures for filing claims by owner's representatives and receiving and making payments to an owner or owner's representative; amending s. 717.1241; revising resolution of conflicting ownership claims between certain persons; amending s. 717.1243, F.S.; revising provisions for disposition of claims from small estate accounts; creating s. 717.1315, F.S.; providing for retention of certain records by an owner's representative; providing requirements; amending s. 717.132, F.S.; providing for deposit of administrative fines into the Unclaimed Property Trust Fund; amending s. 717.135, F.S.; revising provisions relating to unenforceability of certain agreements to locate reported property; requiring disclosure of certain information; limiting certain recovery fees; specifying agreement requirements; amending s. 717.138, F.S.; authorizing the Department of Banking and Finance to adopt rules for certain electronic filings; amending s. 732.107, F.S.; revising provisions relating to escheat of certain property to the state; revising provisions relating to entitlement to, procedures for payment or assignment of, or distributions of certain proceeds; amending s. 215.965, F.S., to conform; amending s. 493.6101, F.S., to conform; amending s. 493.6102, F.S.; specifying nonapplication to certain persons; repealing s. 717.137, F.S., relating to effect and application of certain provisions; providing an effective date.

By the Council for Healthy Communities; Representatives Lynn, Crow, Harrington, Ross, and Gannon—

**CS/HB 141**—A bill to be entitled An act relating to adoption; amending ss. 39.703, 39.802, 39.806, and 39.811, F.S., relating to the petition and grounds for terminating parental rights and powers of disposition; removing authority of licensed child-placing agencies to file actions to terminate parental rights; amending s. 39.812, F.S.; providing additional requirements for a petition for adoption; prohibiting filing such petition until the order terminating parental rights is final; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions; amending s. 63.032, F.S.; revising definitions; defining "adoption entity," "legal custody," "parent," and "relative"; creating s. 63.037, F.S.; providing exemptions from certain provisions of ch. 63, F.S., for adoption proceedings initiated under ch. 39, F.S.; creating s. 63.039, F.S.; providing duties of an adoption entity to prospective

adoptive parents; providing sanctions and an award of attorney's fees under certain circumstances; amending s. 63.0425, F.S.; conforming provisions relating to grandparent's right to adopt; amending s. 63.0427, F.S.; allowing biological relatives to have communication or contact with an adoptive child under certain conditions; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; specifying the jurisdiction of the court over a minor placed for adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption, execute an affidavit of nonpaternity, or receive notice of proceedings to terminate parental rights; providing for form and content of affidavit of nonpaternity; providing for notice of the right to select a witness; providing a form for waiver of venue; amending s. 63.082, F.S.; revising requirements and form for executing a consent to an adoption; making such requirements applicable to affidavit of nonpaternity; providing a revocation period and requirements for withdrawing consent; providing additional disclosure requirements; revising requisite history form to include social history; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a parent's parental rights should be terminated; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; requiring notification to grandparents; creating s. 63.088, F.S.; providing diligent search and court inquiry requirements for identifying and locating a person who is required to consent to an adoption or receive notice of proceedings to terminate parental rights; providing notice requirements including notice by constructive service; providing that failure to respond or appear constitutes grounds to terminate parental rights pending adoption; creating s. 63.089, F.S.; providing hearing procedures for proceedings to terminate parental rights pending adoption; specifying grounds upon which parental rights may be terminated; providing for finding of abandonment; providing for dismissal of petition procedures; providing for postjudgment relief; providing for confidentiality of records; amending s. 63.092, F.S.; providing requirements in an at-risk placement before termination of parental rights; prohibiting placement of minors in homes with certain criminal offenders; amending s. 63.097, F.S.; revising fee requirements to provide for allowable and prohibited fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing requirements for prior approval of fees and costs; revising requirements for declaratory statement as to adoption contract; amending s. 63.112, F.S.; revising requirements for form and content of a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S.; conforming provisions relating to the final home investigation; amending s. 63.132, F.S.; revising requirements for affidavit of expenses and receipts; requiring separate court order approving fees, costs, and expenses; amending s. 63.142, F.S.; specifying circumstances under which a judgment terminating parental rights pending adoption is voidable; providing for an evidentiary hearing to determine the minor's placement following a motion to void such a judgment; amending s. 63.162, F.S.; conforming provisions relating to confidential records of adoption proceedings; amending s. 63.165, F.S.; requiring that the Department of Children and Family Services maintain certain information in the state registry of adoption information for a specified period; amending s. 63.202, F.S.; conforming provisions relating to agencies authorized to place minors for adoption; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S.; revising provisions relating to prohibitions and penalties with respect to adoptions; amending s. 63.219, F.S.; conforming provisions relating to sanctions; creating s. 63.2325, F.S.; providing conditions for revocation of a consent to adoption or withdrawal of an affidavit of nonpaternity; amending ss. 984.03 and 985.03, F.S.; conforming cross references; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing for severability; providing an effective date.

By the Committee on Crime Prevention, Corrections & Safety; Representatives Machek and Slosberg—

**CS/HB 175**—A bill to be entitled An act relating to reckless driving; amending s. 316.192, F.S.; providing penalties for reckless driving

resulting in damage to property or person or serious bodily injury; providing a definition; amending s. 782.071, F.S., relating to vehicular homicide; providing penalties; amending ss. 921.0022 and 960.03, F.S.; conforming cross references; providing an effective date.

By the Committee on State Administration; Representatives Cusack, Bendross-Mindingall, Joyner, Frankel, Murman, Byrd, and Gottlieb—

**CS/HB 215**—A bill to be entitled An act relating to parental rights; amending s. 61.13, F.S.; providing that specified rights apply to both parents; providing an effective date.

By the Council for Healthy Communities; Representative Brummer—

**CS/HB 245**—A bill to be entitled An act relating to the Parole Commission; creating the “Parole Commission Reform Act of 2001”; amending s. 20.055, F.S.; deleting the requirement that the Parole Commission have an inspector general; amending s. 944.605, F.S.; requiring the Department of Corrections, rather than the Parole Commission or the Control Release Authority, to notify certain entities prior to inmate release; amending s. 947.04, F.S.; permitting Parole Commission staff to establish and maintain field offices within existing department facilities; amending s. 947.1405, F.S.; providing for deferral of conditional release supervision to probation or community control; providing for automatic revocation of conditional release supervision and forfeiture of gain-time under certain circumstances; providing for reversion to conditional release supervision under certain conditions; requiring the Department of Corrections to review an inmate’s program participation and other records prior to conditional release, to conduct a personal interview with the inmate, to forward the inmate’s release plan to the Parole Commission, and to make recommendations to the commission; authorizing the commission to impose requirements relating to curfews; correcting references; clarifying the requirement that the commission impose restrictions relating to contact with children; authorizing the commission to require electronic monitoring for certain releasees; authorizing the Parole Commission to adopt rules necessary to implement the Conditional Release Program Act; amending s. 947.24, F.S.; requiring the department to provide to the commission information for parole or release reviews; repealing s. 947.175, F.S., relating to notice to local agencies by the Parole Commission; repealing s. 947.177, F.S., relating to inmate release, notice by Department of Corrections, Control Release Authority, or Parole Commission; providing for a reduction in the number of existing full-time positions within the commission; providing an effective date.

By the Committee on Education Appropriations; Representatives Murman, Lacasa, Byrd, Mack, Melvin, Diaz-Balart, Cantens, Bense, Argenziano, and Lynn—

**CS/HB 269**—A bill to be entitled An act relating to school district best financial management practices reviews; creating the “Sharpening the Pencil Act”; amending s. 230.23025, F.S.; providing legislative intent; providing OPPAGA with primary responsibility for the completion of best financial practices reviews; revising areas in which best financial management practices are to be developed and adopted; revising and clarifying the best financial management practices adoption and revision process; clarifying that OPPAGA shall contract with a private firm to perform reviews, provided the review team has certain expertise; authorizing the inclusion of review items in addition to the adopted best financial management practices, after consultation with the school district; establishing a continuing 5-year review cycle; authorizing the Joint Legislative Auditing Committee to adjust the schedule under certain circumstances; authorizing the review of additional school districts under certain circumstances; specifying that reviews shall be conducted to the extent funded by the Legislature; specifying the use of such funds; requiring copies of the final report issued by OPPAGA to be provided to additional entities; requiring public meetings; revising provisions relating to eligibility for the “Seal of Best Financial Management”; establishing requirements relating to status reports; requiring OPPAGA to review a district’s status reports, assess implementation of the action plan, and assess progress toward implementing the best financial management practices and to issue a report; providing for appearance of school officials before the Legislature

upon failure to implement an adopted action plan; clarifying provisions relating to the award of the “Seal of Best Financial Management”; requiring school districts that are reviewed to maintain certain records; requiring school districts to direct cost savings to the classroom; repealing s. 11.515, F.S., relating to school district performance reviews; repealing s. 230.2302, F.S., relating to performance reviews; repealing s. 230.23026, F.S., relating to the Florida School District Review Trust Fund; amending s. 11.51, F.S., relating to school district performance reviews by the Office of Program Policy Analysis and Government Accountability, s. 230.23027, F.S., relating to the Small School District Stabilization Program, s. 233.43, F.S., relating to duties of superintendent relating to instructional materials, and s. 235.2197, F.S., relating to the Florida Frugal Schools Program; correcting cross references to conform; providing an effective date.

By the Council for Lifelong Learning; Committee on Education Appropriations; Representatives Murman, Lacasa, Byrd, Mack, Melvin, Diaz-Balart, Cantens, Bense, Argenziano, Lynn, Atwater, Alexander, Harrington, Farkas, Brummer, Fiorentino, Diaz de la Portilla, Kilmer, Andrews, Henriquez, and Lerner—

**CS/CS/HB 269**—A bill to be entitled An act relating to school district best financial management practices reviews; creating the “Sharpening the Pencil Act”; amending s. 230.23025, F.S.; providing legislative intent; providing OPPAGA with primary responsibility for the completion of best financial practices reviews; revising areas in which best financial management practices are to be developed and adopted; revising and clarifying the best financial management practices adoption and revision process; clarifying that OPPAGA shall contract with a private firm to perform reviews, provided the review team has certain expertise; authorizing the inclusion of review items in addition to the adopted best financial management practices, after consultation with the school district; establishing a continuing 5-year review cycle; authorizing the Joint Legislative Auditing Committee to adjust the schedule under certain circumstances; authorizing the review of additional school districts under certain circumstances; specifying that reviews shall be conducted to the extent funded by the Legislature; specifying the use of such funds; requiring copies of the final report issued by OPPAGA to be provided to additional entities; requiring public meetings; revising provisions relating to eligibility for the “Seal of Best Financial Management”; establishing requirements relating to status reports; requiring OPPAGA to review a district’s status reports, assess implementation of the action plan, and assess progress toward implementing the best financial management practices and to issue a report; providing for appearance of school officials before the Legislature upon failure to implement an adopted action plan; providing for citizen appeals to the department; providing rulemaking authority; providing legislative intent; clarifying provisions relating to the award of the “Seal of Best Financial Management”; requiring school districts that are reviewed to maintain certain records; repealing s. 11.515, F.S., relating to school district performance reviews; repealing s. 230.2302, F.S., relating to performance reviews; repealing s. 230.23026, F.S., relating to the Florida School District Review Trust Fund; amending s. 11.51, F.S., relating to school district performance reviews by the Office of Program Policy Analysis and Government Accountability, s. 230.23027, F.S., relating to the Small School District Stabilization Program, s. 233.43, F.S., relating to duties of superintendent relating to instructional materials, and s. 235.2197, F.S., relating to the Florida Frugal Schools Program; correcting cross references to conform; providing an effective date.

By the Council for Lifelong Learning; Representatives Negron, Melvin, Diaz de la Portilla, Alexander, Harrington, Farkas, and Brummer—

**CS/HB 271**—A bill to be entitled An act relating to corporate income tax; creating s. 220.187, F.S.; providing purpose; providing definitions; providing a credit against said tax for contributions to a nonprofit scholarship funding organization; providing limitations; providing for use of such contributions by such organizations for scholarships for certain children and providing requirements and limitations with respect thereto; providing for annual funding through the General

Appropriations Act; providing for allocation; providing duties of the Department of Revenue and Department of Education; providing for rules; amending s. 220.02, F.S.; providing order of credits against the tax; amending s. 220.13, F.S.; providing for the inclusion of amounts taken as credit under s. 220.187, F.S., in determining a taxpayer's adjusted federal income; providing an effective date.

By the Committee on Rules, Ethics & Elections; Representatives Ross and Goodlette—

**CS/HB 273**—A bill to be entitled An act relating to reporting requirements under the Florida Election Code; amending s. 106.011, F.S.; modifying the definitions of “political committee” and “communications media”; amending s. 106.03, F.S.; requiring additional information for registration of political committees; amending s. 106.04, F.S.; requiring additional information for certification of committees of continuous existence; revising reporting periods and requirements; requiring electronic filing under certain circumstances; requiring membership dues of committees of continuous existence to be reported in the same manner as regular contributions; removing requirement to provide a membership list for inspection purposes; removing requirement for filing duplicate copies of reports; providing penalties; amending s. 106.07, F.S., relating to campaign treasurer's reports; revising reporting periods and requirements; removing requirement for duplicate reports; providing penalties; creating s. 106.0705, F.S.; requiring campaign treasurer's reports that are to be filed with the Division of Elections to be filed electronically when aggregate contributions or expenditures exceed a specified amount; providing filing requirements; providing penalties; providing rulemaking authority; amending s. 106.071, F.S.; revising provisions relating to the reporting of certain independent expenditures; providing penalties; creating s. 106.073, F.S.; requiring certain organizations that sponsor campaign-related advertisements to register under certain circumstances; providing a definition; requiring certain reports; providing requirements for such advertisements, including a disclaimer; providing penalties; providing rulemaking authority; amending s. 106.12, F.S.; revising the petty cash fund limit to conform to the revised reporting periods; amending s. 106.29, F.S., relating to reports by political parties; requiring electronic filing under certain circumstances; removing requirement for duplicate reports; providing penalties; amending ss. 105.08, 106.025, 106.08, 106.141, and 106.18, F.S., relating to reporting requirements applicable to candidates for retention to judicial office, campaign fund raisers held on behalf of a political party by its state or county executive committee, nonallocable, in-kind contributions by candidates and political parties, disposition of surplus funds by candidates, and the granting of certificates of election, to conform; providing severability; providing effective dates.

By the Procedural & Redistricting Council; Committee on Rules, Ethics & Elections; Representatives Ross, Goodlette, and Mayfield—

**CS/CS/HB 273**—A bill to be entitled An act relating to reporting requirements under the Florida Election Code; amending s. 106.011, F.S.; modifying the definitions of “political committee” and “communications media”; amending s. 106.03, F.S.; requiring additional information for registration of political committees; amending s. 106.04, F.S.; requiring additional information for certification of committees of continuous existence; revising reporting periods and requirements; requiring electronic filing under certain circumstances; requiring membership dues of committees of continuous existence to be reported in the same manner as regular contributions; removing requirement to provide a membership list for inspection purposes; removing requirement for filing duplicate copies of reports; providing penalties; amending s. 106.07, F.S., relating to campaign treasurer's reports; revising reporting periods and requirements; removing requirement for duplicate reports; providing penalties; creating s. 106.0705, F.S.; requiring campaign treasurer's reports that are to be filed with the Division of Elections to be filed electronically when aggregate contributions or expenditures exceed a specified amount; providing filing requirements; providing penalties; providing rulemaking authority; amending s. 106.071, F.S.; revising provisions relating to the reporting of certain independent expenditures; providing penalties;

creating s. 106.073, F.S.; requiring certain organizations that sponsor campaign-related advertisements to register under certain circumstances; providing definitions; requiring certain reports; providing requirements for such advertisements, including a disclaimer; providing penalties; providing rulemaking authority; amending s. 106.12, F.S.; revising the petty cash fund limit to conform to the revised reporting periods; amending s. 106.29, F.S., relating to reports by political parties; requiring electronic filing under certain circumstances; removing requirement for duplicate reports; providing penalties; amending ss. 105.08, 106.025, 106.08, and 106.18, F.S., relating to reporting requirements applicable to candidates for retention to judicial office, campaign fund raisers held on behalf of a political party by its state or county executive committee, nonallocable, in-kind contributions by candidates and political parties, and the granting of certificates of election, to conform; providing severability; providing effective dates.

By the Committee on Rules, Ethics & Elections; Representatives Ross and Goodlette—

**CS/HB 275**—A bill to be entitled An act relating to public records exemption for certain identification and computer security algorithms in connection with campaign treasurer's reports; creating s. 106.0706, F.S.; providing exemptions from public records requirements for personal identification numbers of and computer security algorithms required to maintain the security of information submitted or received through an electronic filing system for campaign treasurer's reports; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Council for Lifelong Learning; Representatives Atwater, Lynn, Melvin, Negron, Wallace, Betancourt, Garcia, Jordan, Diaz de la Portilla, Gardiner, Mahon, Pickens, Haridopolos, Paul, Mack, Davis, Bennett, Kravitz, Attkisson, Bowen, Alexander, Harrington, Farkas, Brummer, and Fiorentino—

**CS/HB 277**—A bill to be entitled An act relating to school attendance; creating s. 414.1251, F.S.; reestablishing the Learnfare program; reducing temporary cash assistance based on failure to meet certain education participation requirements; requiring conferences between Learnfare participants and school officials; requiring the development of an electronic data transfer system; amending s. 228.041, F.S., relating to definitions; correcting a cross reference; amending s. 230.23, F.S., relating to powers and duties of district school boards; adding duties; repealing s. 414.125, F.S., relating to the Learnfare program; providing an effective date.

By the Committee on Education Appropriations; Representatives Lynn, Atwater, Murman, Wilson, Mayfield, Rich, Justice, Fiorentino, Arza, Gottlieb, and Frankel—

**CS/HB 279**—A bill to be entitled An act relating to teacher and certain school administrator death benefits; creating the “Barry Grunow Act”; creating s. 112.1915, F.S.; providing definitions; providing death benefits with respect to certain teachers and school administrators; providing for payment of certain health insurance premiums; providing for the waiver of certain educational expenses for children of certain deceased teachers and school administrators; providing for rules; amending s. 732.402, F.S.; providing that the teacher and school administrator death benefits are exempt property under the Florida Probate Code; providing for reimbursement of benefits previously paid; providing for funding; providing for retroactive application; providing an effective date.

By the Committee on Education Innovation; Representatives Lacasa, Diaz de la Portilla, Melvin, Diaz-Balart, Murman, Mealor, Baxley, Rubio, Andrews, Brown, and Byrd—

**CS/HB 303**—A bill to be entitled An act relating to relief from overcrowded schools; creating s. 235.063, F.S.; establishing the S.C.R.I.P.T. grants program for school overcrowding relief; providing a short title; providing findings, intent, and purposes; providing a definition; providing school district, parent, and Department of Education obligations; providing private school eligibility requirements; providing for the initial award, renewal, and disbursement of S.C.R.I.P.T. grants; limiting the liability of the state relating to the award or use of a S.C.R.I.P.T. grant; providing an effective date.

By the Committee on Rules, Ethics & Elections; Representative Mahon—

**CS/HB 4007**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 20.171(5)(c), F.S., relating to Department of Labor and Employment Security; deleting the Division of Blind Services from the Department of Labor and Employment Security to conform to the transfer of said division by chapter 99-240, Laws of Florida; repealing s. 34.021(3), F.S., relating to qualifications of county court judges; amending s. 39.824, F.S.; deleting obsolete provision relating to adoption of rules of criminal procedure; repealing s. 193.102(1), F.S., relating to obsolete provisions relating to lands subject to tax sale certificates and assessments; repealing s. 206.9825(2), F.S., relating to limitation on aviation fuel tax; amending s. 212.08, F.S.; repealing obsolete provisions relating to the sales, rental, use, consumption, distribution, and storage tax; amending s. 220.1501, F.S., relating to rulemaking authority to implement s. 220.15(2)(c), (4)(c), and (8), F.S.; deleting obsolete provision relating to report by Board of Regents; repealing s. 255.259(3), F.S.; deleting obsolete provision relating to xeriscape landscaping on public property; repealing s. 373.0361(3), F.S.; deleting obsolete provision relating to regional water supply planning; repealing s. 381.895(7), F.S., relating to standards for compressed air used for recreational diving; deleting obsolete effective date for said section; amending s. 394.4985, F.S.; deleting obsolete provision relating to implementation plan for a districtwide comprehensive child and adolescent mental health information and referral network; repealing s. 409.2559, F.S., relating to state disbursement unit; repealing s. 414.70(5), F.S.; deleting obsolete provision relating to evaluations and recommendations relating to the drug-screening and drug-testing program; amending s. 420.504, F.S.; repealing obsolete provision relating to changes in membership categories; amending s. 440.4416, F.S.; repealing obsolete provision relating to a report to the Legislature by the Workers' Compensation Oversight Board; repealing s. 468.609(6)(b), F.S.; deleting obsolete provision relating to building code administrators, plans examiners, and building code inspectors; repealing s. 570.381(1), F.S., relating to legislative findings relating to Appaloosa racing and breeding; repealing s. 624.4085(11), F.S., relating to risk-based capital reports; repealing s. 624.4392(2), F.S., relating to multiple-employer welfare arrangements; amending s. 626.2815, F.S.; repealing obsolete provision relating to establishment of criteria by the continuing education advisory board; amending s. 626.918, F.S.; repealing obsolete provisions relating to the required surplus as to policyholders for surplus lines insurers; repealing s. 627.4145 (6)(e), F.S., relating to obsolete exception to provisions relating to readable language in insurance policies; repealing s. 627.4147(3), F.S., relating to expired provision relating to medical malpractice insurance contracts; amending s. 627.6492, F.S.; repealing obsolete provision relating to operating losses by insurers; amending s. 629.401, F.S.; deleting obsolete provisions relating to capitalization by underwriting members and certain investments existing prior to July 2, 1987; repealing s. 631.911(1), F.S., relating to creation of the Florida Workers' Compensation Insurance Guaranty Association, Incorporated, merger, and effect of merger; repealing s. 631.912(3), F.S., relating to board of directors of the Florida Workers' Compensation Insurance Guaranty Association, Incorporated; deleting references to s. 631.911(1), F.S., to conform; repealing s. 631.929, F.S., relating to election of remedies; amending s. 636.016, F.S.; repealing obsolete provision relating to prepaid limited health service organizations licensed prior to October 1, 1993; amending s. 636.043, F.S.; repealing obsolete provisions relating to financial statements required by certain prepaid limited health service organizations; repealing s. 713.5955, F.S., relating to acquisition of title to unclaimed molds; amending s. 721.24, F.S.; repealing obsolete provisions relating to delay of installation of firesafety equipment for timeshare units of timeshare plans; amending s. 744.7021, F.S.; repealing obsolete provision relating to submission of report relating to the Statewide Public Guardianship Office; repealing s. 753.004, F.S., relating to supervised visitation projects; providing an effective date.

## Reports of Councils and Standing Committees

### Council Reports

#### Received February 21:

The Fiscal Responsibility Council recommends the following pass:  
HB 21

**The above bill was placed on the Calendar.**

#### Received February 22:

The Council for Lifelong Learning recommends the following pass:  
CS/HB 279

**The above bill was placed on the Calendar.**

The Council for Smarter Government recommends the following pass:

CS/HB 77

CS/HB 215

HB 383

HB 385

HB 387

HB 389

HB 391

HB 393

HB 395

HB 397

HB 399

HB 401

HB 403

HB 405

HB 407

**The above bills were placed on the Calendar.**

The Council for Lifelong Learning recommends council substitutes for the following:

CS/HB 269

HB 271

HB 277

**The above council substitutes were placed on the Calendar, subject to review under Rule 6.3, and, under the rule, CS/HB 269; HBs 271 and 277 were laid on the table.**

#### Received February 28:

The Fiscal Responsibility Council recommends a council substitute for the following:

HB 55

**The above council substitute was placed on the Calendar, subject to review under Rule 6.3, and, under the rule, HB 55 was laid on the table.**

#### Received March 5:

The Procedural & Redistricting Council recommends the following pass:

CS/HB 275

**The above bill was placed on the Calendar.**

The Council for Healthy Communities recommends council substitutes for the following:

HB 141

HB 245

**The above council substitutes were placed on the Calendar, subject to review under Rule 6.3, and, under the rule, HBs 141 and 245 were laid on the table.**

The Procedural & Redistricting Council recommends a council substitute for the following:

CS/HB 273

The above council substitute was placed on the Calendar, subject to review under Rule 6.3, and, under the rule, CS/HB 273 was laid on the table.

