



The Journal OF THE House of Representatives

Number 41

Friday, March 13, 2020

The House was called to order by the Speaker at 10:30 a.m.

Prayer

The following prayer was offered by Rabbi Schneur Oirechman of Chabad Lubavitch of the Panhandle of Tallahassee, upon invitation of Rep. Stark:

Almighty God, today as we gather here in the House of Representatives, on the last day of session, we ask You to bless the House Speaker Jose Oliva and each and every one of the distinguished representatives and their families. They're working tirelessly to bring good to the people of the great state of Florida, whom they serve. While they make this shift inwards, and as they part from their colleagues to go back home to their families and their communities, we now ask You for Your blessings that all their efforts bear fruit, and that You translate their efforts into constructive practice.

We invoke Your mercy to save our Sunshine State from calamities that come to the world and bring redemption to our world, swiftly and smoothly, with kindness and mercy. We know that You are involved in everything that happens in Your world, and that everything You do is for the good. We may not understand, but we realize and accept that, perhaps, the mission for now is to focus on ourselves and our families, as well as on our communities. So while it may look as we are moving toward isolation and separation from the world around us, by strengthening our individuality, our homes and our families, we protect ourselves and the community, both physically and spiritually.

Almighty God, as we conclude this last day of this session, give Your servants and caretakers of this great state the strength to utilize this time wisely, and to return to this Chamber, physically and mentally healthier, in order to bring about a more united and productive world. In conclusion, we invoke Your infinite mercies upon the world, to remove all illness, and to grant ultimate healing to all people. May the promise of a new and most beautiful world of peace and tranquility unfold quickly with the messianic era and with redemption for the entire universe, and let us say, Amen.

The following members were recorded present:

Session Vote Sequence: 753

Speaker Oliva in the Chair.

Yeas—116

Alexander	Ausley	Brown	Caruso
Aloupis	Avila	Buchanan	Clemons
Altman	Bell	Burton	Cortes, J.
Andrade	Beltran	Bush	Cummings
Antone	Brannan	Byrd	Daley

Davis	Gregory	Newton	Shoaf
Diamond	Grieco	Oliva	Silvers
DiCeglie	Hage	Omphroy	Sirois
Donalds	Hart	Overdorf	Slosberg
Drake	Hattersley	Payne	Smith, C.
Driskell	Hill	Perez	Smith, D.
DuBose	Hogan Johnson	Pigman	Sprowls
Duggan	Ingoglia	Plakon	Stark
Duran	Jacquet	Plasencia	Stevenson
Eagle	Jenne	Polo	Stone
Eskamani	Jones	Polsky	Sullivan
Fernández	Joseph	Ponder	Thompson
Fernandez-Barquin	Killebrew	Pritchett	Toledo
Fetterhoff	La Rosa	Raschein	Tomkow
Fine	LaMarca	Renner	Trumbull
Fischer	Latvala	Roach	Valdés
Fitzenhagen	Leek	Robinson	Watson, B.
Geller	Magar	Rodrigues, R.	Watson, C.
Goff-Marcil	Maggard	Rodriguez, A.	Webb
Good	Mariano	Rodriguez, A. M.	Willhite
Gottlieb	Massullo	Rommel	Williams
Grall	McClain	Roth	Williamson
Grant, J.	McClure	Sabatini	Yarborough
Grant, M.	McGhee	Santiago	Zika

Nays—None

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Madelynn G. Richter of Bristol at the invitation of the Speaker *pro tempore*; Hannah C. Seibert of Apollo Beach at the invitation of Rep. McClure; and Eralba I. Selfollari of Naples at the invitation of Rep. Donalds.

House Physician

The Speaker introduced Dr. Richard Goff of Marianna, who served in the Clinic today upon invitation of his sister Rep. Goff-Marcil.

Correction of the *Journal*

The *Journal* of March 12, 2020, was corrected and approved as corrected.

Messages from the Senate

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1135, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

HB 1135—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; authorizing election of a permanent registration period for certain vehicles if certain conditions are met; providing an exception to the design of dealer license plates; requiring the Department of Highway Safety and Motor Vehicles to conduct a pilot program regarding digital license plates; amending s. 320.0657, F.S.; providing an exception to the design of fleet license plates; authorizing fleet companies to purchase specialty license plates in lieu of standard fleet license plates; requiring fleet companies to be responsible for certain costs; amending s. 320.08, F.S.; authorizing dealers to purchase specialty license plates in lieu of standard dealer license plates; requiring dealers to be responsible for certain costs; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; allowing the department to authorize dealer and fleet specialty license plates; providing requirements for such plates; deleting provisions relating to annual use fees for certain specialty license plates; revising provisions for discontinuing issuance of a specialty license plate; revising provisions relating to expenditure of annual use fees and interest earned therefrom; prohibiting annual use fees received by any entity from being used for certain purposes; requiring the department, in cooperation with independent colleges and universities, to create a standard template specialty license plate for each independent college or university for use in lieu of certain specialty license plates; providing for distribution and use of annual use fees collected from the sale of the plates; providing requirements for meeting the license plate sales threshold and determining the license plate limit; requiring standard template specialty license plates to be ordered from the department; requiring certain organizations to establish endowments based in this state for providing scholarships to Florida residents and to provide documentation of consent to use certain images; providing requirements for issuance of presale vouchers for out-of-state college or university license plates; amending s. 320.08058, F.S.; revising the design of and distribution of proceeds from the Special Olympics Florida specialty license plate; deleting certain specialty license plates; revising the distribution of annual use fees for certain specialty license plates; directing the department to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of the plates; amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; amending s. 320.08068, F.S.; requiring distribution of a specified percentage of motorcycle specialty license plate annual use fees to Preserve Vision Florida; amending s. 320.0807, F.S.; deleting provisions relating to special license plates for certain federal and state legislators; creating s. 320.0875, F.S.; providing for a special motorcycle license plate to be issued to a recipient of the Purple Heart; providing requirements for the plate; amending s. 320.089, F.S.; providing for a special license plate to be issued to a recipient of the Bronze Star; providing for the design and issuance of special veteran's motorcycle license plates; amending s. 320.0891, F.S.; revising eligibility requirements for the U.S. Paratroopers license plate; amending s. 320.0894, F.S.; revising requirements for eligibility for and issuance of the Gold Star license plate; providing contingent effective dates.

(Amendment Bar Code: 235304)

Senate Amendment 1 (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. Effective July 1, 2021, paragraphs (b) and (c) of subsection (1) of section 320.06, Florida Statutes, are amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(1)

(b)1. Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 10-year period. At the end of the 10-year period, upon renewal, the plate shall be replaced. The department shall extend the scheduled license plate replacement date from a 6-year period to a 10-year period. The fee for such replacement is \$28, \$2.80 of which shall be paid each year before the plate is replaced, to be credited toward the next \$28 replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund may not be given for any prior years' payments of the prorated replacement fee if the plate is replaced or surrendered before the end of the 10-year period, except that a credit may be given if a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, a validation sticker shall be issued showing the owner's birth month, license plate number, and the year of expiration or the appropriate renewal period if the owner is not a natural person. The validation sticker shall be placed on the upper right corner of the license plate. The license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is 12 months, the extended registration period is 24 months, and all expirations occur based on the applicant's appropriate registration period. Vehicles taxed pursuant to s. 320.08(6)(a) may elect a permanent registration period, provided payment of the appropriate license taxes and fees occurs annually. A vehicle that has an apportioned registration shall be issued an annual license plate and a cab card that denote the declared gross vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate.

2. In order to retain the efficient administration of the taxes and fees imposed by this chapter, the 80-cent fee increase in the replacement fee imposed by chapter 2009-71, Laws of Florida, is negated as provided in s. 320.0804.

(c) Registration license plates equipped with validation stickers subject to the registration period are valid for not more than 12 months and expire at midnight on the last day of the registration period. A registration license plate equipped with a validation sticker subject to the extended registration period is valid for not more than 24 months and expires at midnight on the last day of the extended registration period. A registration license plate equipped with a validation sticker subject to a permanent registration period is permanently valid but shall become void if appropriate license taxes and fees are not paid annually. For each registration period after the one in which the metal registration license plate is issued, and until the license plate is required to be replaced, a validation sticker showing the month and year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 12 months. For each extended registration period occurring after the one in which the metal registration license plate is issued and until the license plate is required to be replaced, a validation sticker showing the year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 24 months. For each permanent registration period occurring after the one in which the metal registration license plate is issued and until the license plate is required to be replaced, a validation sticker showing a permanent registration period shall be issued upon payment of the proper license tax amount and fees and is permanently valid but shall become void if the proper license taxes and fees are not paid annually. When license plates equipped with validation stickers are issued in any month other than the owner's birth month or the designated registration period for any other motor vehicle, the effective date shall reflect the birth month or month and the year of renewal. However, when a license plate or validation sticker is issued for a period of less than 12 months, the applicant shall pay the appropriate amount of license tax and the applicable fee under s. 320.14 in addition to all other fees. Validation stickers issued for vehicles taxed under s. 320.08(6)(a), for any company that owns 250 vehicles or more, or for semitrailers taxed under the provisions of s. 320.08(5)(a), for any company that owns 50 vehicles or more, may be placed on any vehicle in the fleet so long as the vehicle receiving the validation sticker has the same owner's name and address as the vehicle to which the validation sticker was originally assigned.

Section 2. Paragraph (a) of subsection (3) of section 320.06, Florida Statutes, is amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(3)(a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must be imprinted with the word "Florida" at the top and the name of the county in which it is sold, the state motto, or the words "Sunshine State" at the bottom. Apportioned license plates must have the word "Apportioned" at the bottom and license plates issued for vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have the word "Restricted" at the bottom. License plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Dealer" at the bottom unless the license plate is a specialty license plate as authorized in s. 320.08056. Manufacturer license plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Manufacturer" at the bottom. License plates issued for vehicles taxed under s. 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at the bottom. Any county may, upon majority vote of the county commission, elect to have the county name removed from the license plates sold in that county. The state motto or the words "Sunshine State" shall be printed in lieu thereof. A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned a registration license number, or be issued with any other distinctive character or designation, that distinguishes the motor vehicle as a for-hire motor vehicle.