**Committee Reports**

**Received January 26:**

The Committee on Agriculture & Consumer Affairs recommends the following pass:  
HB 45

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Crime Prevention, Corrections & Safety recommends the following pass:  
HB 131, with 4 amendments (fiscal note attached)

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on State Administration recommends the following pass:  
HB 47  
HB 73, with 3 amendments

**The above bills were referred to the Committee on Fiscal Policy & Resources.**

The Committee on State Administration recommends the following pass:  
HB 3, with 3 amendments

**The above bill was referred to the Committee on Crime Prevention, Corrections & Safety.**

The Committee on Crime Prevention, Corrections & Safety recommends the following pass:  
HB 29 (fiscal note attached)

**The above bill was referred to the Committee on Transportation.**

**Received February 6:**

The Committee on Rules, Ethics & Elections recommends a committee substitute for the following:  
HB 275

**The above committee substitute was referred to the Committee on State Administration, subject to review under Rule 6.3, and, under the rule, HB 275 was laid on the table.**

**Received February 7:**

The Committee on General Education recommends the following pass:  
HB 269, with 6 amendments  
HB 279, with 1 amendment

**The above bills were referred to the Committee on Education Appropriations.**

The Committee on Crime Prevention, Corrections & Safety recommends the following pass:  
HB 245, with 1 amendment (fiscal note attached)

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Education Innovation recommends the following pass:  
HB 271, with 3 amendments (fiscal note attached)  
HB 277, with 4 amendments (fiscal note attached)

**The above bills were referred to the Committee on Fiscal Policy & Resources.**

The Committee on Health Regulation recommends the following pass:  
HB 69, with 1 amendment

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Judicial Oversight recommends the following pass:  
HB 109  
HB 137, with 7 amendments

**The above bills were referred to the Committee on Banking.**

The Committee on Local Government & Veterans Affairs recommends the following pass:  
HB 115

**The above bill was referred to the Committee on Crime Prevention, Corrections & Safety.**

The Committee on Local Government & Veterans Affairs recommends the following pass:  
HB 7

**The above bill was referred to the Committee on Education Innovation.**

The Committee on Local Government & Veterans Affairs recommends the following pass:  
HB 113

**The above bill was referred to the Committee on General Education.**

The Committee on Child & Family Security recommends the following pass:  
HB 85, with 1 amendment  
HB 141, with 12 amendments

**The above bills were referred to the Committee on Judicial Oversight.**

**Received February 8:**

The Committee on Judicial Oversight recommends the following pass:  
HB 141

**The above bill was referred to the Council for Healthy Communities.**

The Committee on State Administration recommends the following pass:  
HB 61

**The above bill was referred to the Council for Smarter Government.**

The Committee on Crime Prevention, Corrections & Safety recommends the following pass:  
HB 25 (fiscal note attached)  
HB 147, with 1 amendment (fiscal note attached)

**The above bills were referred to the Committee on Judicial Oversight.**

**Received February 9:**

The Committee on Fiscal Policy & Resources recommends the following pass:  
HB 21

**The above bill was referred to the Fiscal Responsibility Council.**

The Committee on Fiscal Policy & Resources recommends the following pass:  
HB 245

**The above bill was referred to the Council for Healthy Communities.**

The Committee on Fiscal Policy & Resources recommends the following pass:

HB 277

**The above bill was referred to the Council for Lifelong Learning.**

The Committee on Fiscal Policy & Resources recommends the following pass:

HB 271

**The above bill was referred to the Committee on Education Appropriations.**

The Committee on General Education recommends the following pass:  
HB 1

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Health & Human Services Appropriations recommends the following pass:

HB 55, with 3 amendments

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Child & Family Security recommends the following pass:

HB 95, with 2 amendments

**The above bill was referred to the Committee on State Administration.**

**Received February 13:**

The Committee on State Administration recommends the following pass:

CS/HB 275

**The above bill was referred to the Procedural & Redistricting Council.**

The Committee on Rules, Ethics & Elections recommends a committee substitute for the following:

HB 273

**The above committee substitute was referred to the Procedural & Redistricting Council, subject to review under Rule 6.3, and, under the rule, HB 273 was laid on the table.**

The Committee on Local Government & Veterans Affairs recommends a committee substitute for the following:

HB 77

**The above committee substitute was referred to the Council for Smarter Government, subject to review under Rule 6.3, and, under the rule, HB 77 was laid on the table.**

The Committee on State Administration recommends a committee substitute for the following:

HB 215

**The above committee substitute was referred to the Council for Smarter Government, subject to review under Rule 6.3, and, under the rule, HB 215 was laid on the table.**

The Committee on Banking recommends a committee substitute for the following:

HB 107

**The above committee substitute was referred to the Committee on Fiscal Policy & Resources, subject to review under Rule 6.3, and, under the rule, HB 107 was laid on the table.**

The Committee on Crime Prevention, Corrections & Safety recommends a committee substitute for the following:

HB 11 (fiscal note attached)

**The above committee substitute was referred to the Committee on Transportation, subject to review under Rule 6.3, and, under the rule, HB 11 was laid on the table.**

**Received February 16:**

The Committee on Fiscal Policy & Resources recommends the following pass:

HB 55

**The above bill was referred to the Fiscal Responsibility Council.**

The Committee on Education Appropriations recommends the following pass:

HB 271, with 2 amendments

**The above bill was referred to the Council for Lifelong Learning.**

The Committee on Education Appropriations recommends a committee substitute for the following:

HB 279

**The above committee substitute was referred to the Council for Lifelong Learning, subject to review under Rule 6.3, and, under the rule, HB 279 was laid on the table.**

The Committee on Local Government & Veterans Affairs recommends a committee substitute for the following:

HB 19

**The above committee substitute was referred to the Committee on Fiscal Policy & Resources, subject to review under Rule 6.3, and, under the rule, HB 19 was laid on the table.**

**Received February 20:**

The Committee on Education Appropriations recommends a committee substitute for the following:

HB 269

**The above committee substitute was referred to the Council for Lifelong Learning, subject to review under Rule 6.3, and, under the rule, HB 269 was laid on the table.**

**Received February 21:**

The Committee on Education Innovation recommends the following pass:

HB 7 (fiscal note attached)

**The above bill was referred to the Council for Smarter Government.**

**Received February 22:**

The Committee on Transportation recommends the following pass:  
HB 29

**The above bill was referred to the Council for Healthy Communities.**

The Committee on General Education recommends the following pass:  
HB 113, with 1 amendment

**The above bill was referred to the Council for Smarter Government.**

The Committee on Judicial Oversight recommends the following pass:  
HB 5  
HB 211, with 1 amendment

**The above bills were referred to the Council for Smarter Government.**

The Committee on Agriculture & Consumer Affairs recommends the following pass:

HB 101, with 1 amendment  
 HB 103, with 1 amendment

**The above bills were referred to the Committee on Fiscal Policy & Resources.**

The Committee on Judicial Oversight recommends the following pass:  
 HB 201, with 1 amendment  
 HB 223, with 1 amendment

**The above bills were referred to the Committee on Fiscal Policy & Resources.**

The Committee on Local Government & Veterans Affairs recommends the following pass:  
 HJR 209

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Transportation recommends the following pass:  
 CS/HB 11, with 1 amendment

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Utilities & Telecommunications recommends the following pass:  
 HB 41

**The above bill was referred to the Committee on Local Government & Veterans Affairs.**

The Committee on Agriculture & Consumer Affairs recommends the following pass:  
 HB 157

**The above bill was referred to the Committee on Transportation.**

The Committee on Crime Prevention, Corrections & Safety recommends a committee substitute for the following:  
 HB 175 (fiscal note attached)

**The above committee substitute was referred to the Committee on Transportation, subject to review under Rule 6.3, and, under the rule, HB 175 was laid on the table.**

**Received February 23:**

The Committee on Natural Resources & Environmental Protection recommends the following pass:  
 HB 143, with 1 amendment

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

The Committee on Tourism recommends the following pass:  
 HB 163

**The above bill was referred to the Committee on Fiscal Policy & Resources.**

**Received February 27:**

The Committee on Economic Development & International Trade recommends the following pass:

HB 83, with 2 amendments  
 HB 145  
 HB 205, with 1 amendment

**The above bills were referred to the Committee on Fiscal Policy & Resources.**

The Committee on Transportation recommends a committee substitute for the following:  
 HB 79

**The above committee substitute was referred to the Committee on Local Government & Veterans Affairs, subject to review under Rule 6.3, and, under the rule, HB 79 was laid on the table.**

**Received February 28:**

The Committee on Education Innovation recommends a committee substitute for the following:  
 HB 303 (fiscal note attached)

**The above committee substitute was referred to the Committee on Fiscal Policy & Resources, subject to review under Rule 6.3, and, under the rule, HB 303 was laid on the table.**

The Committee on Crime Prevention, Corrections & Safety recommends a committee substitute for the following:  
 HB 67 (fiscal note attached)

**The above committee substitute was referred to the Committee on Insurance, subject to review under Rule 6.3, and, under the rule, HB 67 was laid on the table.**

**Received March 5:**

The Committee on Rules, Ethics & Elections recommends a committee substitute for the following:  
 HB 4007

**The above committee substitute was placed on the Calendar, subject to review under Rule 6.3, and, under the rule, HB 4007 was laid on the table.**

The Committee on General Education recommends the following pass:  
 HB 409, with 1 amendment

**The above bill was referred to the Committee on Education Appropriations.**

**Received March 6:**

The Committee on Crime Prevention, Corrections & Safety recommends a committee substitute for the following:  
 HB 3 (fiscal note attached)

**The above committee substitute was referred to the Committee on Fiscal Policy & Resources, subject to review under Rule 6.3, and, under the rule, HB 3 was laid on the table.**

**Pages and Messengers  
for the week of  
March 5-9**

PAGES—Akeem Brutus, Miami Shores; Elisa Epstein, Weston; Spencer Galloway, Tallahassee; Britney J. Grice, Wewahitchka; Mary Anne Hybart, Tallahassee; Lauren Klein, Boca Raton; Benji Adam Mendelsohn, Hollywood; Claudia Pollock, Lakeland; Shelbi Reffitt, Crawfordville; P. Justin Rossi, New Port Richey; Cara L. Weldon, Longwood.

MESSENGERS—Nathan D. Cooner, North Fort Myers; Kathryne Copeland, Celebration; Sarah Cripe, Vandalia, Illinois; Nicholas R. Crush, Pensacola; Dru W. Gainey, Bartow; Francis Lagor, Tampa; Brittany Lane, Miami; Reanna Levinson, Boca Raton; Rodney Lewis II, Quincy; Jennifer Leigh Martino, Lakeland; Natalie E. Pararo, Tallahassee; Jennifer Johanna Ryan, Dania Beach; William N. Spicola, Tampa; Rodney C. Watson, Trenton; Mamie Wise, Zephyrhills.

## The Committees

(as of March 6, 2001)

[Republicans in roman      *Democrats in italic*]

### Council for Competitive Commerce (Group B)

JD Alexander (Chair), *James "Hank" Harper, Jr.* (Vice Chair), Bob Allen, Jeffrey H. "Jeff" Atwater, Anna Holliday "Holly" Benson, Mark G. Flanagan, *Will S. Kendrick, Frank Peterman, Jr.*, Manuel Prieguez, *Stacy J. Ritter*, Joseph R. "Joe" Spratt, Allen Trovillion, Leslie Waters

Committees

**Agriculture & Consumer Affairs:** Joseph R. "Joe" Spratt (Chair), *Will S. Kendrick* (Vice Chair), Randy John Ball, Marsha L. "Marty" Bowen, Hugh H. Gibson III, Jeffrey D. "Jeff" Kottkamp, *Cindy Lerner, Dwight Stansel*

**Banking:** Mark G. Flanagan (Chair), *Phillip J. Brutus* (Vice Chair), Aaron P. Bean, Gaston I. Cantens, Nancy C. Detert, *Kenneth Allan "Ken" Gottlieb, Nan H. Rich, Sara Romeo, Marco Rubio*

**Economic Development & International Trade:** Manuel Prieguez (Chair), Jeffrey H. "Jeff" Atwater (Vice Chair), Anna Holliday "Holly" Benson, *Annie Betancourt, John Carassas, James "Hank" Harper, Jr., Bev Kilmer, Mark Mahon, Matthew J. "Matt" Meadows, Joe H. Pickens, Frederica S. "Freddi" Wilson*

**Insurance:** Leslie Waters (Chair), David Simmons (Vice Chair), Kim Berfield, Donald D. "Don" Brown, Donna Clarke, *Terry L. Fields, Jim Kallinger, E. Denise Lee, Perry C. McGriff, Jr., Jerry G. Melvin, Joe Negron, Dennis A. Ross, Eleanor Sobel, Doug Wiles*

**Tourism:** Allen Trovillion (Chair), *Sally A. Heyman* (Vice Chair), Bob Allen, *Edward B. "Ed" Bullard, Don Davis, Charlie Justice*

### Council for Healthy Communities (Group C)

Nancy Argenziano (Chair), *Curtis B. Richardson* (Vice Chair), Allan G. Bense, Gus Michael Bilirakis, Nancy C. Detert, Frank Farkas, Mike Fasano, *Dan Gelber, Carole Green, Sally A. Heyman, Cindy Lerner, Kenneth W. "Ken" Littlefield, Evelyn J. Lynn, Sandra L. "Sandy" Murman, Eleanor Sobel*

Committees

**Child & Family Security:** Nancy C. Detert (Chair), *Cindy Lerner* (Vice Chair), Dennis K. Baxley, Rene Garcia, Stan Jordan, *Charlie Justice, E. Denise Lee, Evelyn J. Lynn, Mark Mahon, Sandra L. "Sandy" Murman, Nan H. Rich*

**Crime Prevention, Corrections & Safety:** Gus Michael Bilirakis (Chair), Aaron P. Bean (Vice Chair), *Sally A. Heyman, Bev Kilmer, Dick Kravitz, Mitch Needelman, Joseph R. "Joe" Spratt, Dwight Stansel, Frederica S. "Freddi" Wilson*

**Elder & Long-Term Care:** Carole Green (Chair), *Mark Weissman* (Vice Chair), Jeffrey H. "Jeff" Atwater, *Phillip J. Brutus, Hugh H. Gibson III, Suzanne M. Kosmas, Richard A. Machek, Joe Negron, Jerry Paul, David D. Russell, Jr., David Simmons, Leslie Waters*

**Health Promotion:** Kenneth W. "Ken" Littlefield (Chair), Mike Hogan (Vice Chair), Bob Allen, Frank Attkisson, Anna Holliday "Holly" Benson, *Susan Bucher, Joyce Cusack, Renier Diaz de la Portilla, Arthenia L. Joyner, Stan Mayfield, Manuel Prieguez, Sara Romeo, Irving L. "Irv" Slosberg*

**Health Regulation:** Frank Farkas (Chair), *Eleanor Sobel* (Vice Chair), JD Alexander, Heather Fiorentino, Mike Haridopolos, Gayle B. Harrell, Randy Johnson, *Stacy J. Ritter, Marco Rubio, Gary Siplin, Roger B. Wishner*

### Council for Lifelong Learning (Group A)

Jerry G. Melvin (Chair), *Frederica S. "Freddi" Wilson* (Vice Chair), JD Alexander, William F. "Bill" Andrews, Frank Attkisson, *Dorothy Bendross-Mindingall, Frederick C. "Fred" Brummer, Renier Diaz de la*

*Portilla, Frank Farkas, Heather Fiorentino, Kenneth Allan "Ken" Gottlieb, Lindsay M. Harrington, Bob "Coach" Henriquez, Bev Kilmer, Doug Wiles*

Committees

**Colleges & Universities:** Bev Kilmer (Chair), Dennis K. Baxley (Vice Chair), *Annie Betancourt, Phillip J. Brutus, Lindsay M. Harrington, Sally A. Heyman, Jim Kallinger, Perry C. McGriff, Jr., David J. Mealor, Mitch Needelman, Allen Trovillion, Leslie Waters*

**Education Innovation:** Renier Diaz de la Portilla (Chair), Frank Attkisson (Vice Chair), Rafael "Ralph" Arza, Randy John Ball, Marsha L. "Marty" Bowen, *Edward B. "Ed" Bullard, Rene Garcia, Andy Gardiner, James "Hank" Harper, Jr., Edward L. "Ed" Jennings, Jr., Stan Jordan, Cindy Lerner, Connie Mack, Joe Negron, Mark Weissman*

**General Education:** Heather Fiorentino (Chair), Dick Kravitz (Vice Chair), Aaron P. Bean, Gus Michael Bilirakis, *Joyce Cusack, Nancy C. Detert, Frank Farkas, Charlie Justice, Matthew J. "Matt" Meadows, Joe H. Pickens, Nan H. Rich, Curtis B. Richardson*

**Workforce & Technical Skills:** William F. "Bill" Andrews (Chair), *Dorothy Bendross-Mindingall* (Vice Chair), Bob Allen, Carey Baker, Gustavo A. Barreiro, Michael S. "Mike" Bennett, *Terry L. Fields, Ron L. Greenstein, Sandra L. "Sandy" Murman, Rob Wallace*

### Council for Ready Infrastructure (Group B)

Allan G. Bense (Chair), *Christopher L. "Chris" Smith* (Vice Chair), Aaron P. Bean, *Phillip J. Brutus, Paula Bono Dockery, J. Dudley Goodlette, Lindsay M. Harrington, Chris Hart IV, Bob "Coach" Henriquez, Sally A. Heyman, Wilbert "Tee" Holloway, Jim Kallinger, Suzanne M. Kosmas, Kenneth W. "Ken" Littlefield, Evelyn J. Lynn, Mark Mahon, Jerry Louis Maygarden, Jefferson B. "Jeff" Miller, David D. Russell, Jr., Dwight Stansel*

Committees

**Information Technology:** Chris Hart IV (Chair), Connie Mack (Vice Chair), *Loranne Ausley, Heather Fiorentino, Anne M. "Annie" Gannon, Dan Gelber, Carole Green, Gayle B. Harrell, Edward L. "Ed" Jennings, Jr., David J. Mealor, Rob Wallace*

**Natural Resources & Environmental Protection:** Lindsay M. Harrington (Chair), *Richard A. Machek* (Vice Chair), Nancy Argenziano, Rafael "Ralph" Arza, Dennis K. Baxley, *Dorothy Bendross-Mindingall, Frederick C. "Fred" Brummer, Ron L. Greenstein, Dick Kravitz, Mitch Needelman, Frank Peterman, Jr., John P. "Jack" Seiler, Ken Sorensen*

**Transportation:** David D. Russell, Jr. (Chair), Andy Gardiner (Vice Chair), William F. "Bill" Andrews, Carey Baker, Michael S. "Mike" Bennett, *Susan Bucher, Joyce Cusack, Paula Bono Dockery, Wilbert "Tee" Holloway, Stan Jordan, Bruce Kyle, Stan Mayfield, Irving L. "Irv" Slosberg, Roger B. Wishner*

**Utilities & Telecommunications:** Jefferson B. "Jeff" Miller (Chair), *Stacy J. Ritter* (Vice Chair), Frank Attkisson, Gustavo A. Barreiro, Renier Diaz de la Portilla, Rene Garcia, J. Dudley Goodlette, Mike Haridopolos, Mike Hogan, Randy Johnson, *Arthenia L. Joyner, Suzanne M. Kosmas, Kenneth W. "Ken" Littlefield, Jerry Paul, Timothy M. "Tim" Ryan, Gary Siplin, Christopher L. "Chris" Smith*

### Council for Smarter Government (Group C)

Gaston I. Cantens (Chair), *Kenneth Allan "Ken" Gottlieb* (Vice Chair), Gustavo A. Barreiro, Frederick C. "Fred" Brummer, Larry Crow, Mario Diaz-Balart, *James "Hank" Harper, Jr., Bruce Kyle, Richard A. Machek, Jerry G. Melvin, Stacy J. Ritter, Ken Sorensen*

## Committees

**Business Regulation:** Bruce Kyle (Chair), Jim Kallinger (Vice Chair), Rafael "Ralph" Arza, Kim Berfield, Donna Clarke, *Terry L. Fields*, *Anne M. "Annie" Gannon*, *Ron L. Greenstein*, *James "Hank" Harper, Jr.*, Chris Hart IV, *Edward L. "Ed" Jennings, Jr.*, Connie Mack

**Judicial Oversight:** Larry Crow (Chair), Jeffrey D. "Jeff" Kottkamp (Vice Chair), Nancy Argenziano, *Loranne Ausley*, Allan G. Bense, J. Dudley Goodlette, Jerry G. Melvin, Joe H. Pickens, Dennis A. Ross, *Timothy M. "Tim" Ryan*, *John P. "Jack" Seiler*

**Juvenile Justice:** Gustavo A. Barreiro (Chair), Carey Baker (Vice Chair), Randy John Ball, Marsha L. "Marty" Bowen, *Edward B. "Ed" Bullard*, Mark G. Flanagan, *Dan Gelber*, *Frank Peterman, Jr.*

**Local Government & Veterans Affairs:** Ken Sorensen (Chair), John Carassas (Vice Chair), Michael S. "Mike" Bennett, *Annie Betancourt*, Don Davis, Andy Gardiner, *Bob "Coach" Henriquez*, *Matthew J. "Matt" Meadows*, David J. Mealor

**State Administration:** Frederick C. "Fred" Brummer (Chair), Paula Bono Dockery (Vice Chair), Donald D. "Don" Brown, *Will S. Kendrick*, *Perry C. McGriff, Jr.*

## Fiscal Responsibility Council (Group E)

Carlos A. Lacasa (Chair), Sandra L. "Sandy" Murman (Vice Chair), JD Alexander, Frank Attkisson, Randy John Ball, Allan G. Bense, Johnnie B. Byrd, Jr., Gaston I. Cantens, Larry Crow, Paula Bono Dockery, *Kenneth Allan "Ken" Gottlieb*, *Ron L. Greenstein*, Lindsay M. Harrington, Randy Johnson, *Will S. Kendrick*, *Suzanne M. Kosmas*, Evelyn J. Lynn, Jerry Louis Maygarden, *Timothy M. "Tim" Ryan*, Rob Wallace, *Doug Wiles*, *Frederica S. "Freddi" Wilson*

## Committees

**Criminal Justice Appropriations:** Randy John Ball (Chair), *Matthew J. "Matt" Meadows* (Vice Chair), *Loranne Ausley*, Gustavo A. Barreiro, Gus Michael Bilirakis, Marsha L. "Marty" Bowen, *Edward B. "Ed" Bullard*, Mitch Needelman, Joe Negron, Jerry Paul, *John P. "Jack" Seiler*, Allen Trovillion

**Education Appropriations:** Evelyn J. Lynn (Chair), *Dwight Stansel* (Vice Chair), JD Alexander, Rafael "Ralph" Arza, Dennis K. Baxley, *Susan Bucher*, Nancy C. Detert, Mark G. Flanagan, Stan Jordan, *Charlie Justice*, *Perry C. McGriff, Jr.*, David J. Mealor, Jerry G. Melvin, Joe H. Pickens, *Curtis B. Richardson*, *Christopher L. "Chris" Smith*

**Fiscal Policy & Resources:** Rob Wallace (Chair), Mike Haridopolos (Vice Chair), Jeffrey H. "Jeff" Atwater, Carey Baker, *Annie Betancourt*, Frederick C. "Fred" Brummer, John Carassas, Renier Diaz de la Portilla, *Anne M. "Annie" Gannon*, Connie Mack, *Timothy M. "Tim" Ryan*, *Gary Siplin*, *Mark Weissman*

**General Government Appropriations:** Paula Bono Dockery (Chair), *Ron L. Greenstein* (Vice Chair), Nancy Argenziano, Michael S. "Mike" Bennett, Donald D. "Don" Brown, *Kenneth Allan "Ken" Gottlieb*, Gayle B. Harrell, *Wilbert "Tee" Holloway*, *Will S. Kendrick*, *E. Denise Lee*, Stan Mayfield, Jefferson B. "Jeff" Miller, Ken Sorensen, Joseph R. "Joe" Spratt

**Health & Human Services Appropriations:** Jerry Louis Maygarden (Chair), Frank Farkas (Vice Chair), Anna Holliday "Holly" Benson, *Phillip J. Brutus*, Heather Fiorentino, Rene Garcia, Hugh H. Gibson III, Carole Green, Kenneth W. "Ken" Littlefield, *Nan H. Rich*, *Irving L. "Irv" Slosberg*, *Eleanor Sobel*

## Transportation &amp; Economic Development Appropriations:

Randy Johnson (Chair), William F. "Bill" Andrews (Vice Chair), Bob Allen, Allan G. Bense, Kim Berfield, *Joyce Cusack*, Don Davis, Chris Hart IV, *Bob "Coach" Henriquez*, *Edward L. "Ed" Jennings, Jr.*, *Arthenia L. Joyner*, Mark Mahon, Manuel Prieguez, Marco Rubio, David D. Russell, Jr., *Doug Wiles*, *Roger B. Wishner*

## Procedural &amp; Redistricting Council

Johnnie B. Byrd, Jr. (Chair), Mario Diaz-Balart (Vice Chair), Frederick C. "Fred" Brummer, Larry Crow, Mike Fasano, J. Dudley Goodlette, Randy Johnson, *Will S. Kendrick*, Bev Kilmer, Bruce Kyle, Carlos A. Lacasa, *Stacy J. Ritter*, Marco Rubio, *Timothy M. "Tim" Ryan*, David Simmons, *Christopher L. "Chris" Smith*, *Eleanor Sobel*, Leslie Waters, *Doug Wiles*

## (Group A)

## Committees

**Claims:** Marco Rubio (Chair), *Gary Siplin* (Vice Chair), John Carassas, Mike Hogan, Jeffrey D. "Jeff" Kottkamp, *E. Denise Lee*, Jerry Paul, *John P. "Jack" Seiler*

**Joint Administrative Procedures:** Donna Clarke (Alternating Chair), Nancy Argenziano, *Wilbert "Tee" Holloway*

**Joint Legislative Auditing:** Kim Berfield (Alternating Chair), *Annie Betancourt*, Hugh H. Gibson III, Gayle B. Harrell, *Irving L. "Irv" Slosberg*

**Joint Legislative Committee on Article V:** Johnnie B. Byrd, Jr. (Alternating Chair), Anna Holliday "Holly" Benson, Larry Crow, *Dan Gelber*

**Joint Legislative Committee on Everglades Oversight:** Stan Mayfield (Alternating Chair), *Richard A. Macheck*, *Frank Peterman, Jr.*

**Joint Legislative Committee on Intergovernmental Relations:** Mike Haridopolos (Alternating Chair), *Loranne Ausley*, Donald D. "Don" Brown, *Sara Romeo*

**Rules, Ethics & Elections:** J. Dudley Goodlette (Chair), Dennis A. Ross (Vice Chair), Gaston I. Cantens, Paula Bono Dockery, *Anne M. "Annie" Gannon*, Carole Green, Chris Hart IV, *Arthenia L. Joyner*, Mark Mahon, Jefferson B. "Jeff" Miller, *Timothy M. "Tim" Ryan*, David Simmons, *Christopher L. "Chris" Smith*, *Dwight Stansel*

## (Group D)

## Committees

**Congressional Redistricting:** Mario Diaz-Balart (Chair), Sandra L. "Sandy" Murman (Vice Chair), *Dorothy Bendross-Mindingall*, Gus Michael Bilirakis, Donna Clarke, Don Davis, Mark G. Flanagan, Mike Hogan, Stan Mayfield, *Matthew J. "Matt" Meadows*, Jefferson B. "Jeff" Miller, *Sara Romeo*, *John P. "Jack" Seiler*, *Roger B. Wishner*

**House Redistricting:** Randy John Ball (Co-Chair), Larry Crow (Co-Chair), William F. "Bill" Andrews, Dennis K. Baxley, *Phillip J. Brutus*, *Terry L. Fields*, Andy Gardiner, Bev Kilmer, Jeffrey D. "Jeff" Kottkamp, *Richard A. Macheck*, Connie Mack, Mitch Needelman, Manuel Prieguez, *Curtis B. Richardson*, Joseph R. "Joe" Spratt, *Mark Weissman*, *Frederica S. "Freddi" Wilson*

**Senate Redistricting:** Bruce Kyle (Co-Chair), Jerry Louis Maygarden (Co-Chair), *Joyce Cusack*, Rene Garcia, *Edward L. "Ed" Jennings, Jr.*, Jim Kallinger, *Suzanne M. Kosmas*, Dick Kravitz, Carlos A. Lacasa, *E. Denise Lee*, Jerry G. Melvin, *Stacy J. Ritter*, Dennis A. Ross

**RULES  
of the  
FLORIDA HOUSE OF REPRESENTATIVES**

**RULE ONE**

**LEGISLATIVE ORGANIZATION**

**1.1—General Officers**

(a) The general officers of the Florida House of Representatives are the following:

- (1) Speaker.
- (2) Speaker pro tempore.
- (3) Majority Leader.
- (4) Minority Leader.
- (5) Clerk.
- (6) Sergeant at Arms.

(b) The Speaker and the Speaker pro tempore shall each be elected by a majority of the duly elected and certified Members of the House. For each office, the vote shall be recorded and, if a majority vote is not received on the first ballot, the Members voting shall vote on the two names receiving the highest number of votes on the first ballot until a majority vote is received.

(c) The Majority Leader shall be selected by the Speaker, and the Minority Leader shall be selected by the Minority Conference.

(d) The Clerk shall be elected by the House to serve at its pleasure.

(e) The Sergeant at Arms shall be appointed by the Speaker, with the advice and consent of the Members.

**1.2—Political Party Conferences**

The political party with the largest number of Members who are registered voters of such party shall form the Majority Conference. The political party with the second largest number of Members who are registered voters of such party shall form the Minority Conference. The members of each political party conference may adopt rules to govern the affairs of their conference.

**1.3—Councils and Standing Committees**

Thirty-four standing committees of the House are hereby created. Each committee shall be placed in one of seven councils as follows:

(a) The Council for Competitive Commerce shall have oversight responsibility for the following substantive standing committees:

- (1) Agriculture & Consumer Affairs.
- (2) Banking.
- (3) Economic Development & International Trade.
- (4) Insurance.
- (5) Tourism.

(b) The Council for Healthy Communities shall have oversight responsibility for the following substantive standing committees:

- (1) Child & Family Security.
- (2) Crime Prevention, Corrections & Safety.
- (3) Elder & Long-Term Care.
- (4) Health Promotion.
- (5) Health Regulation.

(c) The Council for Lifelong Learning shall have oversight responsibility for the following substantive standing committees:

- (1) Colleges & Universities.
- (2) Education Innovation.
- (3) General Education.
- (4) Workforce & Technical Skills.

(d) The Council for Ready Infrastructure shall have oversight responsibility for the following substantive standing committees:

- (1) Information Technology.
- (2) Natural Resources & Environmental Protection.
- (3) Transportation.
- (4) Utilities & Telecommunications.

(e) The Council for Smarter Government shall have oversight responsibility for the following substantive standing committees:

- (1) Business Regulation.
- (2) Judicial Oversight.
- (3) Juvenile Justice.
- (4) Local Government & Veterans Affairs.
- (5) State Administration.

(f) The Fiscal Responsibility Council shall have oversight responsibility for the following fiscal standing committees:

- (1) Criminal Justice Appropriations.
- (2) Education Appropriations.
- (3) Fiscal Policy & Resources.
- (4) General Government Appropriations.
- (5) Health & Human Services Appropriations.
- (6) Transportation & Economic Development Appropriations.

(g) The Procedural & Redistricting Council shall have oversight responsibility for the statutory joint committees and the following standing committees:

- (1) Claims.
- (2) Congressional Redistricting.
- (3) House Redistricting.
- (4) Rules, Ethics & Elections.
- (5) Senate Redistricting.

### 1.4—Qualifications and Elections of Members

(a) As specified in Section 2 of Article III of the Florida Constitution, the House is the sole judge of the qualifications, elections, and returns of its Members.

(b) In cases of contest for a seat in the House, notice setting forth the specific grounds of such contest and the supporting evidence must be received by the Clerk not less than 5 days before the Organization Session of the Legislature. No motion to disqualify a Member shall be in order at the Organization Session until a Speaker has been elected in accordance with the Florida Constitution. In the case of a special election, notice must be received by the Clerk not less than 5 days before the next regular or special session convenes. If the election is during a session or less than 5 days before the next session, the notice must be on the next legislative day following the receipt of certified election results. Any contest setting forth facts sufficient to warrant review shall be referred by the Speaker to an appropriate committee. The committee shall hold a hearing and report its findings and recommendations as soon as reasonably possible. Upon receipt of the committee report, the House shall with all dispatch, upon motion, determine the contest by a majority vote.

## RULE TWO

### DUTIES AND RIGHTS OF THE SPEAKER

#### 2.1—Speaker to Enforce Rules; Questions of Order

(a) The Speaker shall enforce, apply, and interpret the Rules of the House in all deliberations.

(b) All questions of order shall be presented to the Speaker for determination; however, any decision of the Speaker on a point of order is subject to an appeal to the House made by any five Members. The Speaker may require the Member raising a point of order to cite the Rule or other authority in support of the question. The Speaker may decide the question of order, put such question to the House, or refer such question to the Committee on Rules, Ethics & Elections for a recommendation to the House. When a decision of the Speaker on a question of order is appealed, the Speaker shall put the appeal to the House or refer the appeal to the Committee on Rules, Ethics & Elections for a recommendation to the House. No Member may speak more than once on an appeal unless given leave by the House by majority vote. Responses to parliamentary inquiries and decisions of recognition made by the Speaker may not be appealed.

#### 2.2—Speaker to Bring Business Before the House

The Speaker shall lay all business before the House, reserve times for the committee and council meetings in compliance with these Rules, and receive motions made by Members and put them to the House.

#### 2.3—Preservation of Order and Decorum; Control Over Chamber and Other Rooms Assigned to the House

(a) The Speaker shall preserve order and decorum in the Chamber of the House. The Speaker shall see that the Members conduct themselves in a civil manner in the Chamber of the House in accordance with accepted standards of parliamentary conduct and may, when necessary, order the Sergeant at Arms to clear the aisles and seat the Members so that business may be conducted in an orderly manner.

(b) In case of disturbance or disorderly conduct in the galleries or lobby of the Chamber, the Speaker may order the Sergeant at Arms to clear these areas.

(c) Presentations on the large video screen in the Chamber of the House shall be permitted only upon approval of the Speaker.

(d) Except as otherwise provided in Rule 14.4, the Speaker shall have general control of the Chamber of the House, its lobby, galleries, corridors, and passages, and other rooms in those parts of the Capitol assigned to the use of the House. The Chamber and meeting rooms of the

House may not be used for any meeting other than a legislative meeting unless specifically authorized by the Speaker.

#### 2.4—Appointment of Temporary Presiding Officer

The Speaker may appoint any Member to perform the duties of presiding officer for a temporary period of time not to extend beyond a single legislative day. If the Speaker is absent and has not made such an appointment, the Speaker pro tempore shall act as presiding officer during the Speaker's absence. However, if the Speaker pro tempore is also absent and has not made such an appointment, the Chair of the Committee on Rules, Ethics & Elections shall act as presiding officer during the absence of both the Speaker and Speaker pro tempore or may appoint another Member to perform such duties.

#### 2.5—House Employees Serve at the Pleasure of the Speaker

The Speaker shall employ all employees of the House and shall determine their qualifications, hours of work, and compensation, including perquisites and other benefits. All employees serve at the pleasure of the Speaker. The Speaker has the right to dismiss any employee of the House, and the pay of such employee shall stop on the designated day of dismissal.

#### 2.6—Speaker to Sign Papers and Authorize Counsel in Suits Affecting the House

(a) The Speaker shall sign all acts, joint resolutions, concurrent resolutions, resolutions, memorials, writs, subpoenas, vouchers for expenditures chargeable to the House, contracts binding on the House, or other papers issued by the House. The Speaker may delegate the authority to sign papers of an administrative nature.

(b) The Speaker may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the House, a committee or council of the House, a Member of the House (whether in the legal capacity of Member or taxpayer), a former Member of the House, or an officer or employee of the House when such suit is determined by the Speaker to be of significant interest to the House and the Speaker believes that the interest of the House would not be otherwise adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the Speaker.

## RULE THREE

### MEMBERS

#### 3.1—Disclosures of Interest and Disqualification from Voting

(a) No Member may vote on any measure that the Member knows or believes would inure to the Member's special private gain. The Member must disclose the nature of the interest for which the Member is required to refrain from voting. Disclosure shall be done in a timely manner by filing a memorandum with the Clerk, which shall be printed in the *Journal* if the vote is taken on the floor. If the vote is taken in a committee or council, the memorandum shall be filed with the committee or council administrative assistant, who shall attach such memorandum to the committee or council report.

(b) A Member, when voting on any measure that the Member knows or believes would inure to the special private gain of a family member of the Member, or to the special private gain of any principal by whom the Member or a family member of the Member is retained or employed, must disclose the nature of the interest of such person in the outcome of the vote. Disclosure shall be done in a timely manner by filing a memorandum with the Clerk, which shall be printed in the *Journal* if the vote is taken on the floor. If the vote is taken in a committee or council, the memorandum shall be filed with the committee or council administrative assistant, who shall attach such memorandum to the committee or council report. For the purpose of this Rule, family members include the Member's spouse, parents, and children.

**3.2—Attendance Upon Meetings Required**

A Member shall attend all meetings of committees and councils to which appointed, unless excused by the Chair of the committee or council or by the Speaker. Excuse from House session shall constitute excuse from that day's committee and council meetings. Failure to attend two consecutive meetings, unless excused, shall constitute automatic removal from the committee or council and create a vacancy. Upon notification by the Chair of the committee or council, the Speaker shall make an appointment to fill such vacancy.

**3.3—Attendance at Sessions**

A Member may not be absent from the sessions of the House without approval from the Speaker.

**3.4—Excused Absence**

Upon written request of a Member submitted in a timely manner, the Speaker may, by written notice to the Clerk, excuse the Member from attendance on the House for any stated period. Such excused absence shall be noted in the *Journal*.

**3.5—Leave of Absence**

Any Member granted a leave of absence due to a meeting of a committee, conference committee, or council that has authority to meet while the House is in session shall be so noted in the *Journal*. It shall be the responsibility of the excused Member to advise the Clerk when leaving and returning to the Chamber.

**3.6—Members Presumed Present Unless Excused or Necessarily Prevented; Failure to Answer Roll Call**

(a) Any Member who has answered roll call (either orally or by electronic means) at the opening of any daily session, or who enters after the initial quorum call and informs the Clerk of the Member's presence, shall thereafter be presumed present unless necessarily prevented or leave of absence is obtained from the Speaker. The Speaker shall make each determination as to whether a Member was necessarily prevented.

(b) Any Member who is present and who fails or refuses to record on a roll call after being requested to do so by the Speaker shall be recorded as present by the Speaker and shall be counted for the purpose of making a quorum.

**3.7—Possession of Bills**

No Member or other person may take possession of an original bill, after filing, with the intention of depriving the Legislature of its availability for consideration.

**3.8—Open Meetings**

(a) Subject to order and decorum, each Member shall provide reasonable access to members of the public to any meeting between such Member and more than one other Member of the Legislature, if such members of the public have requested admission and such meeting has been prearranged for the purpose of agreeing to take formal legislative action on pending legislation or amendments at such meeting or at a subsequent time. No such meeting shall be conducted in the Members' Lounge, at any location that is closed to the public, or at any location that the Member knows prohibits admission on the basis of race, religion, gender, national origin, physical handicap, or similar classification.

(b) Meetings conducted in the Chamber of either the House or the Senate while such body is in session shall be considered to be held at a location providing reasonable access to, and to be reasonably open to, the public. When the number of persons must be limited because of space considerations or otherwise for the maintenance of order or decorum, at least one representative each of the print, radio, and

television media shall be included among the members of the public admitted, if such persons have requested admission.

(c) For the purpose of this Rule, and as used in Section 4 of Article III of the Florida Constitution, legislation shall be considered pending if filed with the Clerk. An amendment shall be considered pending if it has been delivered to the administrative assistant of a committee or council in which the legislation is pending or to the Clerk, if the amendment is to a bill that has been reported favorably by each committee or council of reference, and the term "formal legislative action" shall include any vote of the House or Senate, or of a committee or council of either house, on final passage or on a motion other than a motion to adjourn or recess.

**RULE FOUR****DUTIES OF THE CLERK, SERGEANT AT ARMS, AND EMPLOYEES****4.1—Clerk**

(a) The Clerk shall:

(1) Be the custodian of all bills, resolutions, and memorials. The responsibility for the safekeeping of original filed bills, resolutions, and memorials shall vest in the Clerk, except when such legislation has been committed to a committee or council.

(2) Provide for the keeping of a complete record of introduction and action on all bills, resolutions, and memorials, including the number, the author, a brief description of the subject matter, and each committee or council reference.

(3) Provide to the committee or council Chair each measure referred to a committee or council along with all official attachments thereto.

(4) Keep a correct journal of proceedings of the House. The *Journal* shall be numbered serially and published from the first day of each session of the Legislature.

(5) Keep open the Office of the Clerk during and between sessions of the Legislature.

(6) Superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials.

(7) Not permit any records or papers belonging to the House to be taken out of the Clerk's custody other than in the regular course of business and only then upon receipt. All such records in the custody of the Clerk shall be available for public inspection.

(8) Report any missing papers to the Speaker.

(9) Prepare Daily and Interim Calendars necessary to provide public notice of consideration of bills, resolutions, and memorials by the House and its committees and councils.

(10) Prepare the copy for all printed forms used by the House in the process of considering legislation. The Clerk shall have the responsibility for distribution of documents required by these Rules to be originated in the Office of the Clerk.

(11) Examine bills, resolutions, and memorials upon their tender for introduction to determine whether facially they meet the requirements of the Florida Constitution for the presence of the enacting or resolving clause or the provision in local bills, including local claim bills, for advertising or for referendum; however, beyond calling an apparent defect to the attention of the sponsor, the obligation of the Clerk shall end.

(12) Sign and receive necessary papers in the name of the House between a general election and election of the Speaker.

(b) It shall be a ministerial duty of the Clerk to attest to all writs, issued by order of the House, and to the passage of all bills, resolutions, and memorials.

**4.2—Sergeant at Arms**

The Sergeant at Arms shall:

(a) Attend the House during its sittings and maintain order under the direction of the Speaker or Member performing the duties of the presiding officer.

(b) Ensure that no person is admitted to the House Chamber except in accordance with these Rules.

(c) Be under the direct supervision and execute all commands of the Speaker.

(d) Be the custodian of furniture, books, and property of the House and shall annually take an inventory of all property under the Sergeant at Arms' charge.

(e) Perform all other duties pertaining to the Sergeant at Arms' Office as prescribed by law or these Rules.

**4.3—Employees Forbidden to Lobby; Restriction on Employee Campaign Activities**

(a) An employee of the House may not, directly or indirectly, be interested in or concerned with the passage or consideration of any bill without direction from a Member with authority over the designated staff member. If any employee exhibits an improper interest in or concern with any bill, it shall be grounds for dismissal.

(b) An employee of the House may not engage in campaign activities during regular work hours, except when on approved leave, and may neither hold, nor be a candidate for, public office (other than a political party executive committee office) while in the employ of the House.

**RULE FIVE****FORM AND INTRODUCTION OF BILLS****5.1—"Bill" Stands for All Legislation**

Except when the context otherwise indicates, "bill," as used in these Rules, means a bill, joint resolution, concurrent resolution, resolution, memorial, or other measure upon which a committee or council may be required to report.

**5.2—Filing Deadlines**

(a) No local bill originating in the House shall be given first reading unless filed with the Clerk by 12:00 noon of the first day of the regular session.

(b) No general bill, joint resolution, concurrent resolution (except one relating to extension of a session or legislative organization or procedures), or memorial originating in the House shall be given first reading unless filed with the Clerk by 12:00 noon of the fourteenth day of the regular session.

(c) Bills, resolutions, and memorials introduced by committees or councils are exempt from the requirements of this Rule.

**5.3—Limitation on Member Bills Filed**

(a) A Member may not file more than six bills for a regular session. For purposes of this Rule, the Member considered to have filed a bill is the first-named sponsor of the bill or the first-named Member sponsor of a committee or council substitute for the bill, and bills that have been withdrawn from further consideration prior to the filing deadline shall not be considered filed.

(b) Bills not counted toward these limits include:

(1) Local bills, other than local claim bills.

(2) House resolutions.

(3) Concurrent resolutions relating to extension of a session or legislative organization or procedures.

(4) Trust fund bills adhering to another bill.

(5) Public records or public meetings exemption bills adhering to another bill.

(6) Bills introduced by a committee under Rule 7.30.

(7) Bills that only repeal or delete, without substantive replacement, provisions of the Florida Statutes or Laws of Florida.

**5.4—Forms of Measures**

(a) To be acceptable for introduction, all bills shall be produced in accordance with standards approved by the Speaker. The original bill shall be backed with a folder-jacket, and three copies of the original bill shall also be backed with jackets. On these jackets shall be inscribed the name of the sponsor and enough of the title for identification, and on the original folder-jacket shall be inscribed the signature and district number of the first-named sponsor and each other sponsor agreed to by the first-named sponsor. All signatures and respective district numbers must be on a numbered line as provided on the bill jacket. After bill filing, those Members desiring to be cosponsors must fill out a cosponsor form to be agreed to by the first-named sponsor.

(b) No Member may be added or deleted as a sponsor or cosponsor of a bill without the Member's written consent on forms provided by the Clerk.

(c) Bills that propose to amend existing provisions of law shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the Florida Constitution shall contain the full text of the section to be amended. As to those portions of general bills and joint resolutions that propose to amend existing provisions of the Florida Statutes or the Florida Constitution, new words shall be inserted in the text underlined and words to be deleted shall be lined through with hyphens. If the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it is not necessary to use the coded indicators of words added or deleted, but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See s. . . ., F.S., for present text." When such a notation is used, the notation, as well as the substantially reworded text, shall be underlined. The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and do not constitute a part of the bill under consideration. Numerals in the margins of the line-numbered paper do not constitute a part of the bill and are shown on the page only for convenience in identifying lines. Section catchlines of existing text shall not be underlined, nor shall any other portion of a bill covered by this Rule other than new material.

**5.5—Bills and Joint Resolutions**

(a) All bills shall contain a proper title, as defined in Section 6 of Article III of the Florida Constitution, and the enacting clause "Be It Enacted by the Legislature of the State of Florida:".

(b) All joint resolutions shall contain a title and the resolving clause "Be It Resolved by the Legislature of the State of Florida:".

**5.6—Local Bills**

(a) If a committee or council determines that the substance of a local bill may be enacted into law by ordinance of a local governing body, the committee or council shall not report the bill to the Clerk. However, if a local governing body would be required to call a referendum to enact the substance of a local bill into law, the committee or council may report the local bill.

(b) A local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills.

(c) All local bills, including local claim bills, must either, as required by Section 10 of Article III of the Florida Constitution, embody

provisions for a ratifying referendum (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement, securely attached to the original bill ahead of its first page.

### 5.7—Claim Bills

(a) Claim bills may be referred by the Speaker to any committee or council for review. If the Speaker determines that a *de novo* hearing is necessary to determine any issue, including liability, proximate cause, or damages, the Speaker may appoint a Special Master to conduct such hearing pursuant to reasonable notice. The Special Master may administer an oath to all witnesses, accept relevant documentary and tangible evidence offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the Special Master, who shall be available, in person, to explain his or her report to any committee or council of reference.

(b) Stipulations entered by the parties are not binding on the Special Master or the House or its committees or councils.

(c) The hearing and consideration of a claim, any element of which is pending in litigation, shall be held in abeyance until all judicial activity thereon, including any appellate proceedings, shall have come to rest.

### 5.8—Reviser's Bills

(a) Reviser's bills are nonsubstantive bills initiated by the Office of Legislative Services pursuant to section 11.242, Florida Statutes, for any of the following purposes:

- (1) To reduce the number and bulk of the statutes.
- (2) To remove inconsistencies and redundancies in the statutes.
- (3) To improve the clarity and facilitate the correct and proper interpretation of the statutes.

(b) Reviser's bills shall be introduced by the Committee on Rules, Ethics & Elections, which may request prior review by another substantive committee. They shall be filed as soon as possible prior to or during each legislative session. Except by report of the Committee on Rules, Ethics & Elections, reviser's bills may be amended only by making deletions.

### 5.9—Memorials

A memorial expresses the opinion of the Legislature to the Federal Government. All memorials shall contain the resolving clause "Be It Resolved by the Legislature of the State of Florida:".

### 5.10—House Resolutions and Concurrent Resolutions

(a) All House resolutions and all concurrent resolutions originating in the House shall contain a title and a resolving clause. In the case of House resolutions, the resolving clause shall be "Be It Resolved by the House of Representatives of the State of Florida:". In the case of concurrent resolutions originating in the House, the resolving clause shall be "Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:". Concurrent resolutions originating in the House shall present only questions pertaining to extension of a session, enactment of joint rules, ratification of federal constitutional amendments, communications with the judiciary, or other procedural legislative matters.

(b) Copies of House resolutions directed in the resolution to be furnished to any person after adoption shall be prepared only by the Clerk. The Secretary of State shall be requested to prepare certified copies of concurrent resolutions after their adoption.

### 5.11—Prefiled Bills

During the period between the Organization Session and the convening of the first regular session of the legislative biennium and during the period between the first and second regular sessions of the legislative biennium, Members may file with the Clerk for introduction bills that have been prepared or reviewed by the House Bill Drafting Service.

### 5.12—Requirements for Introduction

(a) All bills (other than a General Appropriations Bill, concurrent resolutions relating to organization of the Legislature, resolutions relating to organization of the House, reviser's bills, reapportionment bills or resolutions, and recall of acts from the Governor) shall either be prepared or, in the case of local bills, reviewed by the House Bill Drafting Service. After completion and delivery by the House Bill Drafting Service, no change may be made in the text or title of the bill without returning the bill to the House Bill Drafting Service prior to filing with the Clerk.

(b) The Director of the House Bill Drafting Service shall notify any Member proposing a bill if an identical or similar bill has been filed and, if so, the name of the sponsor of such bill.

### 5.13—Printing

Upon introduction, all bills (including committee bills and committee or council substitutes) shall be printed for the information of the House and the public, except that reviser's bills and House resolutions shall be printed only upon the order of the Committee on Rules, Ethics & Elections. The Clerk shall have sufficient copies printed for the needs of the House and the public and shall furnish the copy for all such printing. Except as provided in Section 19(d) of Article III of the Florida Constitution, the absence of a printed copy shall not delay the progress of any bill at any stage of its consideration.

### 5.14—Identification

All bills shall be introduced in the order they are received by the Clerk and shall be serially numbered, in an odd-number sequence, as filed; however, House resolutions shall be serially numbered separately, in an odd-number sequence. The Clerk shall validate the original copy of each bill, and each page thereof, to ensure its identification as the item introduced in order to prevent unauthorized or improper substitutions therefor. Any device used for such validation shall be used by and at all times shall be in the secure custody of the Clerk, and its use by any person not authorized by this Rule shall be prohibited.

### 5.15—Companion Measures

A companion Senate bill must be substantially similar in wording, and identical as to specific intent and purpose, to the House bill for which it is being substituted. Whenever a House bill is reached on the floor for consideration, either on second or third reading, and there is also pending on the Calendar of the House a companion bill already passed by the Senate, it shall be in order to move that the Senate companion bill be substituted and considered in lieu of the House bill. Such motion may be adopted by a majority vote, provided the Senate bill is on the same reading, otherwise the motion shall be to waive the Rules by two-thirds vote of the Members present and voting and substitute such Senate bill. At the moment the House substitutes the Senate companion bill or takes up a Senate bill in lieu of a House bill, the House bill so replaced shall be automatically tabled. Recommitment of a House bill shall automatically carry with it any Senate companion bill then on the Calendar of the House.

## RULE SIX

### REFERENCE

#### 6.1—Speaker to Refer Legislation

The authority to make bill referrals rests with the Speaker, except as otherwise provided in these Rules.

#### 6.2—Reference: Generally

(a) Bills, upon first reading, whether House or Senate, shall be referred by the Speaker either to committee or to the Calendar of the House. The order of reference shall be first to substantive committees and then to appropriate fiscal committees. If a bill is referred to more than one fiscal committee, the Speaker shall specify which shall first consider the bill.

(b) A bill or committee substitute therefor, upon receiving a favorable report from each committee of reference, shall automatically be referred to the council of the committee of first reference for the original bill, unless otherwise determined by the Speaker at the time of the original reference. For the purpose of this Rule, the first committee of reference for a committee bill is the committee introducing the bill.

(c) References of bills and the nature of any documents referred shall be recorded in the *Journal*.

#### 6.3—Reference: Exception; Additional or New References

(a) All bills, whether House or Senate, may be referred by the Speaker to the appropriate committees. A Senate bill with a House companion may be paired with the companion House bill at whatever its stage of consideration, provided both bills are on the same reading.

(b) If a bill is reported with an amendment that contains, or is reported as a committee or council substitute that contains, an issue that was not in the original bill and that issue is within the jurisdiction of another committee, the Speaker may refer the bill or committee or council substitute to the other committee having jurisdiction over the additional subject and, if given an additional reference, such bill or committee or council substitute shall be considered by such committee prior to its consideration by any fiscal committee or council.