Section 3. Paragraph (b) of subsection (2) of section 320.0657, Florida Statutes, is amended to read:

320.0657 Permanent registration; fleet license plates.—

(2)

(b) The plates, which shall be of a distinctive color, shall have the word "Fleet" appearing at the bottom and the word "Florida" appearing at the top unless the license plate is a specialty license plate as authorized in s. 320.08056. The plates shall conform in all respects to the provisions of this chapter, except as specified herein. For additional fees as set forth in s. 320.08056, fleet companies may purchase specialty license plates in lieu of the standard fleet license plates. Fleet companies shall be responsible for all costs associated with the specialty license plate, including all annual use fees, processing fees, fees associated with switching license plate types, and any other applicable fees.

Section 4. Subsection (12) of section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(4), tri-vehicles as defined in s. 316.003, and mobile homes as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat. For additional fees as set forth in s. 320.08056, dealers may purchase specialty license plates in lieu of the standard dealer license plates. Dealers shall be responsible for all costs associated with the specialty license plate, including all annual use fees, processing fees, fees associated with switching license plate types, and any other applicable fees.

Section 5. Section 320.08053, Florida Statutes, is amended to read:

320.08053 Establishment of Requirements for requests to establish specialty license plates.—

(1) If a specialty license plate requested by an organization is approved by law, the organization must submit the proposed art design for the specialty license plate to the department, in a medium prescribed by the department, as soon as practicable, but no later than 60 days after the act approving the specialty license plate becomes a law.

(2)(a) Within 120 days after following the specialty license plate becomes becoming law, the department shall establish a method to issue a specialty license plate voucher to allow for the presale of the specialty license plate. The processing fee as prescribed in s. 320.08056, the service charge and branch fee as prescribed in s. 320.04, and the annual use fee as prescribed in s. 320.08056 shall be charged for the voucher. All other applicable fees shall be charged at the time of issuance of the license plates.

(b) Within 24 months after the presale specialty license plate voucher is established, the approved specialty license plate organization must record with the department a minimum of 3,000 1,000 voucher sales, or in the case of an out-of-state college or university license plate, 4,000 voucher sales, before manufacture of the license plate may commence. If, at the conclusion of the 24-month presale period, the minimum sales requirement has requirements have not been met, the specialty plate is deauthorized and the department shall discontinue development of the plate and discontinue issuance of the presale vouchers. Upon deauthorization of the license plate, a purchaser of the license plate voucher may use the annual use fee collected as a credit towards any other specialty license plate or apply for a refund on a form prescribed by the department.

(3)(a) New specialty license plates that have been approved by law but are awaiting issuance under paragraph (b) shall be issued in the order they appear in s. 320.08058 provided that they have met the presale requirement. All other provisions of this section must also be met before a specialty license plate may be issued. If the next awaiting specialty license plate has not met the presale requirement, the department shall proceed in the order provided in s. 320.08058 to identify the next qualified specialty license plate that has met the presale requirement. The department shall cycle through the list in statutory order.

(b) If the Legislature has approved 150 or more specialty license plates, the department may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued pursuant to s. 320.08056(8) such that the number of plates being issued does not exceed 150. Notwithstanding s. 320.08056(8)(a), the 150-license-plate limit includes license plates above the minimum sales threshold and those exempt from that threshold.

Section 6. Present subsection (12) of section 320.08056, Florida Statutes, is renumbered as subsection (15), subsections (2) and (4), paragraph (a) of subsection (10), and subsection (11) are amended, paragraphs (c) through (f) are added to subsection (8), and new subsections (12), (13), and (14) are added to that section, to read:

320.08056 Specialty license plates.—

(2)(a) The department shall issue a specialty license plate to the owner or lessee of any motor vehicle, except a vehicle registered under the International Registration Plan, a commercial truck required to display two license plates pursuant to s. 320.0706, or a truck tractor, upon request and payment of the appropriate license tax and fees.

(b) The department may authorize dealer and fleet specialty license plates. With the permission of the sponsoring specialty license plate organization, a dealer or fleet company may purchase specialty license plates to be used on dealer and fleet vehicles.

(c) Notwithstanding s. 320.08058, a dealer or fleet specialty license plate must include the letters "DLR" or "FLT" on the right side of the license plate. Dealer and fleet specialty license plates must be ordered directly from the department.

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(a) ~~Manatee license plate, \$25.~~

(a)(b) ~~Challenger/Columbia license plate, \$25, except that a person who that purchases 1,000 or more of such license plates shall pay an annual use fee of \$15 per plate.~~

(e) ~~Collegiate license plate, \$25.~~

(b)(d) Florida Salutes Veterans license plate, \$15.