(c) Although a committee substitute for a single bill retains all other references of the original bill, a committee substitute for two or more bills shall have all other references of the original bills rescinded, and the Speaker shall make any subsequent references of the committee substitute, if needed.

(d) A council may, during any legislative session or during the interim, refer bills in its possession to a standing committee within its jurisdiction with a request for further consideration, including, but not limited to, combining two or more bills into a committee substitute.

#### 6.4—Reference of Resolutions, Concurrent Resolutions: Exception

All resolutions shall be referred by the Speaker to the Committee on Rules, Ethics & Elections, except that resolutions on House organization and concurrent resolutions pertaining to extension of the session may be taken up upon motion and adopted at the time of introduction without reference. Concurrent resolutions of a substantive nature, as authorized under Rule 5.10, shall first be referred to an appropriate substantive committee.

#### 6.5—Reference of Appropriations or Tax Measures; General Appropriations and Implementing Bills

(a) All bills carrying or affecting appropriations or mandating the expenditure of funds by county or city government, all claim bills, and all bills affecting tax matters, whether state or local, may be referred to the appropriate fiscal committee, in addition to substantive committee referrals. If the original bill did not affect an appropriation or a tax

matter, and an amendment is adopted that calls for or affects an appropriation or a tax matter, then the bill with the amendment may, upon the recommendation of the Chair of the Fiscal Responsibility Council and at the Speaker's discretion, be referred to the appropriate fiscal committee. The bill, if then reported favorably without further amendment, shall be returned to the same reading as when referred. If further amendments are recommended by committee, the bill shall be returned to second reading.

(b) The Fiscal Responsibility Council shall consider the General Appropriations Bills and implementing bills proposed by the appropriations committees within its jurisdiction and, after consideration and amendment, may combine such proposed committee bills into a single General Appropriations Bill and a single implementing bill, which shall be reported to the Clerk.

#### 6.6—Reference of Prefiled Bills

Prefiled bills shall be numbered by the Clerk and presented to the Speaker for reference as otherwise provided under these Rules. After the Speaker has referred a prefiled bill to a committee or council, the Clerk shall notify each committee or council receiving the reference.

#### 6.7—Reference of Veto Messages

The Speaker shall refer veto messages to the appropriate committee or council for recommendations.

## RULE SEVEN

### COMMITTEES AND COUNCILS—ORGANIZATION, MEETINGS, AND OVERSIGHT

#### Part One—Organization

#### 7.1—Standing Committee and Council Appointments

(a) The Speaker shall appoint the Chair, the Vice Chair, and any Co-Chairs deemed necessary for each standing House committee and shall also appoint the remaining membership of each such committee. The Speaker shall also appoint the Chair and Vice Chair of each council and may appoint other council members as needed. The Speaker shall give notice of each such appointment in writing to the Clerk for publication in an Interim Calendar and the Session *Journal*.

(b) If the need arises, the Speaker may appoint a temporary Chair for any standing committee or council.

(c) All standing committee or council Chairs, Vice Chairs, and members serve at the pleasure of the Speaker.

(d) All standing committee and council appointments shall be made by the Speaker prior to the convening of each regular session and shall expire on August 1 of odd-numbered years or, if the Legislature is convened in special or extended session on that date, upon adjournment *sine die* of such session.

#### 7.2—Appointment of Select and Conference Committees

(a) The Speaker may at any time create a select committee and shall appoint the membership and name the Chair and Vice Chair thereof. A select committee has the jurisdiction, authority, and duties and exists for the period of time specified by the Speaker. A select committee has the powers granted by these Rules to a standing committee except as limited by the Speaker. The Speaker shall give notice of the creation of a select committee in writing to the Clerk for publication in an Interim Calendar and the Session *Journal*.

(b) The Speaker shall appoint the House managers of all conference committees. The Speaker shall determine the number as need appears and shall appoint no less than a majority who generally supported the House position as determined by the Speaker. In addition, the Speaker shall name the House Chair of each conference committee and may also name the House Vice Chair thereof.

**7.3—Vacancies on Standing Committees and Councils**

If a vacancy occurs on a standing committee or council after its organization, the Speaker shall appoint an eligible Member to fill the vacancy. The Speaker shall give notice of the appointment in writing to the Clerk for publication in an Interim Calendar and the Session *Journal*.

**7.4—Ex Officio Members**

The Speaker may designate the Speaker pro tempore or the Majority Leader as an *ex officio*, voting member of any standing committee or council. Alternatively, the Speaker may designate the council Chair as an *ex officio*, voting member of any committee within that council. No standing committee or council may have more than one *ex officio* member voting at any one time. For the purpose of a quorum, an *ex officio* member shall not be included in the membership of a committee or council. The Speaker shall give notice of the designation of any such *ex officio* member in writing to the Member so designated and to the committee or council Chair.

**Part Two—Meetings; Powers, Duties, and Procedure****7.5—Powers of the Chair**

(a) The committee or council Chair shall sign all notices, vouchers, subpoenas as provided under Rule 16.1, or reports required or permitted by these Rules. Except as otherwise provided in these Rules, the Chair has all authority necessary to ensure an efficient operation of the committee or council, including, but not limited to, presiding over the committee or council, establishing the agenda for the committee or council, deciding all questions of order in committee or council, and determining the order in which matters are considered in committee or council.

(b) Questions of order are subject to an appeal by any committee or council member, and the appeal shall be certified by the Chair to the House for a decision by the Speaker during the daily session of the House next following such certification. The ruling shall be entered in the *Journal* and shall be subject to appeal as any other question. The Chair may, or on majority vote of the committee or council shall, certify a question of parliamentary procedure to the Speaker as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the Speaker as if it had been on appeal. The certification of an appeal or of a question of parliamentary procedure pursuant to this Rule does not constitute an automatic stay to further legislative action on the measure under consideration.

(c) The responsibility for the safekeeping of original filed bills committed to a committee or council shall vest in the committee or council Chair. The committee or council Chair may authorize a staff member to sign for receipt of bills referred to the committee or council.

**7.6—Absence of the Chair**

For the purpose of convening or presiding over a meeting in the absence of the Chair, the Vice Chair shall assume all duties of the Chair until the Chair's return or replacement, unless a temporary Chair has been appointed by the Speaker to assume those duties instead.

**7.7—Meetings of Committees and Councils**

Committees and councils shall meet at the call of the Chair, within the dates and times reserved by the Speaker.

**7.8—Notice of Room Assignment to the Public**

Each committee or council shall regularly meet in the room assigned for its use by the Sergeant at Arms, and notice of such assignment shall be posted.

**7.9—Time for Meetings**

A committee or council Chair may arrange with the Sergeant at Arms for an evening or other special meeting; however, no committee or council meeting shall begin before 8:00 a.m. or last beyond 8:00 p.m. unless granted special leave by the Speaker to do so.

**7.10—Committees and Councils Meeting During House Session**

No committee or council shall meet while the House is in session without the consent of the House, except the Procedural & Redistricting Council and the Committee on Rules, Ethics & Elections, when meeting to consider matters other than legislation, and conference committees.

**7.11—Consideration of Bills, Including Proposed Committee Bills and Proposed Committee or Council Substitutes**

(a) The Chair of any committee or council shall give prior notice in writing of the intention to take up any bill or proposed bill or substitute.

(b) Proposed committee bills (PCBs) shall be treated as other bills in meeting the requirements for notice under Rules 7.12-7.14. The committee administrative assistant shall provide a copy of any PCB to each committee member no later than the time of posting of notice and make copies of PCBs available, upon request, to other Members of the Legislature and to the general public. Delivery to committee members shall be by mail or other, appropriate, electronic means during the interim and shall be to House offices when the House is in session. A PCB taken up without the committee conforming to this Rule shall be regarded as being considered in workshop session only, with final action carried over to a future meeting of the committee at which the requirements of this Rule have been met.

(c) Proposed committee or council substitutes (PCSs) shall meet the notice requirements that apply to PCBs.

(d) Before a standing committee may consider a proposed committee bill, the Speaker must approve the consideration by the committee of the proposed bill. A proposed committee bill that does not receive Speaker approval of its consideration may not be noticed for consideration. However, this subsection does not apply to proposed committee bills that re-create trust funds, reviser's bills, resolutions that pertain to rules, procedures, or sessions, or other bills of an entirely technical nature as determined by the Procedural & Redistricting Council.

**7.12—Meetings of Committees and Councils: Time Required for Advance Notice**

(a) During the first 45 calendar days of a regular session, prior notice shall be given 2 days (excluding Saturday and Sunday) in advance of a committee or council meeting for the purpose of considering legislation. If the notice is given by 4:30 p.m. to the Sergeant at Arms and the Clerk, a bill or proposed bill or substitute may be heard at any time on the second succeeding day. After the 45th calendar day and during any extended or special session, the notice shall be given at least 1 day in advance of the committee or council meeting.

(b) If a committee or council is approved and scheduled for a meeting by the Speaker, but does not plan to meet, a notice stating that no meeting is to be held shall be filed with the Clerk and posted on the committee or council door.

(c) Except when sitting to consider the substance of legislation, the Committee on Rules, Ethics & Elections and the Procedural & Redistricting Council shall be exempt from the requirements of this Rule.

**7.13—Nature and Distribution of Notice**

(a) A notice shall include a listing and sufficient title for identification of any and all bills or proposed bills to be considered by the committee or council holding the meeting, including, time permitting, those pending on reconsideration. However, failure to include a bill pending on reconsideration in the notice does not preclude the motion to reconsider from being made as provided under Rule 7.17(b).

(b) A notice shall state the date, time, and place of a meeting and be provided to the Clerk, the Sergeant at Arms, the sponsor, and the members of the committee or council. The notice shall also be provided to any Member who has given the Chair, on a form provided by the committee or council and signed by the Chair, timely written notice of the Member's desire to be notified on a specific bill. The Sergeant at Arms, in receiving such notices, shall show on a receipt the day and hour received.

(c) Whenever timely, the Clerk shall enter such notices in the Calendar of the House.

#### **7.14—Notices of Meetings Between Sessions**

During the period when the Legislature is not in session, before any committee or council holds a meeting for the purpose of considering a prefiled bill, a proposed committee bill (PCB), or a proposed committee or council substitute (PCS), a notice of such meeting shall be filed with the Clerk and the Sergeant at Arms no later than 7 calendar days before the Friday preceding the week of the meeting. If a committee or council is approved and scheduled for a meeting by the Speaker, but does not plan to meet, a notice stating that no meeting is to be held shall be filed. The committee or council administrative assistant shall send copies of the notice to the members of the committee or council, to the first-named sponsor of the bill, and to such sponsors and others who have requested notice. This notice shall state the date, time, and place of the meeting, the bill number, and a portion of the title sufficient for identification. Whenever timely, the Clerk shall enter such notices in an Interim Calendar. When two meetings have been scheduled by a committee or council during a 30-day period when the Legislature is not in session, the Chair may provide in the notice for the first meeting that bills placed on the agenda for the first meeting and not reported out shall be available for consideration at the second meeting without further notice.

#### **7.15—Notices Furnished to Majority and Minority Offices**

In addition to any other provisions of these Rules, notices required to be filed with the Clerk shall be furnished to the Majority Office and the Minority Office.

#### **7.16—Continuation of Meetings on Same Day**

A committee or council may continue the consideration of properly noticed legislation after the expiration of the time set for the meeting if a majority agree to continue or to temporarily recess to continue the meeting at a time and place certain on the same day, provided there is no conflict with another scheduled committee or council meeting.

#### **7.17—Reconsideration in Committee or Council**

The Rules of the House shall govern proceedings in committee or council insofar as they are applicable, except that a motion for reconsideration shall be treated in the following manner:

(a) When a main question has been decided by a committee or council, any Member voting with the prevailing side, or any Member when the vote was a tie or by voice, may move for reconsideration *instanter* or leave the motion pending. By a two-thirds vote of the Members present and voting, the committee or council may take up for immediate disposition any such motion to reconsider left pending. The motion to reconsider may be made at any time during the same meeting prior to the adoption of a motion to rise or to the committee's or council's rising without motion upon the time of adjournment having arrived.

(b) A motion to reconsider that has been made and left pending shall be a special and continuing order of business for the next succeeding committee or council meeting, which, unless considered at that meeting on the request of any member of the committee or council, shall be deemed abandoned, and the committee or council administrative assistant shall forthwith report the bill to the Clerk.

(c) A motion to reconsider a collateral matter must be disposed of during the course of consideration of the main subject to which it is related.

(d) If the committee or council refuses to reconsider or, upon reconsideration, confirms its prior decision, no further motion to reconsider shall be in order except upon unanimous consent of the committee or council members present.

(e) After the 45th day of a regular session or at any time during an extended or special session, the motion to reconsider must be disposed of when made.

(f) If a motion to reconsider is not made at the meeting at which a bill has been considered and decided, the committee or council administrative assistant shall forthwith report the bill to the Clerk.

#### **7.18—Open Meetings; Decorum**

(a) All meetings of all committees and councils shall be open to the public at all times, subject always to the authority of the Chair to maintain order and decorum. However, when necessary for the protection of a witness and with the concurrence of the Speaker, a Chair may close a committee or council meeting, or portion thereof, and the record of such meeting may not disclose the identity of the witness appearing before the committee or council.

(b) The authority of the Chair to maintain order and decorum includes the authority to require all persons attending a committee or council meeting to silence all telephones, audible beepers, and other audible electronic equipment.

#### **7.19—Unfavorable Reports**

A bill reported unfavorably to the Clerk shall be laid on the table. A bill so reported may be taken from the table upon the motion of any Member on the floor, adopted by a two-thirds vote of the Members present and voting, after debate not to exceed 6 minutes evenly divided between proponents and opponents of the motion.

#### **7.20—Voting in Committee or Council**

A majority of the members of a committee or council present, a quorum having been established, shall agree by their recorded votes upon the disposition of any bill or other main question considered by the committee or council. (Florida Constitution, Article III, Section 4(c): "In any legislative committee or subcommittee, the vote of each member voting on the final passage of any legislation pending before the committee, and upon the request of any two members of the committee or subcommittee, the vote of each member on any other question, shall be recorded.")

#### **7.21—Proxy Voting Prohibited; Votes Recorded After Roll Call**

A member of a committee or council may not, under any circumstance, vote by proxy. Absent members may have recorded an indication of how they would have voted if present, but this shall not be counted on a roll call.

#### **7.22—Quorum Required; Reports by Poll Prohibited**

A committee or council may not file a report unless the committee or council has met at an authorized time and place, with a quorum present. A majority of the membership of the committee or council shall constitute a quorum. If any matter is reported on the basis of a poll, such matter shall be recommitted by the Speaker or Chair to the committee or council upon a point of order.

#### **7.23—Nature and Contents of Committee and Council Reports**

(a) It shall be the duty of committees and councils to report bills either favorably, favorably with (number of) committee or council amendment(s), favorably with committee or council substitute, or unfavorably, but never "without recommendation." A motion to lay a bill "on the table" shall be construed as a motion to report the pending bill unfavorably.

(b) Each report of a committee or council must contain the action of the committee or council on the bill being transmitted, together with a Committee or Council Information Record stating:

- (1) The time and place of the meeting at which the action was taken;
  - (2) The name and address of each person addressing the committee or council relative to the measure and, if any agent, the interest represented; and
  - (3) The vote of each member of the committee or council on the motion to report each bill.
- (c) Each report by a committee or council shall set forth the identifying number of the bill, and, if amendments are proposed by the committee or council, the words "with (number of) amendment(s)" shall follow the identifying number. For the purpose of documentation, committees and councils shall retain copies of their reports and amendments adopted, rejected, or withdrawn, with the committee or council action noted thereon.

(d) After the committee or council report has been filed with the Clerk as provided in these Rules, the Clerk shall preserve the Committee or Council Information Record for the convenient inspection by the public during the legislative session.

(e) Committees and councils shall, after consideration of prefiled bills, report their actions promptly, in the manner prescribed by these Rules. Once received by the Clerk, a committee or council report on a prefiled bill shall not be subject to recall by the committee or council.

#### 7.24—Minority Reports

Minority reports on any matter may be admitted only by majority vote of the House.

#### 7.25—Fiscal Analysis

All general bills affecting revenues, expenditures, or fiscal liability shall be accompanied by a fiscal analysis upon being reported favorably by a fiscal standing committee. Fiscal analyses shall state in dollars the estimated increase or decrease in revenues or expenditures and the present and future fiscal implication of the bill. A fiscal analysis shall be regarded as a memorandum of factual information and may be included within the body of the bill analysis that accompanies the bill, which statement shall be made available to Members. The fiscal analysis portion of the bill analysis shall not express comment or opinion relative to the merits of the legislation proposed, but should point out technical or mechanical defects. If any bill of this nature is reported favorably by any fiscal standing committee without a fiscal analysis having been prepared or a statement that the bill has no effect on revenues, expenditures, or fiscal liability, it shall be the right of any Member to raise a point of order on second reading and the Speaker may, in the Speaker's discretion, order return of the bill to the appropriate fiscal committee. The accuracy of a fiscal analysis shall not be a basis for a point of order under these Rules. A fiscal analysis prepared for a House bill may be presumed as prepared also for its Senate companion.

#### 7.26—Where Reports Are Delivered

Committee or council reports, whether favorable or unfavorable, shall be delivered to the Clerk at a designated place in the office of the Clerk no later than 12:00 noon of a legislative day. Reports delivered after 12:00 noon shall be considered delivered on the next legislative day. The original bill or bills shall accompany the report.

#### 7.27—Journal Entry

As bills are reported, the identifying number of a bill, together with the action of the committee or council, whether favorable, unfavorable, favorable with (number of) amendment(s), or favorable with substitute, shall be entered in the *Journal*.

#### 7.28—Committee and Council Amendments

(a) Amendments recommended by committees or councils must be produced on the legislative computer on the prescribed forms in accordance with the requirements of the Clerk and securely affixed to the bill.

(b) Committees and councils may only consider amendments presented in final written form prior to adoption.

(c) Every Member may offer amendments to bills being considered by any committee or council of the House. If not appointed to the committee or council, a Member who offers an amendment must comply with the amendment filing deadline and must be present at the meeting. If such Member is not present, the amendment may still be considered, but only if taken up and offered by a Member who is appointed to the committee or council.

(d) During the first 45 calendar days of a regular session, the filing deadline for amendments to be offered in a committee or council by nonappointed Members shall be 5:00 p.m., 1 day (excluding Saturday and Sunday) in advance of the committee or council meeting. After the 45th day and during any extended or special session, such amendments shall be filed 2 hours before the committee or council meeting. Amendments introduced by committee or council members, including *ex officio* members, shall not be subject to these filing deadlines and may be offered at any time during consideration of a bill.

(e) Amendments adopted by all committees and councils of reference (except those incorporated in a committee or council substitute) shall accompany a bill when filed with the Clerk. No committee or council shall physically remove from the jacket an amendment adopted by a prior committee or council, and no amendment of a committee or council may be subject to a negative roll call of another committee or council. Instead, there may be adopted nullifying or amendatory language by a subsequent committee or council of reference by way of an amendment to the amendment or a substitute amendment.

#### 7.29—Committee or Council Substitutes

(a) A committee or council, in reporting a bill, may draft a new, substitute bill embracing the same general subject matter, to be returned to the Clerk in the same manner as the favorable reporting of any other bill. A committee or council may also combine two or more bills into such a substitute bill. The substitute bill, signed by the Chair, shall carry the identifying number of each original bill and shall be returned to the Clerk in the same form as required for introduction of a bill. Upon the filing of such report, the original bill or bills shall be laid on the table of the House. Any other committee or council of reference shall direct its attention to the substitute bill.

(b) The sponsor of a committee substitute is the committee, and the sponsor of a council substitute is the council. Each sponsor of the original bill or bills shall be shown by the committee or council administrative assistant as a cosponsor of the substitute unless such sponsor notifies the committee or council administrative assistant in writing that he or she wishes to withdraw as a cosponsor. If every sponsor of the original bill or bills requests to withdraw as a cosponsor, the committee or council substitute shall not be delivered to or accepted by the Clerk for introduction, unless another Member consents to designation as a cosponsor, and the original bill or bills shall be reported "unfavorably" in accordance with Rule 7.23.

#### 7.30—Committee Bills; Designation of Cosponsors

A bill introduced by a committee shall be accompanied by a Committee Information Record. A committee, in introducing a committee bill, shall designate a member of the committee as cosponsor, with the approval of such member, and may designate other members of the committee as cosponsors, with their approval. The bill shall be shown by the Clerk as having been introduced by the committee and the Member or Members so designated. If no Member consents to designation as a cosponsor, the bill may not be delivered to or accepted by the Clerk for introduction.

**Part Three—Conference Committees****7.31—Conference Committee Meetings; Procedures**

(a) Meetings of conference committees shall be open to the public at all times, subject always to the authority of the Chair to maintain order and decorum.

(b) All actions taken in conference committees shall be by motion.

(c) The Chair of any conference committee shall give prior notice of intention to meet. The notice shall state the date, time, and place of meeting and be posted on the door of the committee or council managing the conference for the House at least 2 hours prior to the time of the meeting.

**7.32—Composition of Conference Committee**

A conference committee shall consist of managers from each house. The conference committee shall select one of its members to preside. A conference committee report shall require the affirmative votes of a majority of the managers from each house. The report shall be accompanied by the original bill.

**7.33—Presentation of Conference Committee Report**

(a) The receiving of conference committee reports shall always be in order, except when the House is voting on any proposition. When a conference committee report is presented to the House, the sequence shall be:

(1) The vote first shall be on whether the report shall be considered at that moment.

(2) The next vote shall be on acceptance or rejection of the report as an entirety. The report must be acted upon as a whole, being agreed to or disagreed to as an entirety.

(3) The final vote shall be a roll call on the passage of the bill as amended by the report.

(b) If either paragraph (a)(2) or paragraph (a)(3) fails, the report shall be automatically recommitted to the conference committee. If a motion to reconsider is made, the vote first would be on paragraph (a)(2) and then on paragraph (a)(3).

**7.34—Form of Conference Committee Report**

(a) When a conference committee has redrafted a bill, the committee shall report an amendment striking everything after the enacting clause, together with an appropriate title amendment if needed.

(b) Each conference committee report must be accompanied by a statement, written or oral, sufficiently explicit to inform the House of the changes in the bill sent to conference.

**7.35—Time Restraints on Conference Committees**

(a) During the first 54 calendar days of a regular session, it shall be a motion of highest privilege either to discharge the House managers and appoint new House managers or to instruct the House managers after House and Senate managers have been appointed for 7 calendar days and have failed to report.

(b) During the last 6 calendar days of a regular session, it shall be a motion of highest privilege either to discharge the House managers and appoint new House managers or to instruct the House managers after House and Senate managers have been appointed for 36 hours and have failed to report.

**7.36—When Managers Are Unable to Agree**

When a conference committee is appointed in reference to any bill and the House managers report inability to agree, no action of the House taken prior to such appointment shall preclude further action by the House as the House may determine.

**Part Four—Oversight Responsibilities and Powers****7.37—Oversight Role**

(a) Standing and select committees and councils shall have oversight responsibilities in order to assist the House in:

(1) Its analysis, appraisal, and evaluation of:

a. The application, administration, execution, and effectiveness of the laws enacted by the Legislature; or

b. Conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) Its formulation, consideration, and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

(b) Substantive standing committees shall review the budgets and performance of state agencies within their jurisdictions.

**7.38—Oversight Powers**

(a) Each standing or select committee or council is authorized to invite public officials and employees and private individuals to appear before the committee or council for the purpose of submitting information to it.

(b) Each standing or select committee or council is authorized to maintain a continuous review of the work of the state agencies concerned with its subject area and the performance of the functions of government within each such subject area, and for this purpose to request reports from time to time, in such form as such committee or council shall designate, concerning the operation of any state agency and presenting any proposal or recommendation such agency may have with regard to existing laws or proposed legislation in its subject area.

(c) In order to carry out its duties, each standing or select committee or council is empowered with the right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any state agency.

**7.39—Conduct of Meetings of Investigative Committees and Councils**

Each standing or select committee or council shall comply with the following procedures with respect to compelling attendance of witnesses, production of documents or evidence, and the conduct of meetings before such committee or council:

(a) If any standing or select committee or council fails in any material respect to comply with the requirements of this Rule, any person subject to subpoena or subpoena *duces tecum* who is injured by such failure shall be relieved of any requirement to attend the meeting for which the subpoena was issued or, if present, to testify or produce evidence therein, and such failure shall be a complete defense in any proceeding against such person for contempt or other punishment.

(b) In addition, the following rules of procedure will be followed at all meetings of standing or select committees or councils:

(1) A standing or select committee or council may exercise its powers during sessions of the Legislature and in the interim.

(2) A standing or select committee or council that conducts meetings for the purpose of taking sworn testimony from witnesses shall consist of not fewer than five members.

(3) A quorum of a standing or select committee or council that conducts meetings for the purpose of taking sworn testimony from witnesses shall consist of a majority of the total authorized membership.

(4) No action shall be taken by a standing or select committee or council at any meeting unless a quorum is present. Such committee or council may act by a majority vote of the members present at a meeting

at which there is a quorum, unless the Rules or any law requires a greater number or proportion.

(5) Any standing or select committee or council, when conducting a meeting for the purpose of taking sworn testimony, shall give each member of the committee or council not less than 3 calendar days' written notice of any meeting to be held when the Legislature is in session and at least 7 calendar days' written notice of any meeting to be held when the Legislature is not in session. Such notices shall include a statement of the subject matter of the meeting.

(6) The presiding member at a meeting may direct a witness to answer any relevant question or furnish any relevant book, paper, or other document, the production of which has been required by subpoena *duces tecum*. Unless the direction is overruled by a majority vote, disobedience shall constitute contempt as defined in these Rules.

(7) Before or during a meeting, a witness or the witness's counsel may file with the standing or select committee or council, for incorporation into the record of the meeting, sworn written statements relevant to the purpose, subject matter, and scope of the committee's or council's investigation or inquiry. Any such witness, however, shall, prior to filing such statement, consent to answer questions from such committee or council regarding the contents of the statement.

(8) When the Chair of any standing or select committee or council determines that such procedure would expedite the inquiry or save expenses, the Chair, with the concurrence of the Speaker, may authorize the conduct of proceedings by depositions, interrogatories, or compulsory production of documents as provided in this Rule. These proceedings shall be in the nature of statements under oath taken by a state attorney. Counsel for a person under investigation may be allowed to attend such depositions at the discretion of the Chair. Participation by such counsel at the depositions may also be allowed at the discretion of the Chair. Any requests for attendance or participation should be addressed to the Chair. If the requests are denied, a person may appeal the Chair's ruling to the Speaker, but there shall be no stay of proceedings pending such appeal.

(c) When counsel for a person subject to deposition is allowed to participate in the proceedings under the guidelines of the standing or select committee or council, testimony or other evidence taken may be introduced before the standing or select committee or council regardless of whether the person or the person's counsel takes advantage of the opportunity.

(1) The Chair, with the concurrence of the Speaker, may authorize a lawyer for the standing or select committee or council to take depositions of witnesses before a court reporter or notary public of this state. The deposition notice and any subpoena used therewith may identify persons either by name or by job description, and such persons may be required to attend and give testimony pursuant to the guidelines of the standing or select committee or council.

(2) The Chair, with the concurrence of the Speaker, may authorize the issuance of interrogatories to be answered under oath, and these shall require the person to whom they are directed to appear before a notary public or court reporter and answer the questions under oath. These may be served by mail or by personal service and shall be answered under oath no later than 7 days from the date of mailing or 3 days from the date of personal service. Any interrogatory may require that a person to whom it is directed (identified by name or job description) return the interrogatory in the mail or have it available for delivery to the lawyer for the standing or select committee or council on a date certain.

(3) If any substantive or procedural question arises during any proceedings authorized by these Rules, the question shall be referred to the Chair of the standing or select committee or council or to any committee or council member designated by the Chair to pass on such questions. Communication shall be made with the Chair or any designated committee or council member by the most rapid available means, including telephone, and the resolution of such questions, including without limitation questions on the scope of the discovery,

may be communicated by telephone. If any person is dissatisfied with such a decision, appeal may be made to the Speaker, but there shall be no stay of proceedings pending such appeal.

## RULE EIGHT

### CHAMBER PROTOCOL

#### Part One—Privilege of the Floor

##### 8.1—Privilege of the Floor

(a) Other than present Members of the House and of the Senate, the persons hereinafter named, and none other, shall be admitted during regular daily sessions to the Chamber of the House: the Governor, the Lieutenant Governor, Cabinet Members, Justices of the Supreme Court, Members of Congress, contestants in election cases during the pendency of their cases in the House, such persons as have, by name, received the thanks of the Legislature, former Governors, former Members of the Cabinet, former Members of the House and Senate who are not interested in any claim or directly in any bill pending before the Legislature, and such employees of the House as may be needed on public business, including such committee or council staff as shall be designated by committee or council Chairs and approved by the Speaker. Visiting dignitaries or official guests may be granted the privilege of the floor upon motion adopted by a majority of the House. Persons granted the privilege of the floor may not lobby the Members while the House is in session, unless by motion granted leave to address the House.

(b) When the House is in session, all persons in the House Chamber shall be dressed in proper business attire.

#### Part Two—Speaking

##### 8.2—Addressing the House; Requirements to Spread Remarks Upon the *Journal*

(a) When a Member desires to speak or deliver any matter to the House, the Member shall rise and respectfully address the Speaker as "Mr. (or Madam) Speaker" and shall confine all remarks to the question under debate, avoiding personalities. Once recognized, a Member may speak from the Member's desk or may, with the Speaker's permission, speak from the well.

(b) Any motion to spread remarks upon the *Journal*, except those of the Governor or the Speaker, shall be referred to the Committee on Rules, Ethics & Elections for recommendation before being put to the House.

##### 8.3—When Two Members Rise at Once

When two or more Members rise at once, the Speaker shall name the one who is to speak first. This decision shall be final and not open to debate or appeal.

##### 8.4—Recognition of Members

There shall be no appeal from the Speaker's recognition, but the Speaker shall be governed by the Rules and usage in priority of entertaining motions from the floor. When a Member seeks recognition, the Speaker may ask, "For what purpose does the Member rise?" or "For what purpose does the Member seek recognition?"

##### 8.5—Recognition of Gallery Visitors and Physician of the Day

On written request by a Member, on a form prescribed by the Committee on Rules, Ethics & Elections, the Speaker may recognize or permit the Member to recognize any person or persons in the gallery. After granting a request for recognition, the Speaker shall afford that recognition at a convenient place in the order of business, considering the need for order and decorum and the need for continuity of debate. At an appropriate time during proceedings on the floor, the Speaker may recognize a Physician of the Day.

**Part Three—Debate****8.6—Decorum**

The Members shall attend to the debates unless necessarily prevented, and no Member shall stand between the Speaker and a Member recognized to speak.

**8.7—Speaking and Debate**

(a) A Member may not speak more than once or occupy more than 15 minutes in debate on any question. A Member who has the floor may not be interrupted by another Member for any purpose, save the privilege of the House, unless he or she consents to yield to the other Member. A Member desiring to interrupt another in debate should first address the Speaker for the permission of the Member speaking. The Speaker shall then ask the Member who has the floor if he or she wishes to yield, and then announce the decision of that Member. Whether to yield shall be entirely within the speaking Member's discretion. However, this subsection shall not deprive the sponsor or mover of the right to close when the effect of an amendment or motion would be to kill the bill, amendment, or motion.

(b) Debate may not be disguised in the form of a question.

**8.8—Right to Open and Close Debate**

The mover of any proposition, or the Member reporting any measure from a committee or council, or, in the absence of either of them, any other Member designated by such absentee, shall have the right to open and close the debate, and for this purpose may speak each time not more than 10 minutes, unless otherwise limited by majority vote of the House, notwithstanding the limitation in Rule 8.7(a).

**Part Four—Materials and Meals in Chamber****8.9—Distribution of Materials in Chamber; Newspapers; Meals in Chamber**

(a) The following constitutes policy regarding material distributed to the general membership through the Sergeant at Arms' Office and pages:

(1) All material prior to such distribution must be approved by the Committee on Rules, Ethics & Elections, acting through its Chair.

(2) The following official materials have heretofore been approved and will continue to be approved: House and Senate bills, resolutions, memorials, and amendments thereto, and official calendars and journals; committee and council meeting notices; communications from the Speaker and Clerk and official communications from the Senate; and official staff reports of standing or select committees or councils or of the majority or minority parties.

(b) No newspapers may be distributed or otherwise permitted in the House Chamber while the House is in session without waiver of policy by two-thirds vote of the Members present and voting. This subsection does not apply to personal use by an individual Member of a newspaper as resource or reference material for purposes of debate or to the transmittal of material from one Member to another on the floor of the House.

(c) No meals will be allowed on the floor without waiver of policy by two-thirds vote of the Members present and voting. This shall not be construed to prevent the serving of drinks such as juices, coffee, tea, soft drinks, milk, and the like.

**Part Five—Miscellaneous Papers****8.10—Miscellaneous Papers**

Papers of a miscellaneous nature addressed to the House may, at the discretion of the Speaker, be read, noted in the *Journal*, or filed with the

appropriate committee or council. When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and such reading is objected to by any Member, it shall be determined without debate by the House by majority vote.

**RULE NINE****VOTING****9.1—Members Shall Vote**

Every Member shall be within the House Chamber during its sittings, unless excused or necessarily prevented, and shall vote on each question put.

**9.2—Taking the Yeas and Nays**

The Speaker shall declare all votes, but if any Member rises to doubt a vote, upon a showing of hands by five Members, the Speaker shall take the sense of the House by oral roll call or electronic roll call. When taking the yeas and nays on any question, the electronic roll-call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the House is ready to vote upon a question requiring roll call, and the vote is by electronic roll call, the Speaker shall say, "The question now recurs on (designating the matter to be voted upon). The Clerk will unlock the machine and the House will proceed to vote." When sufficient time has elapsed for each Member to vote, the Speaker shall ask, "Have all Members voted?" And after a short pause the Speaker shall say, "The Clerk will lock the machine and record the vote." When the vote is completely recorded, the Speaker shall announce the result to the House, and the Clerk shall record the action upon the *Journal*.

**9.3—Vote of the Speaker or Temporary Presiding Officer**

The Speaker or temporary presiding officer is not required to vote in legislative proceedings other than on final passage of a bill, except when the Speaker's or temporary presiding officer's vote would be decisive. In all yea and nay votes, the Speaker's or temporary presiding officer's name shall be called last. With respect to voting, the Speaker or temporary presiding officer is subject to the same disqualification and disclosure requirements as any other Member.

**9.4—Votes After Roll Call**

After the result of a roll call has been announced, a Member may advise the Clerk of how the Member would have voted or of the Member's wish to change the Member's vote. The Clerk shall provide forms for the recording of these actions. When timely made, these requests shall be shown beneath the roll call in the *Journal*. Otherwise, the request shall be shown separately in the *Journal*. In no instance, other than by reason of an electronic or mechanical malfunction, shall the result of a voting machine roll call on any bill be changed.

**9.5—No Member to Vote for Another Except by Request**

No Member may vote for another Member except at the other Member's request when absent from his or her seat but present elsewhere in the Chamber, nor may any person who is not a Member cast a vote for a Member. In no case shall a Member vote for another on a quorum call. Any Member who votes or attempts to vote for another Member in violation of this Rule may be punished in such a manner as the House may deem proper. Any person who is not a Member and who votes wrongfully in the place of a Member shall be excluded from the Chamber for the remainder of the session, in addition to such punishment as the House may deem proper.

**9.6—Pairing**

Pairing shall be permitted only upon the absence of both Members for good cause and shall be in writing and specifically state the bill or bills

or questions upon which pairs are arranged. Before the vote, paired votes shall be filed in writing with the Clerk and be recorded in the *Journal* as an indication of how both Members would have voted. Paired votes are not counted and shall not be shown on roll calls.

### 9.7—Explanation of Vote

A Member may not explain his or her vote during a roll call, but may reduce his or her explanation to writing, in not more than 200 words, and upon filing with the Clerk, this explanation shall be spread upon the *Journal*.

## RULE TEN

### ORDER OF BUSINESS AND CALENDARS

#### Part One—Order of Business

##### 10.1—Daily Sessions

The House shall meet each legislative day at 9:30 a.m. or as stated in the motion adjourning the House on the prior legislative day on which the House met.

##### 10.2—Daily Order of Business

(a) When the House convenes on a new legislative day, the daily order of business shall be as follows:

1. Call to Order.
2. Prayer.
3. Roll Call.
4. Pledge of Allegiance.
5. Correction of the *Journal*.
6. Communications.
7. Messages from the Senate.
8. Reports of Councils and Standing Committees.
9. Reports of Select Committees.
10. Motions Relating to Committee or Council References.
11. Matters on Reconsideration.
12. Bills and Joint Resolutions on Third Reading.
13. Special Orders.
14. Unfinished Business.
15. Introduction and Reference.

(b) During special sessions, the order of business of Introduction and Reference shall be conducted immediately following the order of business of Correction of the *Journal*.

##### 10.3—Chaplain to Offer Prayer

A chaplain shall attend at the beginning of each day's sitting of the House and open the same with prayer. In the absence of a chaplain, the Speaker may designate someone else to offer prayer.

##### 10.4—Quorum

A majority of the membership of the House shall constitute a quorum to do business.

##### 10.5—Consideration of Senate Messages; Generally

Senate messages shall be considered by the House upon review and approval by the Speaker.

#### Part Two—Readings

##### 10.6—"Reading" Defined

"Reading" means the stage of consideration of a bill, resolution, or memorial after reading of a portion of the title sufficient for identification, as determined by the Speaker.

##### 10.7—Reading of Bills

Each bill shall receive three readings on three separate days previous to a vote upon final passage unless two-thirds of the Members decide otherwise. (Florida Constitution, Article III, Section 7, in part: "Any bill may originate in either house and after passage in one may be amended in the other. It shall be read in each house on three separate days, unless this rule is waived by two-thirds vote; provided the publication of its title in the journal of a house shall satisfy the requirement for the first reading in that house. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full.")

##### 10.8—Reading of Joint Resolutions

Each joint resolution shall receive three readings on three separate days previous to a vote upon final passage unless two-thirds of the Members decide otherwise.

##### 10.9—First Reading of Prefiled Bills

Prefiled bills shall be given first reading either on the first day of a regular session or as soon thereafter as possible. The Clerk shall record in the *Journal* the Speaker's reference of bills.

##### 10.10—First Reading of Committee or Council Substitutes

Publication in the *Journal* of a committee or council substitute title with sponsors shall constitute first reading in the same manner as Introduction and Reference.

##### 10.11—Reading of Concurrent Resolutions and Memorials

Concurrent resolutions and memorials shall receive two readings on two separate days previous to a voice vote upon adoption, except that concurrent resolutions extending a legislative session or involving other procedural legislative matters authorized under Rule 5.10 may be read twice without motion on the same legislative day.

##### 10.12—Reading of House Resolutions

Each House resolution shall receive two readings by title only previous to a voice vote upon adoption, except that resolutions of condolence, commendation, or commemoration may be shown as read and adopted by publication in full in the *Journal* in accordance with Rule 10.20.

##### 10.13—Measures on Third Reading

(a) Bills on third reading shall be taken up in the order in which the House concluded action on them on second reading.

(b) Before any bill shall be read the third time, whether amended or not, it shall be referred without motion to the Engrossing Clerk for examination and, if amended, the engrossing of amendments. In the case of any Senate bill amended in the House, the amendment adopted shall be reproduced and attached to the bill amended in such manner that it will not be lost therefrom.

(c) A bill shall be deemed on its third reading when it has been read a second time on a previous day and has no motion left pending.

#### Part Three—Bills Subject to Special Rule

##### 10.14—Bills Subject to Special Rule

(a) The Committee on Rules, Ethics & Elections may recommend that a bill be subject to a Special Rule created by the committee in

accordance with the requirements of this Rule. Upon adoption of a recommendation, the Committee on Rules, Ethics & Elections shall submit the recommendation to the Procedural & Redistricting Council for adoption of the Special Rule, which, if adopted by a two-thirds vote of the council members present and voting, shall be submitted to the House for its approval.

(b) A Special Rule shall prescribe the time and conditions of debate and amendment of the bill, may govern floor action on both second and third readings, and may include one of the following three types of conditions or such other conditions as are deemed appropriate:

(1) Open, which allows the offering of any amendment, subject to approval of the designated floor manager and the overall time limits established under the Rule.

(2) Structured, which allows the offering of only amendments that have been approved for consideration by the Procedural & Redistricting Council.

(3) Closed, which prohibits the offering of any amendment, except technical amendments offered in the name of the Procedural & Redistricting Council.

(c) The Special Rule may designate two floor managers, one to allocate the time for debate and amendments for the proponents and one to allocate the time for debate and amendments for the opponents. The floor managers shall be subject to approval by both the Majority Leader and the Minority Leader.

(d) A specific provision in a Special Rule is controlling over a conflicting provision of these Rules.

(e) Neither a Senate bill nor a House bill returning from the Senate with further action required may be subject to Special Rule.

#### Part Four—Calendars

##### 10.15—Special Order Calendar

(a) REGULAR SESSION.

(1) The Procedural & Redistricting Council shall periodically submit, as needed, a Special Order Calendar determining the priority for consideration of legislation. The Procedural & Redistricting Council may include on a Special Order Calendar specific sections for local bills, trust fund bills, bills to be taken up at a time certain, and bills subject to Special Rule. Any amendment of a report proposing a Special Order Calendar requires a two-thirds vote of the Members present and voting. Upon adoption of a Special Order Calendar, no other bills shall be considered for the time period set forth for that Special Order Calendar, except that any bill appearing on that Special Order Calendar may be stricken from it by a two-thirds vote of the Members present and voting or any bill may be added to it pursuant to Rule 10.16. A previously adopted Special Order Calendar shall expire upon adoption by the House of a new Special Order Calendar.

(2) Any committee, council, or Member may apply to the Procedural & Redistricting Council to place a bill on the Special Order Calendar. The Procedural & Redistricting Council may grant such requests by a majority vote.

(3) During the first 45 calendar days of a regular session, the Procedural & Redistricting Council shall publish the Special Order Calendar in two Calendars of the House, and it may be taken up on the day of the second published calendar. For calendar days 46 through 51 of a regular session, the Procedural & Redistricting Council shall provide the Special Order Calendar by 9:00 p.m. of the day prior to its consideration. After the 51st calendar day of a regular session, the Procedural & Redistricting Council shall provide the Special Order Calendar at least 2 hours prior to its consideration.

(b) EXTENDED OR SPECIAL SESSION.

(1) If the Legislature extends a legislative session, all bills on the Calendar at the time of expiration of the regular session shall be placed in the Procedural & Redistricting Council.

(2) During any extended or special session, all bills upon being reported favorably by the last committee of reference shall be placed in the Procedural & Redistricting Council.

(3) During any extended or special session, the Procedural & Redistricting Council shall establish a Special Order Calendar and only those bills on such Special Order Calendar shall be placed on the Calendar of the House.

##### 10.16—Consideration of Bills Not on Special Order

A bill not included on the Special Order Calendar may be considered by the House upon two-thirds vote of the Members present and voting.

##### 10.17—Consent Calendar

The Procedural & Redistricting Council may submit a Consent Calendar designed to expedite the consideration of noncontroversial legislation, according to procedures recommended by the Procedural & Redistricting Council and approved by the House.

##### 10.18—Requirements for Placement on a Calendar

No measure may be placed on a calendar until it has been reported favorably by each committee or council of reference.

##### 10.19—Informal Deferral of Bills

Whenever the Member who introduced a bill, or the Chair of the committee or council that reported it, is absent from the Chamber when the bill has been reached in the regular order on second or third reading, consideration shall be informally deferred until the Member's or committee or council Chair's return, unless another Member consents to offer the bill on behalf of the original Member or committee or council Chair. The bill shall retain its position on the Calendar during the same legislative day. The Member or committee or council Chair shall have the responsibility of making the motion for its subsequent consideration.

#### Part Five—Resolutions of Condolence, Commendation, or Commemoration

##### 10.20—Resolutions of Condolence, Commendation, or Commemoration Published in *Journal*

Upon favorable report by the Committee on Rules, Ethics & Elections, a resolution of condolence, commendation, or commemoration may be shown as read and adopted by publication in full in the *Journal*. The Procedural & Redistricting Council shall periodically distribute a list of such resolutions 1 day (excluding Saturday and Sunday) prior to the day of their publication, during which time any Member may file an objection with the council to any resolution listed. Each resolution for which an objection has been filed shall be removed from the list and placed on the Calendar of the House. All resolutions without objections shall be printed on the next legislative day in the *Journal* and considered adopted by the House.

#### Part Six—Consideration Limits

##### 10.21—Consideration Limits to Bills After Day 55

After the 55th calendar day of a regular session, no House bills on second reading may be taken up and considered by the House.

##### 10.22—Consideration Limits to Bills After Day 58

After the 58th calendar day of a regular session, the House may consider only:

- (a) Senate Messages.
- (b) Conference Reports.
- (c) Concurrent Resolutions.

#### RULE ELEVEN

### MOTIONS

#### 11.1—Motions; How Made

Every motion shall be made orally, except when requested by the Speaker to be reduced to writing.

#### 11.2—Precedence of Motions During Debate

(a) When a question is under debate, the Speaker shall receive no motion except:

- (1) To adjourn at a time certain.
- (2) To adjourn.
- (3) To recess to a time certain.
- (4) To lay on the table.
- (5) To reconsider.
- (6) For the previous question.
- (7) To limit debate.
- (8) To temporarily postpone.
- (9) To postpone to a time or day certain.
- (10) To refer to or to recommit to committee or council.
- (11) To amend.
- (12) To postpone indefinitely.
- (13) To amend by striking out the enacting or resolving clause.

(b) Such motions shall have precedence in the descending order given.

#### 11.3—Questions of Order Decided Without Debate

All procedural questions of order, arising after a motion is made for any of the motions named in Rule 11.2 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise; however, the Speaker may ask the House for comment.

#### 11.4—Division of Question

Any Member may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible. A motion to strike out, being lost, shall preclude neither amendment nor a motion to strike out and insert.

#### 11.5—Motion to Recess to a Time Certain

A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that the motion is debatable when no business is before the House and can be amended as to the time to recess and duration of the recess. It yields only to a motion to adjourn.

#### 11.6—Motion to Lay on the Table

A motion to lay on the table is not debatable and cannot be amended; however, before the motion is put, the sponsor of a bill or debatable motion shall be allowed 5 minutes within which to discuss the same and may divide the time with, or waive this right in favor of, some other Member. A motion to table a main question requires a majority vote. A

motion to lay an amendment on the table, if adopted, does not carry with it the measure to which it adheres. A motion to lay an amendment on the table may be adopted by a majority vote.

#### 11.7—Motion to Reconsider

(a) When a motion or main question has been made and carried or lost, it shall be in order at any time as a matter of right on the same or succeeding legislative day for a Member voting with the prevailing side, or for any Member in the case of a voice or tie vote, to move for reconsideration thereof. When a majority of Members vote in the affirmative but the proposition is lost because it is one in which the concurrence of a greater number than a majority is necessary for adoption or passage, any Member may move for a reconsideration. No bill referred or recommitted to a committee or council by a vote of the House shall be brought back into the House on a motion to reconsider. The motion to reconsider shall require a majority vote for its adoption, and such motion shall not be renewed on any proposition, after once being considered by vote of the House, except by unanimous consent. Debate shall be allowed on a motion to reconsider only when the question that it is proposing to reconsider is debatable. When debate upon a motion to reconsider is in order, no Member shall speak thereon more than once or for more than 5 minutes. The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from consideration of the House. A motion to reconsider a collateral matter must be disposed of at once during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the House has passed to other business.

(b) The Clerk shall retain possession of all bills and joint resolutions for the period after passage during which reconsideration may be moved; however, during the last 14 calendar days allowed under the Florida Constitution for a regular session and during any extensions thereof, or during any special session, these shall be transmitted to the Senate forthwith.

(c) The adoption of a motion to waive the Rules and immediately certify any bill to the Senate shall be construed as releasing the measure from the Clerk's possession for the period of reconsideration. Local bills, concurrent resolutions, and memorials shall be transmitted to the Senate without delay. Messages relating to procedural motions, to House action on Senate amendments, or to conference committee reports shall be transmitted forthwith.

#### 11.8—Motion for the Previous Question

(a) The previous question may be asked and ordered upon any debatable single motion, series of motions, or amendment pending, and the effect thereof shall be to conclude all action on the same day. If third reading is reached on another day, the order for the previous question must be renewed on that day.

(b) The motion for the previous question shall be decided without debate. If the motion prevails, the sponsor of a bill or debatable motion and an opponent shall be allowed 3 minutes each within which to discuss the same, and each may divide the time with, or waive this right in favor of, some other Member. The motion for the previous question shall be put in the following form: "Shall the main question be now put?"

(c) When the motion for the previous question is adopted on a main question, the sense of the House shall be taken forthwith on pending amendments and such question in the regular order. If amendments have been adopted, the regular order shall include the adoption of necessary title amendments.

(d) The motion for the previous question may not be made by the sponsor or mover.

#### 11.9—Motion to Limit Debate

When there is debate by the House, it shall be in order for a Member to move to limit debate and such motion shall be decided without debate, except that the sponsor or mover of the question under debate shall have

5 minutes within which to discuss the motion and may divide the allotted time with, or waive it in favor of, some other Member. If, by majority vote, the question is decided in the affirmative, debate shall be limited to 20 minutes for each side, unless a greater time is stated in the motion, such time to be apportioned by the Speaker; however, the sponsor or mover shall have an additional 5 minutes within which to close the debate and may divide the allotted time with, or waive it in favor of, some other Member.

#### 11.10—Motion to Temporarily Postpone

The motion to temporarily postpone shall be decided without debate and shall cause a measure to be set aside but retained on the desk. If a main question has been temporarily postponed after having been debated or after motions have been applied and is not brought back before the House on the same legislative day, it shall be placed under the order of unfinished business on the Calendar of the House. If a main question is temporarily postponed before debate has commenced or motions have been applied, its reading shall be considered a nullity and the bill shall retain its original position on the order of business. The motion to return to consideration of a temporarily postponed main question shall be made under the proper order of business when no other matter is pending. If applied to a collateral matter, the motion to temporarily postpone shall not cause the main question to be carried with it. After having been temporarily postponed, if a collateral matter is not brought back before the House in the course of consideration of the adhering or main question, it shall be deemed abandoned.

#### 11.11—Motions to Withdraw or Refer Bills

(a) Any Member may, no later than under the order of business of Motions Relating to Committee or Council References on the legislative day following reference of a bill, move for reference from one committee or council to a different committee or council, which shall be decided by a majority vote.

(b) A motion to withdraw a bill from committee or council, or to refer a bill from one committee or council to another committee or council other than as provided in subsection (a), may be made during the regular order of business and shall require an affirmative vote of two-thirds of the Members present and voting.

(c) A motion to refer a bill to an additional committee or council may be made during the regular order of business and shall require an affirmative vote of two-thirds of the Members present and voting.

(d) A motion to refer shall be debated only as to the propriety of the reference.

(e) A motion to withdraw a bill from further consideration of the House shall require an affirmative vote of two-thirds of the Members present and voting.

(1) For the purpose of withdrawing bills from further consideration, the first-named Member sponsor shall be regarded as the only Member empowered to move for the withdrawal of a bill. The first-named Member sponsor of a bill may, prior to its introduction, withdraw the bill by letter to the Clerk.

(2) The introducer of an original bill laid on the table upon introduction of a committee or council substitute therefor has no right to move for the withdrawal of the substitute from further consideration.

(3) In moving for the withdrawal of a bill from further consideration by floor motion, the introducer shall be required to identify the nature of the bill.

#### 11.12—Motion to Recommit

(a) After a committee or council report on a bill has been received by the Clerk, the bill may not be recommitted by the House to any committee or council except by a majority vote.