~~(c)~~ Florida panther license plate, \$25.
~~(c)(f)~~ Florida United States Olympic Committee license plate, \$15.
~~(d)(g)~~ Florida Special Olympics license plate, \$15.
~~(e)(h)~~ Florida educational license plate, \$20.
~~(i)~~ Florida Professional Sports Team license plate, \$25.
~~(f)(j)~~ Florida Indian River Lagoon license plate, \$15.
~~(g)(k)~~ Invest in Children license plate, \$20.
~~(h)(l)~~ Florida arts license plate, \$20.
~~(m)~~ Bethune Cookman University license plate, \$25.
~~(i)(n)~~ Florida Agricultural license plate, \$20.
~~(j)(o)~~ Police Athletic League license plate, \$20.
~~(k)(p)~~ Boy Scouts of America license plate, \$20.
~~(q)~~ Largemouth Bass license plate, \$25.
~~(l)(r)~~ Sea Turtle license plate, \$23.
~~(m)(s)~~ Protect Wild Dolphins license plate, \$20.
~~(t)~~ Barry University license plate, \$25.
~~(n)(u)~~ Everglades River of Grass license plate, \$20.
~~(v)~~ Keep Kids Drug-Free license plate, \$25.
~~(w)~~ Florida Sheriffs Youth Ranches license plate, \$25.
~~(x)~~ Conserve Wildlife license plate, \$25.
~~(y)~~ Florida Memorial University license plate, \$25.
~~(o)(z)~~ Tampa Bay Estuary license plate, \$15.
~~(p)(aa)~~ Florida Wildflower license plate, \$15.
~~(q)(bb)~~ United States Marine Corps license plate, \$15.
~~(r)(cc)~~ Choose Life license plate, \$20.
~~(s)(dd)~~ Share the Road license plate, \$15.
~~(ee)~~ American Red Cross license plate, \$25.
~~(ff)~~ United We Stand license plate, \$25.
~~(gg)~~ Breast Cancer Research license plate, \$25.
~~(hh)~~ Protect Florida Whales license plate, \$25.
~~(ii)~~ Florida Golf license plate, \$25.
~~(t)(jj)~~ Florida Firefighters license plate, \$20.
~~(u)(kk)~~ Police Benevolent Association license plate, \$20.
~~(v)(ll)~~ Military Services license plate, \$15.
~~(mm)~~ Protect Our Reefs license plate, \$25.
~~(w)(nn)~~ Fish Florida license plate, \$22.
~~(oo)~~ Child Abuse Prevention and Intervention license plate, \$25.
~~(pp)~~ Hospice license plate, \$25.
~~(qq)~~ Stop Heart Disease license plate, \$25.
~~(x)(rr)~~ Save Our Seas license plate, \$25, except that for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee shall be \$10 per plate.
~~(y)(ss)~~ Aquaculture license plate, \$25, except that for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee shall be \$10 per plate.
~~(tt)~~ Family First license plate, \$25.
~~(uu)~~ Wildlife Foundation of Florida license plate, \$25.
~~(vv)~~ Live the Dream license plate, \$25.
~~(ww)~~ Florida Food Banks license plate, \$25.
~~(xx)~~ Discover Florida's Oceans license plate, \$25.
~~(yy)~~ Family Values license plate, \$25.
~~(zz)~~ Parents Make A Difference license plate, \$25.
~~(aaa)~~ Support Soccer license plate, \$25.
~~(bbb)~~ Kids Deserve Justice license plate, \$25.
~~(ccc)~~ Animal Friend license plate, \$25.
~~(ddd)~~ Future Farmers of America license plate, \$25.
~~(eee)~~ Donate Organs Pass It On license plate, \$25.
~~(fff)~~ A State of Vision license plate, \$25.
~~(ggg)~~ Homeownership For All license plate, \$25.
~~(hhh)~~ Florida NASCAR license plate, \$25.
~~(iii)~~ Protect Florida Springs license plate, \$25.
~~(jjj)~~ Trees Are Cool license plate, \$25.
~~(kkk)~~ Support Our Troops license plate, \$25.
~~(lll)~~ Florida Tennis license plate, \$25.
~~(mmm)~~ Lighthouse Association license plate, \$25.
~~(nnn)~~ In God We Trust license plate, \$25.
~~(ooo)~~ Horse Country license plate, \$25.

~~(ppp)~~ Autism license plate, \$25.
~~(qqq)~~ St. Johns River license plate, \$25.
~~(rrr)~~ Hispanic Achievers license plate, \$25.
~~(sss)~~ Endless Summer license plate, \$25.
~~(ttt)~~ Fraternal Order of Police license plate, \$25.
~~(uuu)~~ Protect Our Oceans license plate, \$25.
~~(vvv)~~ Florida Horse Park license plate, \$25.
~~(www)~~ Florida Biodiversity Foundation license plate, \$25.
~~(xxx)~~ Freemasonry license plate, \$25.
~~(yyy)~~ American Legion license plate, \$25.
~~(zzz)~~ Lauren's Kids license plate, \$25.
~~(aaaa)~~ Big Brothers Big Sisters license plate, \$25.
~~(bbbb)~~ Fallen Law Enforcement Officers license plate, \$25.
~~(eeee)~~ Florida Sheriffs Association license plate, \$25.
~~(dddd)~~ Keiser University license plate, \$25.
~~(eeee)~~ Moffitt Cancer Center license plate, \$25.

(8)
 (c) A vehicle owner or lessee issued a specialty license plate that has been discontinued by the department may keep the discontinued specialty license plate for the remainder of the 10-year license plate replacement period and must pay all other applicable registration fees. However, such owner or lessee is exempt from paying the applicable specialty license plate annual use fee under paragraph (3)(d) or subsection (4) for the remainder of the 10-year license plate replacement period.

(d) If the department discontinues issuance of a specialty license plate, all annual use fees held or collected by the department shall be distributed within 180 days after the date the specialty license plate is discontinued. Of those fees, the department shall retain an amount sufficient to defray the applicable administrative and inventory closeout costs associated with discontinuance of the plate. All remaining proceeds shall be distributed to the appropriate organization or organizations pursuant to s. 320.08058.

(e) If an organization that is the intended recipient of the funds pursuant to s. 320.08058 no longer exists, the department shall deposit any undisbursed proceeds into the Highway Safety Operating Trust Fund.

(f) Notwithstanding paragraph (a), on January 1 of each year, the department shall discontinue the specialty license plate with the fewest number of plates in circulation, including license plates exempt from a statutory sales requirement. The department shall mail a warning letter to the sponsoring organizations of the 10 percent of specialty license plates with the lowest number of valid, active registrations as of December 1 of each year.

(10)(a) A specialty license plate annual use fee collected and distributed under this chapter, or any interest earned from those fees, may not be used for commercial or for-profit activities nor for general or administrative expenses, except as authorized by s. 320.08058 or to pay the cost of the audit or report required by s. 320.08062(1). The fees and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of United States Armed Forces and veterans-related specialty license plates pursuant to paragraph (3)(d) for the Support Our Troops and American Legion license plates; paragraphs (4)(b), (q), and (v) for the Florida Salutes Veterans, United States Marine Corps, and Military Services license plates, respectively; paragraphs (4)(d), (bb), (ll), (kkk), and (yyy) and s. 320.0891 for the U.S. Paratrooper license plate.

(11) The annual use fee from the sale of specialty license plates, the interest earned from those fees, or any fees received by any entity an agency as a result of the sale of specialty license plates may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, an employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or an elected member or employee of the Legislature.

(12) Notwithstanding s. 320.08058(3)(a), the department, in cooperation with the independent colleges or universities as defined in s. 1009.89 or s. 1009.891, shall create a standard template specialty license plate with a unique logo or graphic identifying each independent college or university. Each independent college or university may elect to use this standard template specialty license plate in lieu of its own specialty license plate. Annual use fees from the sale of these license plates shall be distributed to the independent college or university for which the logo or graphic is

displayed on the license plate and shall be used as provided in s. 320.08058(3). Independent colleges or universities opting to use the standard template specialty license plate shall have their plate sales combined for purposes of meeting the minimum license plate sales threshold in paragraph (8)(a) and for determining the license plate limit in s. 320.08053(3)(b). Specialty license plates created pursuant to this subsection must be ordered directly from the department.

(13) For out-of-state college or university license plates created pursuant to this section, documentation acceptable to the department that the department has the college's or university's consent to use an appropriate image on a license plate shall be on file with the department prior to development of the out-of-state college or university license plate.

(14) Before the issuance of vouchers for the presale of an out-of-state college or university license plate, the department shall determine whether the state in which the out-of-state college or university is located has authorized any license plates for colleges or universities located in this state. The department may not issue any out-of-state college or university license plate unless the state in which the college or university is located has authorized license plates for colleges or universities located in this state.

Section 7. Effective July 1, 2023, paragraph (a) of subsection (8) of section 320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

(8)(a) The department must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 3,000, or in the case of an out-of-state college or university license plate, 4,000, 1,000 plates for at least 12 consecutive months. The department shall mail a warning letter shall be mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 3,000, or in the case of an out-of-state college or university license plate, 4,000 1,000 plates. This paragraph does not apply to in-state collegiate license plates established under s. 320.08058(3), license plates of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida Professional Sports Team license plates established under s. 320.08058(9).

Section 8. Present subsections (32) through (52), (54) through (56), (58) through (68), and (71) through (84) of section 320.08058, Florida Statutes, are renumbered as subsections (31) through (51), (52) through (54), (55) through (65), and (66) through (79), respectively, subsection (7), present subsection (31), present subsections (48), (53), (57), (66), (69), and (70), paragraph (b) of present subsection (80), and paragraph (a) of present subsection (84) are amended, and new subsections (80) through (111) are added to that section, to read:

320.08058 Specialty license plates.—

(7) SPECIAL OLYMPICS FLORIDA LICENSE PLATES.—

(a) Special Olympics Florida license plates must contain the official Special Olympics Florida logo and must bear the colors and a design and colors that are approved by the department. The word "Florida" must be centered at the top bottom of the plate, and the words "Be a Fan" "Everyone Wins" must be centered at the bottom top of the plate.

(b) The license plate annual use fees must are to be annually distributed as follows:

1. The first \$5 million collected annually must be forwarded to Special Olympics Florida the private nonprofit corporation as described in s. 393.002 and must be used solely for Special Olympics purposes as approved by the private nonprofit corporation.

2. Any additional fees must be deposited into the General Revenue Fund.

(31) AMERICAN RED CROSS LICENSE PLATES.—

(a) Notwithstanding the provisions of s. 320.08053, the department shall develop an American Red Cross license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "American Red Cross" must appear at the bottom of the plate.

(b) The department shall retain all revenues from the sale of such plates until all startup costs for developing and issuing the plates have been recovered. Thereafter, 50 percent of the annual use fees shall be distributed to

the American Red Cross Chapter of Central Florida, with statistics on sales of license plates, which are tabulated by county. The American Red Cross Chapter of Central Florida must distribute to each of the chapters in this state the moneys received from sales in the counties covered by the respective chapters, which moneys must be used for education and disaster relief in Florida. Fifty percent of the annual use fees shall be distributed proportionately to the three statewide approved poison control centers for purposes of combating bioterrorism and other poison related purposes.

(47)(48) LIVE THE DREAM LICENSE PLATES.—

(a) The department shall develop a Live the Dream license plate as provided in this section. Live the Dream license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Live the Dream" must appear at the bottom of the plate.