(b) A motion to recommit to committee or council a bill that is before the House may be made during the regular order of business. The

motion shall be debatable only as to the propriety of that reference and shall require an affirmative majority vote.

(c) Upon the third reading of any bill, it may not be committed to any committee or council, except to the appropriate fiscal committee as provided elsewhere in these Rules.

#### 11.13—Motion to Postpone Indefinitely

Motions to postpone indefinitely are debatable and shall be applicable only to a main question. The adoption of a motion to postpone a bill indefinitely shall dispose of such bill for the duration of the legislative session and all extensions thereof. Any motion to postpone consideration to a time beyond the last day allowed under the Florida Constitution for the current legislative session shall be construed as a motion to postpone indefinitely.

#### 11.14—Dilatory Motions

No dilatory or delaying motions shall be entertained by the Speaker.

#### 11.15—Withdrawal of Motions

The mover of a motion may withdraw the motion at any time before it has been amended or a vote on it has commenced, except that a motion to reconsider may be withdrawn only on the day made.

### RULE TWELVE

#### AMENDMENTS

##### 12.1—Form

(a) Amendments shall be stored on the legislative computer in a format approved by the Clerk.

(b) The sponsor of an amendment shall file with the Clerk a printed original of the amendment, which shall be free of interlineations and which shall include as a part of its original printed text the name of the sponsor, the bill number, and the page and line to be amended. Amendment cosponsors may be added on forms provided by the Clerk.

##### 12.2—Filing

###### (a) REGULAR SESSION.

(1) During the first 45 calendar days of a regular session, no Member floor amendment shall be considered unless a printed original of the amendment has been delivered to the Clerk in the required form prior to 3:00 p.m. of the day (excluding Saturday and Sunday) preceding the daily session at which the sponsor seeks to offer the amendment, and no amendment to the amendment or substitute amendment shall be offered unless a printed original of the amendment to the amendment or substitute amendment has been delivered to the Clerk not later than 5:00 p.m. of the day (excluding Saturday and Sunday) preceding the daily session at which the sponsor seeks to offer the main amendment.

(2) For calendar days 46 through 51 of a regular session, no Member floor amendment shall be considered unless a printed original of the amendment has been delivered to the Clerk in the required form at least 1 hour prior to the daily session at which the sponsor seeks to offer the amendment, and no amendment to the amendment or substitute amendment shall be offered unless a printed original of the amendment to the amendment or substitute amendment has been delivered to the Clerk not later than 30 minutes prior to the daily session at which the sponsor seeks to offer the main amendment.

(3) After the 51st day of a regular session, no Member floor amendment shall be considered unless a printed original of the amendment has been delivered to the Clerk in the required form not later than 30 minutes after the convening of the daily session at which the sponsor seeks to offer the amendment or 2½ hours after the Special Order Calendar has been provided, whichever is later, and no amendment to the amendment or substitute amendment shall be

offered unless a printed original of the amendment to the amendment or substitute amendment has been delivered to the Clerk not later than 1 hour after the convening of the daily session at which the sponsor seeks to offer the main amendment or 3 hours after the Special Order Calendar has been provided, whichever is later.

(b) **EXTENDED OR SPECIAL SESSION.** During any extended or special session, no Member floor amendment shall be considered unless a printed original of the amendment has been delivered to the Clerk in the required form at least 1 hour prior to the daily session at which the sponsor seeks to offer the amendment, and no amendment to the amendment or substitute amendment shall be offered unless a printed original of the amendment to the amendment or substitute amendment has been delivered to the Clerk not later than 30 minutes prior to the daily session at which the sponsor seeks to offer the main amendment.

(c) **WAIVER OF DEADLINE.** By a majority vote, the time limitation for filing any amendment may be waived.

**12.3—Presentation and Consideration**

(a) Amendments shall be taken up only as sponsors gain recognition from the Speaker to move their adoption, except that the Chair of the committee or council (or any member thereof designated by the Chair) reporting the measure under consideration shall have preference for the presentation of committee or council amendments.

(b) Upon motion, committee or council amendments may be adopted *en bloc*.

(c) The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order.

(d) For the purpose of this Rule, an amendment shall be deemed pending only after its proposer has been recognized by the Speaker and has moved its adoption.

**12.4—Second and Third Reading; Vote Required on Third Reading**

(a) A motion to amend is in order during the second or third reading of any bill.

(b) Amendments proposed on third reading shall require a two-thirds vote of the Members present and voting for adoption, except that technical amendments introduced in the name of the Procedural & Redistricting Council shall require a majority vote for adoption.

(c) A motion for reconsideration of an amendment on third reading requires a two-thirds vote of the Members present and voting for adoption.

**12.5—Amendment of General Appropriations Bill**

(a) Whenever an amendment is offered to a General Appropriations Bill that would increase any line item of such bill, such amendment shall show the amount by line item of the increase and shall, from within the jurisdiction of the same fiscal standing committee, decrease a line item or items in an amount or amounts equivalent to or greater than the increase required by the amendment.

(b) A floor amendment to the General Appropriations Bill that proposes to move spending authority between sections of the bill shall require a two-thirds vote of the Members present and voting.

**12.6—Consideration of Senate Amendments**

(a) After the reading of a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named:

(1) Amend the Senate amendment by a concurrence of the majority required for the final passage of the bill.

(2) Concur in the Senate amendment by a concurrence of the same majority required for the final passage of the bill.

(3) Refuse by the majority of the required quorum to concur and ask the Senate to recede.

(4) Request the Senate to recede and, failing to do so, to appoint a conference committee to meet with a like committee appointed by the Speaker.

(b) If the Senate refuses to concur in a House amendment to a Senate bill, the following motions shall be in order and shall be privileged in the order named:

- (1) That the House recede.
- (2) That the House insist and ask for a conference committee.
- (3) That the House insist.

(c) The Speaker may, upon determining that a Senate amendment substantially changes the bill as passed by the House, refer the Senate message, with the bill and Senate amendment or amendments, to the appropriate House committee or council for review and report to the House. The Speaker, upon such reference, shall announce the date and time for the committee or council to meet. The committee or council shall report to the House the recommendation for disposition of the Senate amendment or amendments under one of the four options presented in subsection (a). The report shall be given to the House, in writing, by the Chair of the reporting committee or council.

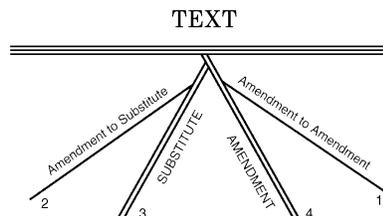
**12.7—Motion to Amend by Striking Out Enacting or Resolving Clause**

An amendment to strike out the enacting clause of a bill or the resolving clause of a resolution or memorial shall, if carried, be considered as equivalent to rejection of the bill, resolution, or memorial by the House.

**12.8—Sequence of Amendments to Amendments**

An amendment to a pending amendment may be received, but until it is disposed of no other motion to amend will be in order except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are voted on before the substitute is taken up. Only one amendment to the amendment is in order at a time.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.



**12.9—Germanity of House Amendments**

- (a) **GERMANITY.**
  - (1) Neither the House nor any committee or council shall consider an amendment that relates to a different subject or is intended to accomplish a different purpose than that of the pending question or that, if adopted and passed, would require a title amendment for the proposal that is substantially different from the proposal's original title or that would unreasonably alter the nature of the proposal.

(2) The Speaker shall rule on the admissibility of any amendment when the question of germanity is timely raised.

(3) An amendment of the second degree or a substitute amendment must be germane to both the main amendment and the measure to which it adheres.

(b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that are not germane include:

(1) A general proposition amending a specific proposition.

(2) An amendment amending a statute or session law when the purpose of the bill is limited to repealing such law, or an amendment repealing a statute or session law when the purpose of the bill is limited to amending such law.

(3) An amendment that substantially expands the scope of the bill.

(4) An amendment to a bill when legislative action on that bill is by law or these Rules limited to passage, concurrence, indefinite postponement, or nonconcurrence as introduced.

(c) AMENDMENTS THAT ARE GERMANE. Amendments that are germane include:

(1) A specific provision amending a general provision.

(2) An amendment that accomplishes the same purpose in a different manner.

(3) An amendment limiting the scope of the proposal.

(4) An amendment providing appropriations necessary to fulfill the original intent of a proposal.

(5) An amendment relating only to clarification of details.

(6) An amendment that changes the effective date of a repeal, reduces the scope of a repeal, or adds a short-term nonstatutory transitional provision to facilitate repeal.

#### 12.10—Amendments Out of Order

An amendment is out of order if it is the principal substance of a bill that has received an unfavorable committee or council report.

#### 12.11—Printing of Amendments in *Journal*

All amendments taken up, unless withdrawn, shall be printed in the *Journal*, except that an amendment to a General Appropriations Bill constituting an entirely new bill shall not be printed until the filing of the conference committee report.

### RULE THIRTEEN

#### RULES

##### 13.1—Initial Adoption of Rules of the House

The initial adoption of the Rules of the House shall require a majority vote. Once adopted, the Rules of the House shall remain in effect, unless waived or amended as provided in these Rules.

##### 13.2—Waiver of Rules of the House

Any Rule of the House, except a Rule requiring unanimous consent, may be waived by a two-thirds vote of the Members present and voting; however, the waiver shall apply only to the matter under immediate consideration and shall not extend beyond adjournment of a session day.

##### 13.3—Amending Rules of the House

No Rule of the House may be amended except by a report or resolution from the Committee on Rules, Ethics & Elections adopted by the House by majority vote. A report or resolution of the Committee on Rules,

Ethics & Elections proposing amendments to these Rules is always in order; however, any amendment of such a report or resolution prior to its adoption requires a two-thirds vote of the Members present and voting.

#### 13.4—Parliamentary Authorities

In all cases not provided for by the Florida Constitution, the Rules of the House, or the Joint Rules of the Senate and House, the guiding, but nonbinding, authority shall be first the Rulings of the Speaker and then the latest edition of *Mason's Manual of Legislative Procedure*.

#### 13.5—Majority Action

Unless otherwise indicated by these Rules, all action by the House or its committees or councils shall be by majority vote of those Members present and voting. When the body is equally divided, the question is lost.

#### 13.6—"Days" Defined

Wherever used in these Rules, a "legislative" day means a day when the House convenes and a quorum is present. All other references to "days" mean "calendar" days.

### RULE FOURTEEN

#### MISCELLANEOUS PROVISIONS

##### Part One—Public Records

##### 14.1—Legislative Records

There shall be available for public inspection, whether maintained in Tallahassee or in a district office, the papers and records developed and received in connection with official legislative business, except as provided in section 11.0431, Florida Statutes, or other provision of law.

##### 14.2—Legislative Records; Maintenance, Control, Destruction, Disposal, and Disposition

(a) Records that are required to be created by these Rules or that are of vital, permanent, or archival value shall be maintained in a safe location that is easily accessible for convenient use. No such record need be maintained if the substance of the record is published or retained in another form or location. Whenever necessary, but no more often than annually or less often than biennially, records required to be maintained may be transferred to the Legislative Library Service of the Division of Library and Information Services of the Department of State for retention in accordance with law.

(b) Other records that are no longer needed for any purpose and that do not have sufficient administrative, legal, or fiscal significance to warrant their retention shall be disposed of systematically.

(c)(1) The committee administrative assistant for each existing committee shall ensure compliance with this Rule for all records created or received by the committee or for a former committee whose jurisdiction has been assigned to the committee.

(2) The council administrative assistant for each existing council shall ensure compliance with this Rule for all records created or received by the council or for a former council whose jurisdiction has been assigned to the council.

(3) The Speaker, the Speaker pro tempore, the Minority Leader, the Majority Leader, and the Sergeant at Arms shall ensure compliance with this Rule for all records created or received by their respective offices and their predecessors in office.

(4) Each Member shall ensure compliance with this Rule for all records created or received by the Member or the Member's district office.

(5) The director of an ancillary House office shall ensure compliance with this Rule for all records created or received by the director's office.

(6) The Clerk shall ensure compliance with this Rule for all other records created or received by the House of Representatives.

(d) If a committee, council, or office is not continued in existence, the records of such committee, council, or office shall be forwarded to the committee, council, or office assuming the jurisdiction or responsibility of the former committee, council, or office, if any. Otherwise, such records shall be forwarded to the Clerk.

(e) The Clerk, with the approval of the Speaker, shall establish a schedule of reasonable and appropriate fees for copies of legislative records and documents; however, there shall be no charge for a single copy of any individual, separately obtained bill (other than a General Appropriations Bill) or a bill analysis or other record required by these Rules to be created.

### **Part Two—Distribution of Documents; Display of Signs**

#### **14.3—Distribution of Documents**

Documents required by these Rules to be printed or published may be produced and distributed on paper or in electronic form.

#### **14.4—Display of Signs, Placards, and the Like**

Signs, placards, or other objects of similar nature shall be permitted in the rooms, lobby, galleries, or Chamber of the House only upon approval of the Committee on Rules, Ethics & Elections.

### **Part Three—House Seal**

#### **14.5—House Seal**

(a) **REQUIREMENT.** There shall be an official seal of the House of Representatives. The seal shall be used only by or on behalf of a Member or officer of the House or when specifically authorized in writing by the Committee on Rules, Ethics & Elections.

(b) **CONFIGURATION.** The seal shall be a circle, having, in the center thereof, a view of the sun's rays over a highland in the distance, a sabal palmetto palm tree, a steamboat on the water, and a Native American female scattering flowers in the foreground, encircled by the words "House of Representatives."

(c) **USE.** Unless a written exception is otherwise granted by the Speaker:

(1) Material carrying the official seal shall be used only by a Member, officer, or employee of the House or other persons employed or retained by the House.

(2) The use, printing, publication, or manufacture of the seal, or items or materials bearing the seal or a facsimile of the seal, shall be limited to official business of the House or official legislative business.

(d) **CUSTODIAN.** The Clerk shall be the custodian of the official seal.

## **RULE FIFTEEN**

### **ETHICS AND CONDUCT OF MEMBERS**

#### **15.1—Legislative Ethics and Official Conduct**

Legislative office is a trust to be performed with integrity in the public interest. A Member is respectful of the confidence placed in the Member by the other Members and by the people. By personal example and by admonition to colleagues whose behavior may threaten the honor of the lawmaking body, the Member shall watchfully guard the responsibility of office and the responsibilities and duties placed on the Member by the House. To this end, each Member shall be accountable to the House for

violations of this Rule or any provision of the House Code of Conduct contained in Rules 15.1-15.8.

#### **15.2—The Integrity of the House**

A Member shall respect and comply with the law and shall perform at all times in a manner that promotes public confidence in the integrity and independence of the House and of the Legislature. Each Member shall perform at all times in a manner that promotes a professional environment in the House, which shall be free from unlawful employment discrimination.

#### **15.3—Improper Influence; Solicitation of Campaign Contributions**

(a) A Member may not accept anything that reasonably may be construed to improperly influence the Member's official act, decision, or vote.

(b) A Member may neither solicit nor accept any campaign contribution during the 60-day regular legislative session on the Member's own behalf, on behalf of a political party, or on behalf of a candidate for the House of Representatives; however, a Member may contribute to the Member's own campaign.

#### **15.4—Ethics; Conflicting Employment**

A Member shall:

(a) Scrupulously comply with the requirements of all laws related to the ethics of public officers.

(b) Not allow personal employment to impair the Member's independence of judgment in the exercise of official duties.

(c) Not directly or indirectly receive or agree to receive any compensation for any services rendered or to be rendered either by the Member or any other person when such activity is in substantial conflict with the duties of a Member of the House.

#### **15.5—Use of Official Position**

A Member may not corruptly use or attempt to use the Member's official position in a manner contrary to the trust or authority placed in the Member, either by the public or by other Members, for the purpose of securing a special privilege, benefit, or exemption for the Member or for others.

#### **15.6—Use of Information Obtained by Reason of Official Position**

A Member may engage in business and professional activity in competition with others, but may not use or provide to others, for the Member's personal gain or benefit or for the personal gain or benefit of any other person or business entity, any information that has been obtained by reason of the Member's official capacity as a Member and that is unavailable to members of the public as a matter of law.

#### **15.7—Members to Advise Legislative Employees of House Requirements**

Each Member is responsible for calling the regulations, policies, and procedures approved by the Speaker relating to legislative staff and the Rules of the House relating to legislative staff to the attention of any staff for whom the Member is directly responsible. A Member may not engage, or permit another to engage, in conduct that the Member knows or should have known to be harmful to a professional environment in the workplace, which shall be free from unlawful employment discrimination. A professional environment in the workplace, which shall be free from unlawful employment discrimination, is one in which there is compliance with state and federal law and the regulations, policies, and procedures relating to employment discrimination approved by the Speaker.

**15.8—Representation of Another Before a State Agency**

A Member may not personally represent another person or entity for compensation before any state agency other than a judicial tribunal. For the purposes of this Rule, "state agency" means any entity of the legislative or executive branch of state government over which the Legislature exercises plenary budgetary and statutory control.

**15.9—Advisory Opinions**

(a) A Member, when in doubt about the applicability and interpretation of these Rules with respect to legislative ethics and Member conduct, may convey the facts of the situation to the House general counsel for an advisory opinion. The general counsel shall issue the opinion within 10 days after receiving the request. The advisory opinion may be relied upon by the Member requesting the opinion. Upon request of any Member, the committee designated by the Speaker to have responsibility for the ethical conduct of Members may revise an advisory opinion rendered by the House general counsel through an advisory opinion issued to the Member who requested the opinion.

(b) An advisory opinion rendered by the House general counsel or the committee shall be numbered, dated, and published by the Clerk in an annual publication of the House. Advisory opinions from the House general counsel or the committee may not identify the Member seeking the opinion unless such Member so requests.

**15.10—Felony Indictment or Information of a Member**

(a) If an indictment or information for a felony of any jurisdiction is filed against a Member of the House, the Member indicted or informed against may request the Speaker to excuse the Member, without pay, from all privileges of membership of the House pending final adjudication.

(b) If the indictment or information is either *nolle prossed* or dismissed, or if the Member is found not guilty of the felonies charged, or lesser included felonies, then the Member shall be paid all back pay and other benefits retroactive to the date the Member was excused.

**15.11—Felony Guilty Plea of a Member**

A Member who enters a plea of guilty or *nolo contendere* (no contest) to a felony of any jurisdiction may, at the discretion of the Speaker, be suspended immediately, without a hearing and without pay, from all privileges of membership of the House through the remainder of that Member's term.

**15.12—Felony Conviction of a Member**

(a) A Member convicted of a felony of any jurisdiction may, at the discretion of the Speaker, be suspended immediately, without a hearing and without pay, from all privileges of membership of the House pending appellate action or the end of the Member's term, whichever occurs first.

(b) A Member suspended under the provisions of this Rule may, within 10 days after such suspension, file a written request for a hearing setting forth specific reasons contesting the Member's suspension. Upon receipt of a written request for a hearing, the Speaker shall appoint a select committee, which shall commence a hearing on the Member's suspension within 30 days and issue a report to the House within 10 days after the conclusion of the hearing. The report of the select committee shall be final unless the Member, within 10 days after the issuance of the report, requests in writing that the Speaker convene the full House to consider the report of the select committee. Upon receipt of a request for such consideration, the Speaker shall timely convene the House for such purpose.

(c) If the final appellate decision is to sustain the conviction, then the Member's suspension shall continue to the end of the Member's term. If the final appellate decision is to vacate the conviction and there is a rehearing, the Member shall be subject to Rule 15.10. If the final appellate decision is to vacate the conviction and no felony charges

remain against the Member, the Member shall be entitled to restitution of back pay and other benefits retroactive to the date of suspension.

**RULE SIXTEEN****PROCEDURES FOR LEGAL PROCEEDINGS****Part One—Committees and Councils Conducting Legal Proceedings****16.1—Procedures for Committees and Councils Conducting Legal Proceedings****(a) ISSUANCE OF SUBPOENA.**

(1) In order to carry out its duties, each standing or select committee or council, whenever required, may issue subpoena with the approval of the Speaker and other necessary process to compel the attendance of witnesses before such committee or council or the taking of a deposition pursuant to these Rules. The Chair of the standing or select committee or council shall issue such process on behalf of the standing or select committee or council. The Chair or any other member of such committee or council may administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear before such committee or council for the purpose of testifying in any matter about which such committee or council may desire evidence.

(2) Each standing or select committee or council, whenever required, may also compel by subpoena *duces tecum* the production of any books, letters, or other documentary evidence it may desire to examine in reference to any matter before it. The Chair of the standing or select committee or council shall issue process on behalf of the standing or select committee or council.

**(b) CONTEMPT PROCEEDINGS.**

(1) Either house may punish, by fine or imprisonment, any person who is not a Member and who is guilty of disorderly or contemptuous conduct in its presence or of a refusal to obey its lawful summons.

(2) A person shall be deemed in contempt if the person:

a. Fails or refuses to appear in compliance with a subpoena or, having appeared, fails or refuses to testify under oath or affirmation;

b. Fails or refuses to answer any relevant question or fails or refuses to furnish any relevant book, paper, or other document subpoenaed by or on behalf of such committee or council; or

c. Commits any other act or offense against such committee or council that, if committed against the Legislature or either house thereof, would constitute contempt.

(3) A standing or select committee or council may, by majority vote of all of its members, apply to the House for contempt citation. The application shall be considered as though the alleged contempt had been committed in or against the House itself. If such committee or council is meeting during the interim, its application shall be made to the circuit court pursuant to subsection (f).

(4) A person guilty of contempt under this Rule shall be fined not more than \$500 or imprisoned not more than 90 days or both, or shall be subject to such other punishment as the House may, in the exercise of its inherent powers, impose prior to and in lieu of the imposition of the aforementioned penalty.

(5) The sheriffs in the several counties shall make such service and execute all process or orders when required by standing or select committees or councils. Sheriffs shall be paid as provided for in section 30.231, Florida Statutes.

(c) FALSE SWEARING. Whoever willfully affirms or swears falsely in regard to any material matter or thing before any standing or select committee or council is guilty of perjury in an official proceeding, which is a felony of the third degree and shall be punished as provided in section 775.082, section 775.083, or section 775.084, Florida Statutes.

## (d) RIGHTS OF WITNESSES.

(1) All witnesses summoned before any standing or select committee or council shall receive reimbursement for travel expenses and per diem at the rates provided in section 112.061, Florida Statutes. However, the fact that such reimbursement is not tendered at the time the subpoena is served shall not excuse the witness from appearing as directed therein.

(2) Service of a subpoena requiring the attendance of a person at a meeting of a standing or select committee or council shall be made in the manner provided by law for the service of subpoenas in civil action at least 7 calendar days prior to the date of the meeting unless a shorter period of time is authorized by majority vote of all the members of such committee or council. If a shorter period of time is authorized, the persons subpoenaed shall be given reasonable notice of the meeting, consistent with the particular circumstances involved.

(3) Any person who is served with a subpoena to attend a meeting of any standing or select committee or council also shall be served with a general statement informing the person of the subject matter of such committee's or council's investigation or inquiry and a notice that the person may be accompanied at the meeting by private counsel.

(4) Upon the request of any party and the approval of a majority of the standing or select committee or council, the Chair shall instruct all witnesses to leave the meeting room and retire to a designated place. The witness will be instructed by the Chair not to discuss the testimony of the witness or the testimony of any other person with anyone until the meeting has been adjourned and the witness has been discharged by the Chair. The witness shall be further instructed that if any person discusses or attempts to discuss the matter under investigation with the witness after receiving such instructions, the witness shall bring such matter to the attention of such committee or council. No member of such committee or council or representative thereof may discuss any matter or matters pertinent to the subject matter under investigation with any witness to be called before such committee or council from the time that these instructions are given until the meeting has been adjourned and the witness has been discharged by the Chair. Any person violating this Rule shall be in contempt of the Legislature.

(5) Any standing or select committee or council taking sworn testimony from witnesses as provided herein shall cause a record to be made of all proceedings in which testimony or other evidence is demanded or adduced, which record shall include rulings of the Chair, questions of such committee or council and its staff, the testimony or responses of witnesses, sworn written statements submitted to the committee or council, and such other matters as the committee or council or its Chair may direct.

(6) A witness at a meeting, upon advance request and at the witness's own expense, shall be furnished a certified transcript of the witness's testimony at the meeting.

## (e) RIGHT OF OTHER PERSONS TO BE HEARD.

(1) Any person whose name is mentioned or who is otherwise identified during a meeting being conducted for the purpose of taking sworn testimony from witnesses of any standing or select committee or council and who, in the opinion of such committee or council, may be adversely affected thereby, may, upon the request of the person or upon the request of any member of such committee or council, appear personally before such committee or council and testify on the person's own behalf, or, with such committee's or council's consent, file a sworn written statement of facts or other documentary evidence for incorporation into the record of the meeting. Any such witness, however, shall, prior to filing such statement, consent to answer questions from such committee or council regarding the contents of the statement.

(2) Upon the consent of a majority of the members present, a quorum having been established, any standing or select committee or council may permit any other person to appear and testify at a meeting or submit a sworn written statement of facts or other documentary evidence for incorporation into the record. No request to appear, appearance, or submission shall limit in any way the committee's or

council's power of subpoena. Any such witness, however, shall, prior to filing such statement, consent to answer questions from any standing or select committee or council regarding the contents of the statement.

(f) ENFORCEMENT OF SUBPOENA OUT OF SESSION. If any witness fails to respond to the lawful subpoena of any standing or select committee or council at a time when the Legislature is not in session or, having responded, fails to answer all lawful inquiries or to turn over evidence that has been subpoenaed, such committee or council may file a complaint before any circuit court of the state setting up such failure on the part of the witness. On the filing of such complaint, the court shall take jurisdiction of the witness and the subject matter of the complaint and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in the possession of the witness that is lawfully demanded. The failure of any witness to comply with such order of the court shall constitute a direct and criminal contempt of court, and the court shall punish such witness accordingly.

### Part Two—Complaints Against Members and Officers of the House

#### 16.2—Complaints of Violations of the Standards of Conduct by Members and Officers of the House; Procedure

(a) FILING OF COMPLAINTS. The Chair of the Committee on Rules, Ethics & Elections shall receive and initially review allegations of improper conduct that may reflect upon the House, violations of law, violations of the House Code of Conduct, and violations of the Rules and regulations of the House relating to the conduct of individuals in the performance of their duties as Members or officers of the House. Complaints of improper conduct against the Chair of the Committee on Rules, Ethics & Elections shall be reviewed and managed by the Speaker or, if designated by the Speaker, the Speaker pro tempore.

(1) Review of Complaints. The Chair of the Committee on Rules, Ethics & Elections shall review each complaint submitted to the committee relating to the conduct of a Member or officer of the House.

## (2) Complaints.

a. A complaint shall be in writing and under oath, setting forth in simple, concise statements the following:

1. The name and legal address of the party filing the complaint (complainant);

2. The name and position or title of the Member or officer of the House (respondent) alleged to be in violation of the House Code of Conduct or a law, rule, regulation, or other standard of conduct;

3. The nature of the alleged violation, based upon the personal knowledge of the complainant, including, if possible, the specific section of the House Code of Conduct or law, rule, regulation, or other standard of conduct alleged to have been violated; and

4. The facts alleged to have given rise to the violation.

b. All documents in the possession of the complainant that are relevant to, and in support of, the allegations shall be attached to the complaint.

## (3) Processing Complaint and Preliminary Findings.

a. Upon the filing of a complaint, the Chair shall, within 5 working days, notify the Member or officer against whom the complaint has been filed and give such person a copy of the complaint. Within 20 days, the Chair shall take the necessary actions as provided in subparagraphs b.-g.

b. The Chair shall examine each complaint for jurisdiction and for compliance with paragraph (a)(2).

c. If the Chair determines that a complaint does not comply with such Rule, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with such Rule and with a copy of the Rule. A complainant may resubmit a

complaint, provided such complaint is resubmitted prior to the expiration of the time limitation set forth in subsection (o).

d. If the Chair determines that the verified complaint does not allege facts sufficient to constitute a violation of any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

e. If the Chair determines that the complaint is outside the jurisdiction of the House, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

f. If the Chair determines that a violation is inadvertent, technical, or otherwise of a *de minimis* nature, the Chair may attempt to correct or prevent such a violation by informal means.

g. If the Chair determines that such a complaint does allege facts sufficient to constitute a violation of any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, and that the complaint is not *de minimis* in nature, the Chair shall, within 20 days, transmit a copy of the complaint to the Speaker and, in writing, request the appointment of a Probable Cause Panel or Special Master regarding the complaint. A copy of the letter shall be provided to the complainant and the respondent.

(4) Withdrawal of Complaints. A complaint may be withdrawn at any time.

(b) PROBABLE CAUSE PANEL OR SPECIAL MASTER.

(1) Creation. Whenever the Speaker receives a copy of a complaint and request made pursuant to subsection (a), the Speaker shall, within 20 days, either appoint a Probable Cause Panel (the panel) consisting of an odd number of members or appoint a Special Master. If the Speaker appoints a Probable Cause Panel, the Speaker shall also appoint one member of the panel as its Chair. The Speaker may appoint up to two additional persons who are not Members of the House to serve as nonvoting, public members of a Probable Cause Panel.

(2) Powers and Duties. The members of the panel or the Special Master shall have the following powers and duties:

a. Investigate complaints and make appropriate findings of fact promptly regarding allegations of improper conduct sufficient to establish probable cause of violations of law, violations of the House Code of Conduct, and violations of Rules and regulations of the House relating to the conduct of individuals in the performance of their duties as Members or as officers of the House;

b. Based upon the investigation by the Special Master or the panel, make and report findings of probable cause to the Speaker and to the House as it relates to the complaint that occasioned the appointment of the Probable Cause Panel or the Special Master;

c. Recommend to the Committee on Rules, Ethics & Elections such additional Rules or regulations as the Probable Cause Panel or the Special Master shall determine are necessary or desirable to ensure proper standards of conduct by Members and officers of the House in the performance of their duties and the discharge of their responsibilities; and

d. Adopt rules of procedure as appropriate.

(3) Quorum. A quorum of a Probable Cause Panel, when appointed, shall consist of a majority of the members of the panel. All action by a Probable Cause Panel shall require the concurrence of a majority of the full panel.

(4) Term. A Probable Cause Panel or Special Master, as appropriate, shall serve until the complaint that occasioned the appointment of the panel or the Special Master has been dismissed or until a finding of probable cause has been transmitted to the Speaker.

(c) PRELIMINARY INVESTIGATION AND PROBABLE CAUSE FINDING.

(1) Preliminary Investigation.

a. The Probable Cause Panel or the Special Master shall provide the respondent an opportunity to present to the panel, the Special Master, or staff of the panel, orally or in writing, a statement addressing the allegations.

b. The panel, Special Master, or the staff of the panel may interview witnesses and examine documents and other evidentiary matters.

c. The panel or Special Master may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the Chair or any other member of the panel, by the Special Master, or by any person authorized by law to administer oaths.

d. The panel or Special Master may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

(2) Probable Cause Finding.

a. Findings.

1. The panel, by a recorded vote of a majority of the full panel, or the Special Master, as appropriate, shall determine whether there is probable cause to conclude that a violation within the jurisdiction of the panel or the Special Master has occurred.

2. If the panel or Special Master, as appropriate, finds that probable cause does not exist, the panel or Special Master shall dismiss the complaint and notify the complainant and the respondent of its determination.

3. If the panel or Special Master, as appropriate, determines that probable cause exists to believe that a violation occurred but that the violation, if proven, is neither of a *de minimis* nature nor sufficiently serious to justify expulsion, censure, or reprimand, the panel or Special Master may recommend an appropriate, lesser penalty or may resolve the complaint informally. If the respondent agrees, a summary of the panel's or Special Master's conclusions, as appropriate, shall be published in the House *Journal* and the penalty agreed upon shall be imposed. If the panel or Special Master is unable to satisfactorily settle the complaint, the complaint shall be subject to a full evidentiary hearing before the Select Committee on Standards of Official Conduct pursuant to subsection (d).

4. If the panel or Special Master determines that probable cause exists to believe that a violation occurred and that, if proven, would be sufficiently serious to justify expulsion, censure, or reprimand, the panel or Special Master shall cause to be transmitted to the respondent a Statement of Alleged Violation. The statement shall be divided into counts, and each count shall be related to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation, including a reference to the provision of the House Code of Conduct or law, rule, regulation, or other standard of conduct alleged to have been violated. A copy of the statement shall also be transmitted to the Speaker.

b. Collateral Proceedings. If the complaint against a Member or officer of the House has been the subject of action before any other body, the panel or Special Master may forward the complaint directly to a hearing pursuant to subsection (d).

(d) HEARING.

(1) Select Committee on Standards of Official Conduct. Upon receipt by the Speaker of a Statement of Alleged Violation, the Speaker shall appoint, within 20 days, a Select Committee on Standards of Official Conduct (the select committee) to hold hearings regarding the statement and make a recommendation for disciplinary action to the full House. Upon the receipt by the Speaker of a complaint and findings by the Commission on Ethics regarding a Member of the House, the Speaker shall appoint, within 20 days, a Select Committee on Standards of Official Conduct to hold hearings to determine whether a violation

has occurred and, if so, to make a recommendation for disciplinary action to the full House.

(2) Hearing. A hearing regarding a violation charged in a Statement of Alleged Violation or in a complaint and findings by the Commission on Ethics shall be held promptly to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation.

a. Chair. The Chair of the select committee or other member presiding at a hearing shall rule upon any question of admissibility of testimony or evidence presented to the select committee. Rulings shall be final unless reversed or modified by a majority vote of the members of the select committee. If the select committee appoints a referee pursuant to subsection (i), the referee shall make all evidentiary rulings.

b. Referee. The select committee shall serve as referee for all proceedings under these Rules, unless the select committee retains an independent referee pursuant to subsection (i).

c. Prosecutor. The select committee's staff shall serve as a legal advisor to the committee. The select committee may retain independent counsel pursuant to subsection (j) to serve as prosecutor in all proceedings conducted under these Rules.

d. Respondent's Rights. The respondent shall have the right to be represented by legal counsel, to call witnesses, to introduce exhibits, and to cross-examine opposing witnesses. The respondent or respondent's counsel shall be permitted to take the deposition of the complainant in accordance with sub-subparagraph (d)(3)a.3.

e. Complainant's Rights. The complainant is not a party to any part of the complaint process or these proceedings. The complainant has no standing to challenge these Rules or procedures and has no right to appeal. The complainant may submit a list of witnesses or questions for the select committee's consideration to assist in its preparation for the hearing.

(3) Procedures.

a. Procedure and Evidence.

1. Procedure. The select committee may adopt rules of procedure as appropriate to its needs.

2. Evidence. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. However, hearsay evidence may not be used unless same would be admissible under the *Florida Rules of Evidence* and it shall not be sufficient in itself to support a factual finding unless it would be admissible over objection in civil actions.

3. Discovery. Discovery may be permitted upon motion, which shall state the reason therefor. Discovery shall be in accordance with the *Florida Rules of Civil Procedure*, but may be limited in time, scope, and method by the Chair or the referee.

4. Testimony. The select committee shall order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the Chair or a member of the select committee, by any referee appointed pursuant to subsection (i), or by any person authorized by law to administer oaths.

5. Subpoenas. The select committee may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

b. Order of Hearing. The order of the full hearing before the select committee or the referee shall be as follows:

1. The Chair or the referee shall open the hearing by stating the select committee's authority to conduct the hearing, the purpose of the hearing, and its scope.

2. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order, whenever possible: witnesses and other evidence offered by the independent counsel, witnesses and other evidence offered by the respondent, and rebuttal witnesses. The select committee may call witnesses at any time during the proceedings.

3. Witnesses at the hearing shall be examined first by the independent counsel. The respondent or the respondent's counsel may then cross-examine the witnesses. The members of the select committee may then question the witnesses. Redirect and recross may be permitted in the Chair's or the referee's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or the respondent's counsel, and then may be cross-examined by the independent counsel. Members of the select committee may then question the witness. Redirect and recross may be permitted in the Chair's or the referee's discretion. Participation by the select committee at the hearing stage is at the sole discretion of the select committee and is not mandatory.

(4) Burden of Proof. At the hearing, the burden of proof rests on the appointed independent counsel to establish the facts alleged by clear and convincing evidence with respect to each count.

(e) COMMITTEE RECOMMENDED ORDER.

(1) Committee Deliberations. As soon as practicable, the select committee shall consider each count contained in a Statement of Alleged Violation or in a complaint and findings, as the case may be. A count shall not be proven unless at least a majority of the select committee votes for a motion that the count has been proved. A count that is not proved shall be considered as dismissed by the select committee.

(2) Dismissal of Complaint. After the hearing, the select committee shall, in writing, state its findings of fact. If the select committee finds that the respondent has not violated any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, it shall order the action dismissed and shall notify the respondent and the complainant of such action.

(3) Recommended Order.

a. Recommended Order. If the select committee finds that the respondent has violated any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, it shall, in writing, state its findings of fact and submit a report to the House. A copy of the report shall be sent to the respondent and the complainant and shall be published in the *House Journal*.

b. Penalty. With respect to any violation with which a Member or officer of the House is charged in a count that the select committee has voted as proved, the select committee may recommend to the House that the Member or officer be fined, censured, reprimanded, placed on probation, or expelled, as appropriate, or may recommend such other lesser penalty as may be appropriate.

(f) PROPOSED RECOMMENDED ORDER.

(1) Referee. When a hearing is conducted by referee, as provided in subsection (i), the referee shall prepare a proposed recommended order and file it, together with the record of the hearing, with the select committee. Copies of the proposed recommended order shall be served on all parties.

(2) Proposed Recommended Order. The proposed recommended order will contain the time and place of the hearing, appearances entered at the hearing, issues, and proposed findings of fact and conclusions of law.

(3) Exceptions. The respondent and the independent counsel may file written exceptions with the select committee in response to a referee's recommended order. Exceptions shall be filed within 20 days after service of the recommended order unless such time is extended by the referee or the Chair of the select committee.

(4) Recommended Order. The select committee shall deliberate and render a recommended order pursuant to the provisions of subsection (e).

(g) CONSENT DECREE. At any stage of the proceedings, the respondent and the select committee may agree to a consent decree. The consent decree shall state findings of fact and shall be published in the House *Journal*. The consent decree shall contain such penalty as may be appropriate. If the House accepts the consent decree, the complaint pursuant to these proceedings shall be resolved. If the House does not accept the consent decree, the proceedings before the select committee shall resume.

(h) CONFIDENTIALITY. Any material provided to the House in response to a complaint filed under this Rule that is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by applicable law. Except as otherwise provided in this section, a complaint and the records relating to a complaint shall be available for public inspection upon the dismissal of a complaint by the Chair of the Committee on Rules, Ethics & Elections, a determination as to probable cause or informal resolution of a complaint by a Special Master or Probable Cause Panel, or the receipt by the Speaker of a request in writing from the respondent that the complaint and other records relating to the complaint be made public records.

(i) REFEREE. The Select Committee on Standards of Official Conduct may, in its discretion and with the approval of the Speaker, employ a referee to preside over the proceedings, to hear testimony, and to make findings of fact and recommendations to the select committee concerning the disposition of complaints.

(j) INDEPENDENT COUNSEL. The Select Committee on Standards of Official Conduct is authorized to retain and compensate counsel not regularly employed by the House, as authorized by the Speaker.

(k) ATTORNEY'S FEES. When a Probable Cause Panel or a Special Master finds that probable cause does not exist or the select committee finds that the respondent has not violated any of the provisions of the House Code of Conduct or a law, rule, regulation, or other standard of conduct, the panel or Special Master or the select committee may recommend to the Speaker that the reasonable attorney's fees and costs incurred by the respondent be paid by the House. Payment of such reasonable fees and costs shall be subject to the approval of the Speaker.

(l) ELIGIBILITY; SPEAKER OF THE HOUSE. If any allegation under this Rule involves the conduct or activities of the Speaker, the duties of the Speaker pursuant to this Rule shall be transferred to the Speaker pro tempore.

(m) COLLATERAL ACTIONS.

(1) Criminal Actions. Any criminal complaints relating to Members shall be governed by these Rules.

(2) Commissions or Quasi-Judicial Agencies with Concurrent Jurisdiction. If a complaint against a Member or an officer of the House is filed with a commission or quasi-judicial agency with concurrent jurisdiction, the Chair of the Committee on Rules, Ethics & Elections, a Probable Cause Panel or a Special Master, and the Select Committee on Standards of Official Conduct shall have the discretion to refrain from processing a similar complaint until such commission or quasi-judicial agency has completed its review of the matter. If such a complaint is filed initially with the Chair of the Committee on Rules, Ethics & Elections and subsequently filed with a commission or quasi-judicial agency with concurrent jurisdiction, the Chair of the Committee on Rules, Ethics & Elections, the panel or Special Master, and the select committee shall have the discretion to suspend their proceedings until all such commissions and agencies have completed their review of the matter.

(n) EX PARTE COMMUNICATIONS.

(1) A Special Master or a member of a Probable Cause Panel or of a Select Committee on Standards of Official Conduct shall not initiate or

consider any *ex parte* communication relative to the merits of a pending complaint proceeding by:

a. Any person engaged in prosecution or advocacy in connection with the matter; or

b. A party to the proceeding or any person who, directly or indirectly, would have a substantial interest in the action of the panel, Special Master, or select committee, or authorized representatives or counsel thereof.

(2) Except when acting in official capacity as a Special Master or as a member of a panel or select committee, a Special Master or a member of a Probable Cause Panel or of a Select Committee on Standards of Official Conduct shall not comment upon or discuss with any other person the matters that occasioned the appointment of the Special Master, panel, or select committee during the pendency of proceedings held pursuant to this Rule before the Special Master, panel, or select committee. This section shall not apply to communications initiated or considered by the Special Master or the Chair of the panel or select committee relating to a settlement pursuant to sub-subparagraph (c)(2)a.3. or to a consent decree authorized pursuant to subsection (g).

(o) TIME LIMITATIONS.

(1) On or after the effective date of these Rules, all sworn complaints alleging violation of the House Code of Conduct, including any violation of law or of the Rules and regulations of the House, shall be filed with the Committee on Rules, Ethics & Elections within 2 years after the alleged violation.

(2) A violation of the House Code of Conduct is committed when every element of the Rule has occurred and time starts to run on the day after the violation occurred.

(3) The applicable period of limitation is tolled on the day a sworn complaint against the Member or officer is filed with the Committee on Rules, Ethics & Elections. If it can be concluded from the face of the complaint that the applicable period of limitation has run, the allegations shall not be considered a complaint for the purpose of requiring action by the Chair of the Committee on Rules, Ethics & Elections. The complaint and all material related thereto shall remain confidential.

### 16.3—Penalties for Violations

Separately from any prosecutions or penalties otherwise provided by law, any Member determined to have violated the foregoing requirements of these Rules shall be fined, censured, reprimanded, placed on probation, or expelled, or have such other lesser penalty imposed as may be appropriate. Such determination and disciplinary action shall be taken by a two-thirds vote of the House, except that expulsions shall require two-thirds vote of the membership, upon recommendation of the select committee so designated under Rule 16.2.

## Part Three—Complaints Against Lobbyists

### 16.4—Lobbyists

(a) OBLIGATIONS OF A LOBBYIST.

(1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view that the lobbyist openly declares. A lobbyist shall not offer or propose anything that may reasonably be construed to improperly influence the official act, decision, or vote of a legislator, nor shall a lobbyist attempt to improperly influence the selection of officers or employees of the House. A lobbyist, by personal example and admonition to colleagues, shall maintain the honor of the legislative process by the integrity of the lobbyist's relationship with legislators as well as with the principals whom the lobbyist represents.

(2) A lobbyist shall not knowingly and willfully falsify, conceal, or cover up, by any trick, scheme, or device, a material fact or make any false, fictitious, or fraudulent statement or representation, or make or

use any writing or document knowing the same to contain any false, fictitious, or fraudulent statements or entry.

(3) No registered lobbyist shall be permitted upon the floor of the House while it is in session.

(b) **ADVISORY OPINIONS; COMPILATION THEREOF.** A lobbyist, when in doubt about the applicability and interpretation of subsection (a) in a particular context, shall submit in writing the facts for an advisory opinion to the Speaker, who shall either refer the issue to the House general counsel for an advisory opinion or refer the issue to a committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists and may appear in person before such committee. The House general counsel or this committee shall render advisory opinions to any lobbyist who seeks advice as to whether the facts in a particular case would constitute a violation of such Rule by a lobbyist. Such opinion, until amended or revoked, shall be binding in any subsequent complaint concerning the lobbyist who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for advisory opinion. Upon request of the lobbyist or any Member, the committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists may revise any advisory opinion issued by the House general counsel or may revise any advisory opinion issued by the general counsel of the Office of Legislative Services under Joint Rule 1.7. The House general counsel or committee shall make sufficient deletions to prevent disclosing the identity of persons in the decisions or opinions. All advisory opinions of the House general counsel or this committee shall be numbered, dated, and published in an annual publication of the House. The Clerk shall keep a compilation of all advisory opinions of the House general counsel or committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists.

#### 16.5—Complaints of Violations Relating to Lobbyists; Procedure

(a) **FILING OF COMPLAINTS.** The Chair of the Committee on Rules, Ethics & Elections shall receive and initially review allegations of violations of the Rules of the House, Joint Rule 1, or violations of a law, rule, or other standard of conduct by a lobbyist.

(1) **Review of Complaints.** The Chair of the Committee on Rules, Ethics & Elections shall review each complaint submitted to the Committee on Rules, Ethics & Elections relating to the conduct of a lobbyist.

##### (2) Complaints.

a. A complaint shall be in writing and under oath, setting forth in simple, concise statements the following:

1. The name and legal address of the party filing the complaint (complainant);

2. The name and address of the lobbyist (respondent) alleged to be in violation of the Rules of the House, Joint Rule 1, or a law, rule, or other standard of conduct;

3. The nature of the alleged violation based upon the personal knowledge of the complainant, including, if possible, the specific section of the Rules of the House, Joint Rule 1, or law, rule, or other standard of conduct alleged to have been violated; and

4. The facts alleged to give rise to the violation.

b. All documents in the possession of the complainant that are relevant to, and in support of, the allegations shall be attached to the complaint.

##### (3) Processing Complaint and Preliminary Findings.

a. Upon the filing of a complaint, the Chair shall, within 5 working days, notify the lobbyist against whom the complaint has been filed and give such person a copy of the complaint. Within 20 days, the Chair shall take the necessary actions as provided in subparagraphs b.-g.

b. The Chair shall examine each complaint for jurisdiction and for compliance with paragraph (a)(2).

c. If the Chair determines that a complaint does not comply with such Rule, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with such Rule and with a copy of the Rule. A complainant may resubmit a complaint, provided such complaint is resubmitted prior to the expiration of the time limitation set forth in subsection (m).

d. If the Chair determines that the verified complaint does not allege facts sufficient to constitute a violation of any of the provisions of the Rules of the House, Joint Rule 1, or a law, rule, or other standard of conduct, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

e. If the Chair determines that the complaint is outside the jurisdiction of the House, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

f. If the Chair determines that a violation is inadvertent, technical, or otherwise of a *de minimis* nature, the Chair may attempt to correct or prevent such a violation by informal means.

g. If the Chair determines that such a complaint does allege facts sufficient to constitute a violation of any of the provisions of the Rules of the House, Joint Rule 1, or a law, rule, or other standard of conduct, and that the complaint is not *de minimis* in nature, the Chair shall transmit a copy of the complaint to the Speaker and, in writing, request the appointment of a Probable Cause Panel or Special Master regarding the complaint. A copy of the letter shall be provided to the complainant and the respondent.

(4) **Withdrawal of Complaints.** A complaint may be withdrawn at any time.

##### (b) PROBABLE CAUSE PANEL OR SPECIAL MASTER.

(1) **Creation.** Whenever the Speaker receives a copy of a complaint and request made pursuant to subsection (a), the Speaker shall, within 20 days, either appoint a Probable Cause Panel (the panel) consisting of an odd number of members or appoint a Special Master. If the Speaker appoints a Probable Cause Panel, the Speaker shall also appoint one member of the panel as its Chair. The Speaker may appoint up to two additional persons who are not Members of the House to serve as nonvoting, public members of a Probable Cause Panel.

(2) **Powers and Duties.** The members of the panel or the Special Master shall have the following powers and duties:

a. Investigate complaints and make appropriate findings of fact promptly regarding allegations of improper conduct sufficient to establish probable cause of violation of the Rules of the House, Joint Rule 1, or a law, rule, or other standard of conduct;

b. Based upon the investigation by the Special Master or the panel, make and report findings of probable cause to the Speaker and to the House as it relates to the complaint that occasioned the appointment of the Probable Cause Panel or the Special Master;

c. Recommend to the Committee on Rules, Ethics & Elections such additional Rules or regulations as the Probable Cause Panel or the Special Master shall determine are necessary or desirable to ensure proper standards of conduct by lobbyists; and

d. Adopt rules of procedure as appropriate to its needs.

(3) **Quorum.** A quorum of a Probable Cause Panel, when appointed, shall consist of a majority of the members of the panel. All action by a Probable Cause Panel shall require the concurrence of a majority of the full panel.

(4) **Term.** A Probable Cause Panel or Special Master, as appropriate, shall serve until the complaint that occasioned the appointment of the panel or the Special Master has been dismissed or until a finding of probable cause has been transmitted to the Speaker.

##### (c) PRELIMINARY INVESTIGATION AND PROBABLE CAUSE FINDING.

## (1) Preliminary Investigation.

a. The Probable Cause Panel or the Special Master shall provide the respondent an opportunity to present to the panel, the Special Master, or staff of the panel, orally or in writing, a statement addressing the allegations.

b. The panel, Special Master, or the staff of the panel may interview witnesses and examine documents and other evidentiary matters.

c. The panel or Special Master may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the Chair or any other member of the panel, by the Special Master, or by any person authorized by law to administer oaths.

d. The panel or Special Master may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

## (2) Probable Cause Finding.

a. The panel, by a recorded vote of a majority of the full panel, or the Special Master, as appropriate, shall determine whether there is probable cause to conclude that a violation within the jurisdiction of the panel or the Special Master has occurred.

b. If the panel or Special Master, as appropriate, finds that probable cause does not exist, the panel or Special Master shall dismiss the complaint and notify the complainant and the respondent of its determination.

c. If the panel or Special Master, as appropriate, determines that probable cause exists to believe that a violation occurred but that the violation, if proven, is neither of a *de minimis* nature nor sufficiently serious to justify the imposition of a penalty pursuant to Rule 16.6, the panel or Special Master may recommend an appropriate, lesser penalty or may resolve the complaint informally. If the respondent agrees, a summary of the panel's or Special Master's conclusions, as appropriate, shall be published in the House *Journal* and the penalty agreed upon shall be imposed. If the panel or Special Master is unable to satisfactorily settle the complaint, the complaint shall be subject to a full evidentiary hearing before the Select Committee on Lobbyist Conduct pursuant to subsection (d).

d. If the panel or Special Master determines that probable cause exists to believe that a violation occurred and that, if proven, would be sufficiently serious to justify imposition of a penalty pursuant to Rule 16.6, the panel or Special Master shall cause to be transmitted to the respondent a Statement of Alleged Violation. The statement shall be divided into counts, and each count shall be related to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation, including a reference to the provision of the Rules of the House, Joint Rule 1, or law, rule, or other standard of conduct alleged to have been violated. A copy of the statement shall also be transmitted to the Speaker.

## (d) HEARING.

(1) Select Committee on Lobbyist Conduct. Upon receipt by the Speaker of a Statement of Alleged Violation, the Speaker shall appoint, within 20 days, a Select Committee on Lobbyist Conduct (the select committee) to hold hearings regarding the statement and make a recommendation for disciplinary action to the full House.