(b) The proceeds of the annual use fee shall be distributed to the Dream Foundation, Inc., to The Dream Foundation, Inc., shall retain the first \$60,000 in proceeds from the annual use fees as reimbursement for administrative costs, startup costs, and costs incurred in the approval process. Thereafter, up to 25 percent shall be used for continuing promotion and marketing of the license plate and concept. The remaining funds shall be used in the following manner:

1. Up to 5 percent may be used to administer, promote, and market the license plate.

2. At least 60 Twenty-five percent shall be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.

2. Twenty five percent shall be distributed to the Florida chapter of the March of Dimes for programs and services that improve the health of babies through the prevention of birth defects and infant mortality.

3. Ten percent shall be distributed to the Florida Association of Healthy Start Coalitions to decrease racial disparity in infant mortality and to increase healthy birth outcomes. Funding will be used by local Healthy Start Coalitions to provide services and increase screening rates for high-risk pregnant women, children under 4 years of age, and women of childbearing age.

3.4. At least 30 Ten percent shall be distributed to Chapman the Community Partnership for Homeless, Inc., for programs that provide relief from poverty, hunger, and homelessness.

4. Up to 5 percent may be distributed by the department on behalf of The Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

5. Five percent of the proceeds shall be used by the foundation for administrative costs directly associated with operations as they relate to the management and distribution of the proceeds.

(53) SUPPORT SOCCER LICENSE PLATES.—

(a) The department shall develop a Support Soccer license plate as provided in this section. Support Soccer license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Support Soccer" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Lighthouse Soccer Foundation, Inc., which shall retain the initial revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered, not to exceed \$85,000. Thereafter, the proceeds of the annual use fee shall be used in the following manner:

1. Up to 25 percent of the proceeds may be used by the Lighthouse Soccer Foundation, Inc., for continuing promotion and marketing of the license plate and concept.

2. Twenty percent shall be distributed to the Florida Youth Soccer Association for programs and services that foster the physical, mental, and emotional growth and development of Florida's youth through the sport of soccer at all levels of age and competition, including a portion to be determined by the Florida Youth Soccer Association for the TOPSoccer program to promote participation by the physically and mentally disadvantaged.

3. Twenty percent shall be distributed as grants for programs that promote participation by the economically disadvantaged and to support soccer programs where none previously existed.

4. Ten percent shall be distributed to the Florida State Soccer Association to promote the sport of soccer and the long term development of the sport.

5. Ten percent shall be distributed as grants for programs that promote and support the construction of fields and soccer specific infrastructure.

6. Ten percent shall be distributed as grants for programs that foster and promote health, physical fitness, and educational opportunities through soccer.

7. Five percent shall be expended by the Lighthouse Soccer Foundation, Inc., for administrative costs directly associated with the foundation's operations as they relate to the management and distribution of the proceeds.

~~(57) DONATE ORGANS PASS IT ON LICENSE PLATES.—~~

~~(a) The department shall develop a Donate Organs Pass It On license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Donate Organs Pass It On" must appear at the bottom of the plate.~~

~~(b) The annual use fees shall be distributed to Transplant Foundation, Inc., and shall use up to 10 percent of the proceeds from the annual use fee for marketing and administrative costs that are directly associated with the management and distribution of the proceeds. The remaining proceeds shall be used to provide statewide grants for patient services, including preoperative, rehabilitative, and housing assistance; organ donor education and awareness programs; and statewide medical research.~~

~~(63)(66) IN GOD WE TRUST LICENSE PLATES.—~~

~~(a) The department shall develop an In God We Trust license plate as provided in this section. However, the requirements of s. 320.08053 must be met before the plates are issued. In God We Trust license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "In God We Trust" must appear in the body of the plate.~~

~~(b) The license plate annual use fees shall be distributed to the In God We Trust Foundation, Inc., which may use up to 10 percent of the proceeds to offset marketing, administration, and promotion, and the remainder of the proceeds to address the needs of the military community and the public safety community; provide educational grants and scholarships to foster self-reliance and stability in Florida's children; and provide education in to fund educational scholarships for the children of Florida residents who are members of the United States Armed Forces, the National Guard, and the United States Armed Forces Reserve and for the children of public safety employees who have died in the line of duty who are not covered by existing state law. Funds shall also be distributed to other s. 501(e)(3) organizations that may apply for grants and scholarships and to provide educational grants to public and private schools regarding to promote the historical and religious significance of religion in American and Florida history. The In God We Trust Foundation, Inc., shall distribute the license plate annual use fees in the following manner:~~

~~1. The In God We Trust Foundation, Inc., shall retain all revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered.~~

~~2. Ten percent of the funds received by the In God We Trust Foundation, Inc., shall be expended for administrative costs, promotion, and marketing of the license plate directly associated with the operations of the In God We Trust Foundation, Inc.~~

~~3. All remaining funds shall be expended by the In God We Trust Foundation, Inc., for programs.~~

~~(69) ST. JOHNS RIVER LICENSE PLATES.—~~

~~(a) The department shall develop a St. Johns River license plate as provided in this section. The St. Johns River license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "St. Johns River" must appear at the bottom of the plate.~~