(2) Hearing. A hearing regarding a violation charged in a Statement of Alleged Violation shall be held promptly to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation. The hearing before the select committee shall be subject to Rule 7.18.

a. Chair. The Chair of the select committee or other member presiding at a hearing shall rule upon any question of admissibility of testimony or evidence presented to the select committee. Rulings shall be final unless reversed or modified by a majority vote of the members

of the select committee. If the select committee appoints a referee pursuant to subsection (i), the referee shall make all evidentiary rulings.

b. Referee. The select committee shall serve as referee for all proceedings under these Rules, unless the select committee retains an independent referee pursuant to subsection (i).

c. Prosecutor. The select committee's staff shall serve as prosecutor in all proceedings conducted under these Rules, unless the select committee retains independent counsel pursuant to subsection (j).

d. Respondent's Rights. The respondent shall have the right to be represented by legal counsel, to call witnesses, to introduce exhibits, and to cross-examine opposing witnesses. The respondent or respondent's counsel shall be permitted to take the deposition of the complainant in accordance with sub-subparagraph (d)(3)a.3.

e. Complainant's Rights. The complainant is not a party to any part of the complaint process or these proceedings. The complainant has no standing to challenge these Rules or procedures and has no right to appeal. The complainant may submit a list of witnesses or questions for the select committee's consideration to assist in its preparation for the hearing.

## (3) Procedures.

## a. Procedure and Evidence.

1. Procedure. The select committee may adopt rules of procedure as appropriate to its needs.

2. Evidence. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. However, hearsay evidence may not be used unless same would be admissible under the *Florida Rules of Evidence* and it shall not be sufficient in itself to support a factual finding unless it would be admissible over objection in civil actions.

3. Discovery. Discovery may be permitted upon motion, which shall state the reason therefor. Discovery shall be in accordance with the *Florida Rules of Civil Procedure*, but may be limited in time, scope, and method by the Chair or the referee.

4. Testimony. The select committee shall order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the Chair or a member of the select committee, by any referee appointed pursuant to subsection (i), or by any person authorized by law to administer oaths.

5. Subpoenas. The select committee may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

b. Order of Hearing. The order of the full hearing before the select committee or the referee shall be as follows:

1. The Chair or the referee shall open the hearing by stating the select committee's authority to conduct the hearing, the purpose of the hearing, and its scope.

2. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order, whenever possible: witnesses and other evidence offered by the select committee's staff or the independent counsel, witnesses and other evidence offered by the respondent, and rebuttal witnesses. The select committee may call witnesses at any time during the proceedings.

3. Witnesses at the hearing shall be examined first by the select committee's staff or the independent counsel. The respondent or the respondent's counsel may then cross-examine the witnesses. The members of the select committee may then question the witnesses. Redirect and recross may be permitted in the Chair's or the referee's discretion. With respect to witnesses offered by the respondent, a

witness shall be examined first by the respondent or the respondent's counsel, and then may be cross-examined by the select committee's staff or the independent counsel. Members of the select committee may then question the witness. Redirect and recross may be permitted in the Chair's or the referee's discretion. Participation by the select committee at the hearing stage is at the sole discretion of the select committee and is not mandatory.

(4) Burden of Proof. At the hearing, the burden of proof rests on the select committee's staff or the appointed independent counsel to establish the facts alleged by clear and convincing evidence with respect to each count.

(e) COMMITTEE RECOMMENDED ORDER.

(1) Committee Deliberations. As soon as practicable, the select committee shall consider each count contained in a Statement of Alleged Violation. A count shall not be proven unless at least a majority of the select committee votes for a motion that the count has been proved. A count that is not proved shall be considered as dismissed by the select committee.

(2) Dismissal of Complaint. After the hearing, the select committee shall, in writing, state its findings of fact. If the select committee finds that the respondent has not violated any of the provisions of the Rules of the House, Joint Rule 1, or a law, rule, or other standard of conduct, it shall order the action dismissed and shall notify the respondent and the complainant of such action.

(3) Recommended Order.

a. Recommended Order. If the select committee finds that the respondent has violated any of the provisions of the Rules of the House, Joint Rule 1, or a law, rule, or other standard of conduct, it shall, in writing, state its findings of fact and submit a report to the House. A copy of the report shall be sent to the respondent and the complainant and shall be published in the House *Journal*.

b. Penalty. With respect to any violation with which a lobbyist is charged in a count that the select committee has voted as proved, the select committee may recommend to the House that the lobbyist be censured, reprimanded, or prohibited from lobbying for all or any part of the legislative biennium during which the violation occurred, or such other penalty as may be appropriate.

(f) PROPOSED RECOMMENDED ORDER.

(1) Referee. When a hearing is conducted by referee, as provided in subsection (i), the referee shall prepare a proposed recommended order and file it, together with the record of the hearing, with the select committee. Copies of the proposed recommended order shall be served on all parties.

(2) Proposed Recommended Order. The proposed recommended order shall contain the time and place of the hearing, appearances entered at the hearing, issues, and proposed findings of fact and conclusions of law.

(3) Exceptions. The respondent and the independent counsel may file written exceptions with the select committee in response to a referee's recommended order. Exceptions shall be filed within 20 days after service of the recommended order unless such time is extended by the referee or the Chair of the select committee.

(4) Recommended Order. The select committee shall deliberate and render a recommended order pursuant to the provisions of subsection (e).

(g) CONSENT DECREE. At any stage of the proceedings, the respondent and the select committee may agree to a consent decree. The consent decree shall state findings of fact and shall be published in the House *Journal*. The consent decree shall contain such penalty as may be appropriate. If the House accepts the consent decree, the complaint pursuant to these proceedings shall be resolved. If the House does not accept the consent decree, the proceedings before the select committee shall resume.

(h) CONFIDENTIALITY. Any material provided to the House in response to a complaint filed under this Rule that is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by applicable law. Except as otherwise provided in this section, a complaint and the records relating to a complaint shall be available for public inspection upon the dismissal of a complaint by the Chair of the Committee on Rules, Ethics & Elections, a determination as to probable cause or informal resolution of a complaint by a Special Master or Probable Cause Panel, or the receipt by the Speaker of a request in writing from the respondent that the complaint and other records relating to the complaint be made public records.

(i) REFEREE. The Select Committee on Lobbyist Conduct may, in its discretion and with the approval of the Speaker, employ a referee to preside over the proceedings, to hear testimony, and to make findings of fact and recommendations to the select committee concerning the disposition of complaints.

(j) INDEPENDENT COUNSEL. The Select Committee on Lobbyist Conduct is authorized to retain and compensate counsel not regularly employed by the House, as authorized by the Speaker.

(k) ELIGIBILITY; SPEAKER OF THE HOUSE. If any allegation under this Rule involves the conduct or activities of the Speaker, the duties of the Speaker pursuant to this Rule shall be transferred to the Speaker pro tempore.

(l) EX PARTE COMMUNICATIONS.

(1) A Special Master or a member of a Probable Cause Panel or of a Select Committee on Lobbyist Conduct shall not initiate or consider any *ex parte* communication relative to the merits of a pending complaint proceeding by:

a. Any person engaged in prosecution or advocacy in connection with the matter; or

b. A party to the proceeding or any person who, directly or indirectly, would have a substantial interest in the action of the panel, Special Master or select committee, or authorized representatives or counsel thereof.

(2) Except when acting in official capacity as a Special Master or as a member of a panel or select committee, a Special Master or a member of a Probable Cause Panel or of a Select Committee on Lobbyist Conduct shall not comment upon or discuss with any other person the matters that occasioned the appointment of the Special Master, panel, or select committee during the pendency of proceedings held pursuant to this Rule before the Special Master, panel, or select committee. This section shall not apply to communications initiated or considered by the Special Master or the Chair of the panel or select committee relating to a settlement pursuant to subparagraph (c)(2)c. or to a consent decree authorized pursuant to subsection (g).

(m) TIME LIMITATIONS.

(1) On or after the effective date of these Rules, all sworn complaints alleging violation of the Rules of the House, Joint Rule 1, or any law, rule, or other standard of conduct by a lobbyist shall be filed with the Committee on Rules, Ethics & Elections within 2 years after the alleged violation.

(2) A violation of the Rules of the House is committed when every element of the Rule has occurred, and time starts to run on the day after the violation occurred.

(3) The applicable period of limitation is tolled on the day a sworn complaint against the lobbyist is filed with the Committee on Rules, Ethics & Elections. If it can be concluded from the face of the complaint that the applicable period of limitation has run, the allegations shall not be considered a complaint for the purpose of requiring action by the Chair of the Committee on Rules, Ethics & Elections. The complaint and all material related thereto shall remain confidential.

**16.6—Penalties for Violations**

Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the foregoing requirements of these Rules, any provision in Joint Rule 1 adopted by the House and the Senate, or any law, rule, or other standard of conduct by a lobbyist may be reprimanded, censured, prohibited from lobbying for all or any part of the legislative biennium during which the violation occurred, or have such other penalty imposed as may be appropriate. Such determination shall be made by a majority of the House, upon recommendation of the select committee so designated under Rule 16.5.

**JOINT RULES****Joint Rule One****Lobbyist Registration and Reporting****1.1—Those Required to Register; Exemptions; Committee Appearance Records**

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services, referred to in Joint Rule One as the Lobbyist Registration Office. Registration is required for each principal represented.

(2) As used in this rule, unless the context otherwise requires:

(a) “Designated lobbyist” means the lobbyist who is appointed, by a principal represented by two or more lobbyists, to file expenditure reports that include lobbying expenditures made directly by the principal.

(b) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(c) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(d) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by any executive, judicial, or quasi-judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(e) “Payment” or “salary” means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(f) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive, judicial, or quasi-judicial department of the state or community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record on a form to be provided by the respective house.

**1.2—Method of Registration**

(1) Each person who is required to register under Joint Senate and House Rule 1.1 must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person’s full legal name, driver’s license number, business address, and phone number, the name and business address of each principal that person represents, the areas of that person’s legislative interest, and the extent of any direct business association or partnership that person has with any member of the Legislature. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement signed by the principal or principal’s representative that the registrant is authorized to represent the principal. Any person required to register must renew the registration annually, in accordance with Joint Senate and House Rule 1.3.

(3) If a principal is represented by two or more lobbyists, the first lobbyist who registers to represent that principal shall be the designated lobbyist. The principal may change its designated lobbyist at any time in writing on forms furnished by the Lobbyist Registration Office. Upon termination of the designated lobbyist’s representation, the principal shall notify the Lobbyist Registration Office within 15 days, on forms furnished by the office, of the appointment of a new designated lobbyist.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration

Office, cancelling the registration for a principal upon termination of the lobbyist's representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal. Each lobbyist shall file an expenditure report for each period during any portion of which he or she was registered, and each principal shall ensure that an expenditure report is filed for each period during any portion of which the principal was represented by a registered lobbyist.

(5) The Lobbyist Registration Office shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The Lobbyist Registration Office shall retain all original documents submitted under this section.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 112.3148 and 112.3149, Florida Statutes, relating to the reporting of and the prohibited receipt of gifts and honoraria.

### 1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

- (a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.
- (b) Two employees of the Fish and Wildlife Conservation Commission.
- (c) Two employees of the Executive Office of the Governor.
- (d) Two employees of the Commission on Ethics.
- (e) Two employees of the Florida Public Service Commission.
- (f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this joint policy shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering this joint policy.

### 1.4—Periodic Reports Required

(1) REPORTING DATES.—Each person who registers pursuant to Joint Senate and House Rule 1.2 must submit to the Lobbyist Registration Office, on forms provided by the Lobbyist Registration Office and for each reporting period required by this rule, a signed and certified statement listing all lobbying expenditures during the reporting period and the sources of funds for those expenditures as required in this rule. Reporting statements shall be filed no later than 45 days after the end of the reporting period. Only two reports are required each calendar year. The first report shall disclose expenditures made from January 1 through June 30. The second report shall disclose

expenditures for July 1 through December 31. It is the intent of this rule that each reporting period be separate from the other reporting period and that each expenditure be reported just once. In addition, any reporting statement may be filed by electronic means, when feasible.

(2) TIMELINESS OF REPORTS.—Reports shall be filed not later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

### (3) LOBBYIST'S EXPENDITURE REPORT.—

(a) The Lobbyist's Expenditure Report shall include the name of the lobbyist and the name of the principal on whom the report is prepared. Expenditures for the reporting period shall be reported by the following categories: Food and Beverages; Entertainment; Research; Communications; Media Advertising; Publications; Travel; Lodging; Special Events; and Other. For each expenditure category, the report must identify the amount paid directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. Forms shall be provided by the Lobbyist Registration Office.

(b) A lobbyist shall file a Lobbyist's Expenditure Report for each principal represented.

(c) When a principal has two or more lobbyists, the designated lobbyist will be responsible for filing a report that discloses the expenditures made directly by the principal and the expenditures of the designated lobbyist on behalf of the principal. The designated lobbyist is responsible for making a good faith effort to obtain the figures reported as lobbying expenditures made by the principal.

(d) When there are multiple lobbyists, only the designated lobbyist is to report expenditures made directly by the principal. When there are multiple lobbyists, only unduplicated amounts should be reported for expenditures initiated or expended by the lobbyist and paid for by the principal.

(e) The principal is responsible for the accuracy of the figures submitted to the lobbyist for reporting, and the lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist. The principal shall sign the expenditure report submitted by the principal's sole or designated lobbyist.

### (4) EXPENDITURES.—

#### (a) Definitions.—

1. "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made or controlled, directly or indirectly, by a lobbyist or principal for the purpose of lobbying. Expenditures shall be accounted for and reported on an accrual accounting basis.

2. "Accrual accounting basis" means the method of accounting that recognizes expenses during the period in which they are incurred regardless of when they are actually paid.

(b) Goodwill expenditures.—An expenditure shall be considered to have been intended to be for the purpose of engendering goodwill if it is a gift, an entertainment, any food or beverage, or any other item or service of similar personal benefit to a member or an employee of the Legislature, unless the member or employee is a relative of the lobbyist. A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or

employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

(c) Expenditure categories.—Each reporting individual shall make a good faith effort to report an expenditure and to report it in the appropriate category. If an expenditure fits in two or more categories, it shall be reported in the category to which the expense primarily relates. When an expenditure is not within any defined category, it should be reported in the “Other” category. The categories of expenditures used in this rule are as follows:

1.a. “Communications” means dissemination of information, including, but not limited to, by means of the following:

- I. Audio-visual materials; and
- II. Signs, placards, banners, buttons, promotional materials, and other display materials;

together with any associated production services.

b. This category does not include media advertising, publications, or research.

2. “Entertainment” means amusement or recreation, including, but not limited to, sporting, hunting, fishing, theatrical, artistic, cultural, and musical activities or events.

3. “Food and Beverages” means meals, snacks or other edible substances, or liquids for drinking, including services associated therewith.

4. “Lodging” means sleeping or living accommodations for an individual for one or more nights.

5. “Media Advertising” means newspaper and magazine advertising, radio and television advertising, and outdoor advertising, including production services and copywriting services.

6. “Other” means any item or service that is not included within one of the specified categories, but does not include any item or service that is not required by law to be reported.

7. “Publications” means mass-produced, printed materials, including, but not limited to, magazines, newsletters, brochures, or pamphlets, which expressly encourage persons to communicate with members or employees of the Legislature to influence the official actions of members or employees of the Legislature or which are designed to communicate with members or employees of the Legislature.

8. “Research” means procurement of information relating to a specific issue, regardless of the form or medium in which that information is provided, including, but not limited to, surveys, bill-tracking services, information services, periodicals, and consultants or consultant services to gather data or statistics.

9. “Special Events” means large-scale occurrences, including, but not limited to, receptions, banquets, dinners, or legislative days, to which more than 250 persons are invited and for which the expenditures associated with hosting the occurrence are negotiated with a catering service or facility at a single, set price or which include multiple expenditure categories.

10. “Travel” means transporting an individual from one place to another, regardless of the means used.

(d) Items that are not expenditures.—The term “expenditure” does not include:

1. Contributions or expenditures reported pursuant to chapter 106, Florida Statutes; campaign-related personal services provided without compensation by individuals volunteering their time; or any other contribution or expenditure by a political party.

2. A lobbyist’s or principal’s salary, office expenses, and personal expenses for lodging, meals, and travel. If the principal is a firm, corporation, association, or person, other than a natural person, the office expenses of the entity and the salaries of the officers of the entity, as well as expenses for their lodging, meals, and travel, are not lobbying expenditures. Office expenses include, but are not limited to, payment or obligation for rent or mortgage, utilities, postage, telephone service, employees’ salaries, furniture, copies, computers, software, paper supplies, and custodial or maintenance services. Communications, publications, and research are office expenses if performed or produced by the lobbyist or principal or their employees. If those functions are performed by independent contractors, other than the lobbyist or principal or an affiliate controlled by the principal, they are expenditures reportable under the appropriate expenditure category.

3. If an expense is incurred for a nonlobbying business purpose and the product of that expense is later used for a lobbying purpose, a reportable expenditure is not created.

(e) Valuation of expenditures.—

1. In calculating the amount of aggregate expenditures, a lobbyist or principal may, prior to prorating, round each entry up or down to the nearest \$5. A record is not required to be maintained for any amount that rounds to zero.

2. The amount to be reported for an expenditure shall be determined using the actual cost to the lobbyist or principal or other person making the payment on behalf of the lobbyist or principal, less any compensation received by such lobbyist or principal in payment for the object of the expenditure. If a lobbyist or principal makes a contribution to an expenditure by another lobbyist or principal, the person making the contribution shall report the amount of the contribution as an expenditure, and the person receiving the contribution shall subtract the value of the contribution from the expenditure to be reported by that person.

3. When a lobbyist has multiple principals, expenditures made for the purpose of engendering goodwill that are not attributable to one principal may be prorated among the lobbyist’s principals or may be attributed to one principal.

4. When a lobbyist has multiple principals, expenditures for research or other expenditures that may benefit several principals may be reported to the principal for whom the research was done or other expenditures incurred or prorated to those principals that may benefit from the research or other expenditures.

5. The amount reported as an expenditure shall not include the amount of any additional expenses that are required as a condition precedent to eligibility to make an expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying or if it is paid to a charitable organization. If the amount expended for the condition precedent is primarily intended to be for a lobbying purpose and is not paid to a charitable organization, the total amount of the expenditure shall be reported as a lobbying expenditure. Initiation fees, membership fees, and booster fees are examples, although not exclusive examples, of additional expenses that are regularly required as conditions precedent for eligibility to make other expenditures.

6. A person providing transportation in a private automobile shall be considered to be making an expenditure at the rate of 29 cents per mile, and the amount of an expenditure made for transportation provided in other private conveyances shall be determined in accordance with the provisions of section 112.3148(7), Florida Statutes.

7. A person providing lodging in a private residence shall be considered to be making an expenditure of \$29 per night.

8. Expenditures made for more than one person may be attributed, on a *pro rata* basis, among all of the persons for whom the expenditure is made.

(5) AGGREGATION OF EXPENDITURE FIGURES.—For each reporting period, the Lobbyist Registration Office shall aggregate the

expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Following the last report for each calendar year, the Lobbyist Registration Office shall provide a total of expenditures reported as spent by and on behalf of each principal for that calendar year.

#### **1.5—Penalties for Late Filing**

(1) Upon determining that a report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

(a) When a report is actually received by the lobbyist registration and reporting office;

(b) When the report is postmarked;

(c) When the certificate of mailing is dated; or

(d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the Lobbyist Registration Office, unless appeal is made to the Lobbyist Registration Office. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive this one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 30 days after notice that any reports have not been timely filed is transmitted by the Lobbyist Registration Office. A fine shall be assessed for any subsequent late-filed reports.

(5) A lobbyist, a lobbyist's legal representative, or the principal of a lobbyist may request that the filing of an expenditure report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may grant or deny the request. The registration of a lobbyist who fails to timely pay a fine is automatically suspended until the fine is paid or waived.

(6) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

#### **1.6—Appeal of Fines; Hearings; Unusual Circumstances**

(1) A lobbyist wishing to appeal or dispute a fine imposed in accordance with Joint Senate and House Rule 1.5 shall file with the Lobbyist Registration Office a notice of appeal within 30 days after the notice of payment due is transmitted by the Lobbyist Registration Office, setting out with specificity the unusual circumstances surrounding the failure to file on the designated due date. A request for a hearing on the matter before the General Counsel of the Office of Legislative Services must be made within the same 30-day period. The notice of appeal may be accompanied by any documentation or evidence supporting the claim. Failure to timely file a notice of appeal as described in this subsection shall constitute a waiver of the right to appeal or to dispute a fine.

(2) The President of the Senate and the Speaker of the House of Representatives may waive the fine in whole or in part for good cause shown based on the unusual circumstances presented by the lobbyist.

(3) The term "unusual circumstances" for the purposes of this rule means uncommon, rare, or sudden events over which the person has no

control and which directly result in the failure to meet the filing requirements.

(4) The Department of Banking and Finance shall collect any fine that is not timely paid.

#### **1.7—Questions Regarding Registration**

(1) A person may request in writing an informal opinion from the general counsel of the Office of Legislative Services as to the application of this rule to a specific situation. The general counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion which is issued shall be provided to the presiding officer of each house. The committees designated under section 11.045(4), Florida Statutes, may revise any informal opinion rendered by the general counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this rule may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(4), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(4), Florida Statutes.

#### **1.8—Open Records**

All of the lobbyist registration and expenditure reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

#### **1.9—Records Retention and Inspection**

Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this rule, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

### **Joint Rule Two**

#### **General Appropriations Review Period**

##### **2.1—General Appropriations Bill; Review Period**

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice, and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building. A member's copy shall be furnished to the member's desk in the appropriate chamber. The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(5) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be provided herein. The Speaker of the House and the President of the Senate, as appropriate, shall be informed of the completion time and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

## **2.2—General Appropriations Bill; Definition**

For the purposes of Joint Rule 2, the term "general appropriations bill" means a bill which provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill which contains appropriations which are incidental and necessary solely to implement a substantive law is not included within this term.

## **Joint Rule Three**

### **Legislative Support Services**

#### **3.1—Organizational Structure**

The Legislature shall be supported by the Office of Legislative Services, the Office of Legislative Information Technology Services, and the Office of Economic and Demographic Research. These offices shall provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by the President of the Senate and the Speaker of the House of Representatives.

(1) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (2) and (3). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(2) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(3) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenues, and appropriations.

#### **3.2—Policies**

The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature.

## **Joint Rule Four**

### **Joint Legislative Auditing Committee**

#### **4.1—Responsibilities**

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the

performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall submit to the President of the Senate and the Speaker of the House of Representatives, for approval, an estimate of the financial needs of the committee, the Auditor General, the Office of Program Policy Analysis and Government Accountability, and the Public Counsel.

(4) The committee and the units it oversees, including the Auditor General, the Office of Program Policy Analysis and Government Accountability, and the Public Counsel, shall submit their budget requests and operating budgets to the President of the Senate and the Speaker of the House of Representatives for prior written approval by the presiding officers acting together.

(5) The committee may receive requests for audits and reviews from legislators. Staff of the committee shall review each request and make a recommendation to the committee concerning its disposition. The manner of disposition recommended may be:

(a) Assignment to the Auditor General for inclusion in a regularly scheduled agency audit;

(b) Assignment to the Auditor General for special audit or review;

(c) Assignment to the Office of Program Policy Analysis and Government Accountability for inclusion in a regularly scheduled performance audit;

(d) Assignment to the Office of Program Policy Analysis and Government Accountability for special audit or review;

(e) Assignment to committee staff; or

(f) Rejection as being an unnecessary or inappropriate application of legislative resources.

(6) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(7) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

## **Joint Rule Five**

### **Auditor General**

#### **5.1—Rulemaking Authority**

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

#### **5.2—Budget and Accounting**

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

**5.3—Audit Report Distribution**

(1) A copy of each audit report shall be submitted to the Governor, to the Comptroller, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

**Joint Rule Six****Office of Program Policy Analysis and Government Accountability****6.1—Responsibilities of the Director**

(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized to perform.

(2) The director shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval the annual projected work plan of the office in conjunction with a proposed operating budget for the ensuing fiscal year.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.

(4) Within the monetary limitations of the approved operating budget, the director shall make all spending decisions, including entering into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.

(5) The director shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The director may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

**Joint Rule Seven****Joint Legislative Budget Commission****7.1—General Responsibilities**

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions and proposed actions taken or to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through the chairman, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Comptroller and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

**7.2—Zero-based Budgeting**

(1) The commission shall develop a schedule and apply zero-based budgeting principles in reviewing the budget of each state agency at least once every 8 years.

(2) By July 1 of each year, the commission shall issue instructions to the agencies whose budgets are to be reviewed prior to the next legislative session.

(3) The commission shall provide these reviews to the President of the Senate and the Speaker of the House of Representatives by December 31 of the year in which they are completed.

(4) By February 1, 2001, the commission shall provide to the President of the Senate and the Speaker of the House of Representatives a schedule for completing zero-based budgeting reviews of all state agencies prior to December 31, 2008.

**7.3—Organizational Structure**

(1) The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives. The appointees shall include the chairman of the Fiscal Responsibility Council in the House of Representatives and the chairman of the Committee on Appropriations in the Senate.

(2) The members of the commission shall elect a chairman and a vice chairman. In even-numbered years, a Senator shall be chairman and a House member vice chairman. In odd-numbered years, a House member shall be chairman and a Senator vice chairman.

(3) The commission shall meet at least quarterly and more frequently at the direction of the presiding officers or the chairman. Meetings may be conducted through teleconferences or other electronic means.

(4) A quorum shall consist of a majority of the commission members of each house plus one additional member of the commission.

(5) Action by the commission shall require a majority vote of the members present of each house.

(6) The commission shall be jointly staffed by the appropriations committees of both houses. During even-numbered years, the Senate shall provide the lead staff. During odd-numbered years, the House of Representatives shall provide the lead staff.

#### **7.4—Notice of Commission Meetings**

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chairman is a Senator or with the Clerk of the House of Representatives when the chairman is a Representative. The Secretary or the Clerk shall

distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

#### **Joint Rule Eight**

##### **Continuing Existence of Joint Rules**

#### **8.1—Continuing Existence of Joint Rules**

All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.