~~(b) The requirements of s. 320.08053 must be met prior to the issuance of the plate. Thereafter, the license plate annual use fees shall be distributed to the St. Johns River Alliance, Inc., a s. 501(e)(3) nonprofit organization, which shall administer the fees as follows:~~

~~1. The St. Johns River Alliance, Inc., shall retain the first \$60,000 of the annual use fees as direct reimbursement for administrative costs, startup costs, and costs incurred in the development and approval process. Thereafter, up to 10 percent of the annual use fee revenue may be used for administrative costs directly associated with education programs, conservation, research, and grant administration of the organization, and up to 10 percent may be used for promotion and marketing of the specialty license plate.~~

~~2. At least 30 percent of the fees shall be available for competitive grants for targeted community based or county based research or projects for which state funding is limited or not currently available. The remaining 50 percent shall be directed toward community outreach and access programs. The competitive grants shall be administered and approved by the board of directors of the St. Johns River Alliance, Inc. A grant advisory committee shall be composed of six members chosen by the St. Johns River Alliance board members.~~

~~3. Any remaining funds shall be distributed with the approval of and accountability to the board of directors of the St. Johns River Alliance, Inc., and shall be used to support activities contributing to education, outreach, and springs conservation.~~

~~(70) HISPANIC ACHIEVERS LICENSE PLATES.—~~

~~(a) Notwithstanding the requirements of s. 320.08053, the department shall develop a Hispanic Achievers license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Hispanic Achievers" must appear at the bottom of the plate.~~

~~(b) The proceeds from the license plate annual use fee shall be distributed to National Hispanic Corporate Achievers, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to fund grants to nonprofit organizations to operate programs and provide scholarships and for marketing the Hispanic Achievers license plate. National Hispanic Corporate Achievers, Inc., shall establish a Hispanic Achievers Grant Council that shall provide recommendations for statewide grants from available Hispanic Achievers license plate proceeds to nonprofit organizations for programs and scholarships for Hispanic and minority Floridians. National Hispanic Corporate Achievers, Inc., shall also establish a Hispanic Achievers License Plate Fund. Moneys in the fund shall be used by the grant council as provided in this paragraph. All funds received under this subsection must be used in this state.~~

~~(c) National Hispanic Corporate Achievers, Inc., may retain all proceeds from the annual use fee until documented startup costs for developing and establishing the plate have been recovered. Thereafter, the proceeds from the annual use fee shall be used as follows:~~

~~1. Up to 5 percent of the proceeds may be used for the cost of administration of the Hispanic Achievers License Plate Fund, the Hispanic Achievers Grant Council, and related matters.~~

~~2. Funds may be used as necessary for annual audit or compliance affidavit costs.~~

~~3. Up to 20 percent of the proceeds may be used to market and promote the Hispanic Achievers license plate.~~

~~4. Twenty five percent of the proceeds shall be used by the Hispanic Corporate Achievers, Inc., located in Seminole County, for grants.~~

~~5. The remaining proceeds shall be available to the Hispanic Achievers Grant Council to award grants for services, programs, or scholarships for Hispanic and minority individuals and organizations throughout Florida. All grant recipients must provide to the Hispanic Achievers Grant Council an annual program and financial report regarding the use of grant funds. Such reports must be available to the public.~~

~~(d) Effective July 1, 2014, the Hispanic Achievers license plate will shift into the presale voucher phase, as provided in s. 320.08053(2)(b). National Hispanic Corporate Achievers, Inc., shall have 24 months to record a minimum of 1,000 sales. Sales include existing active plates and vouchers sold subsequent to July 1, 2014. During the voucher period, new plates may not be issued, but existing plates may be renewed. If, at the conclusion of the 24 month presale period, the requirement of a minimum of 1,000 sales has been met, the department shall resume normal distribution of the Hispanic Achievers license plate. If, after 24 months, the minimum of 1,000 sales has~~

~~not been met, the department shall discontinue the Hispanic Achievers license plate. This subsection is repealed June 30, 2016.~~

~~(75)(80) FALLEN LAW ENFORCEMENT OFFICERS LICENSE PLATES.—~~

~~(b) The annual use fees shall be distributed to the Police and Kids Foundation, Inc., which may use up to a maximum of 10 percent of the proceeds for marketing to promote and market the plate. All remaining The remainder of the proceeds shall be distributed to and used by the Police and Kids Foundation, Inc., for its operations, activities, programs, and projects to invest and reinvest, and the interest earnings shall be used for the operation of the Police and Kids Foundation, Inc.~~

~~(79)(84) BLUE ANGELS LICENSE PLATES.—~~

~~(a) The department shall develop a Blue Angels license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Home of the Blue Angels" must appear at the bottom of the plate; however, the development of the plate is contingent upon the enactment of legislation creating an annual use fee under s. 320.08056 for the Blue Angels license plate.~~

~~(80) DUCKS UNLIMITED LICENSE PLATES.—~~

~~(a) The department shall develop a Ducks Unlimited license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Conserving Florida Wetlands" must appear at the bottom of the plate.~~

~~(b) The annual use fees from the sale of the plate shall be distributed to Ducks Unlimited, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to be used as follows:~~

~~1. Up to 5 percent of the proceeds may be used for administrative costs and marketing of the plate.~~

~~2. At least 95 percent of the proceeds shall be used in this state to support the mission and efforts of Ducks Unlimited, Inc., to conserve, restore, and manage Florida wetlands and associated habitats for the benefit of waterfowl, other wildlife, and people.~~

~~(81) AUBURN UNIVERSITY LICENSE PLATES.—~~

~~(a) The department shall develop an Auburn University license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "War Eagle" must appear at the bottom of the plate.~~

~~(b) The annual use fees from the sale of the plate shall be distributed annually as follows:~~

~~1. Up to 10 percent of the moneys raised from the sale of the plates may be used for continuing marketing and promotion of the plates by the Tampa Bay Auburn Club.~~

~~2. In each school district that has a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of Auburn University license plates must be distributed to the foundation or organization for enhancing educational programs.~~

~~3. In each school district that does not have a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of Auburn University license plates must be distributed to the district school board and must be used at the discretion of the board for enhancing educational programs.~~

~~(82) BEAT CHILDHOOD CANCER LICENSE PLATES.—~~

~~(a) The department shall develop a Beat Childhood Cancer license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Beat Childhood Cancer" must appear at the bottom of the plate.~~

~~(b) The annual use fees from the sale of the plate shall be distributed as follows:~~

~~1. Seventy-five percent of the proceeds shall be distributed to Beat Nb, Inc., which may use up to 10 percent of its proceeds for administrative costs directly associated with the operation of the corporation and for marketing and~~

~~promoting the plate. All remaining proceeds shall be used by the corporation to fund pediatric cancer treatment and research.~~

~~2. Twenty-five percent of the proceeds shall be distributed to the Ryan Callahan Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. Its proceeds shall be used by the corporation to fund pediatric cancer treatment and research.~~

~~(83) WALT DISNEY WORLD LICENSE PLATES.—~~

~~(a) The department shall develop a Walt Disney World license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Walt Disney World" must appear at the bottom of the plate.~~

~~(b) The annual use fees from the sale of the plate shall be distributed to the Make-A-Wish Foundation of Central and Northern Florida, Inc., a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds from the sale of such plates may be used for administrative and marketing costs. All remaining proceeds from the annual use fees shall be used by the Make-a-Wish Foundation of Central and Northern Florida, Inc., for activities and programs for families with critically ill children.~~

~~(84) FLORIDA 4-H LICENSE PLATES.—~~

~~(a) The department shall develop a Florida 4-H license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the term "4-H" must appear at the bottom of the plate.~~

~~(b) The annual use fees from the sale of the plate shall be distributed to Florida 4-H and used for the following purposes:~~

~~1. Up to 10 percent of the fees may be used for administrative and marketing costs of the plate.~~

~~2. Twenty percent must be used to support leadership development in this state, including leadership development programs operated by 4-H University, state agencies, and the Legislature.~~

~~3. Twenty percent must be used to support competitive teams in this state.~~

~~4. The remainder must be used to support Florida 4-H camps under the Florida 4-H program as designated by the University of Florida.~~

~~(85) DONATE LIFE FLORIDA LICENSE PLATES.—~~

~~(a) The department shall develop a Donate Life Florida license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Donors Save Lives" must appear at the bottom of the plate.~~

~~(b) The annual use fees from the sale of the plate shall be distributed to Donate Life Florida, which may use up to 10 percent of the proceeds for marketing and administrative costs. All remaining proceeds from the annual use fees shall be used by Donate Life Florida to educate Florida residents on the importance of organ, tissue, and eye donation and for the continued maintenance of the Joshua Abbott Organ and Tissue Donor Registry.~~

~~(86) FLORIDA STATE BEEKEEPERS ASSOCIATION LICENSE PLATES.—~~

~~(a) The department shall develop a Florida State Beekeepers Association license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Save the Bees" must appear at the bottom of the plate.~~

~~(b) The annual use fees shall be distributed to the Florida State Beekeepers Association, a Florida nonprofit corporation. The Florida State Beekeepers Association may use up to 10 percent of the proceeds for administrative, promotional, and marketing costs of the license plate.~~

~~(c) All remaining proceeds shall be distributed to the Florida State Beekeepers Association and shall be used to raise awareness of the importance of beekeeping to Florida agriculture by funding honeybee research, education, outreach, and husbandry. The Florida State Beekeepers Association board of managers must approve and is accountable for all such expenditures.~~

~~(87) ROTARY LICENSE PLATES.—~~

~~(a) The department shall develop a Rotary license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and~~

the word "Rotary" must appear on the bottom of the plate. The license plate must bear the Rotary International wheel emblem.

(b) The annual use fees shall be distributed to the Community Foundation of Tampa Bay, Inc., to be used as follows:

1. Up to 10 percent of the proceeds may be used for administrative costs and for marketing of the plate.

2. Ten percent of the proceeds shall be distributed to Rotary's Camp Florida for direct support to all programs and services provided to children with special needs who attend the camp.

3. All remaining proceeds shall be distributed, proportionally based on sales, to each Rotary district in the state in support of Rotary youth programs in Florida.

(88) HIGHWAYMEN LICENSE PLATES.—

(a) The department shall develop a Highwaymen license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the word "Highwaymen" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the City of Fort Pierce, subject to a city resolution designating the city as the fiscal agent of the license plate. The city may use up to 10 percent of the proceeds for administrative costs and marketing of the plate and shall use the remainder of the proceeds as follows:

1. Before completion of construction of the Highwaymen Museum and African-American Cultural Center, the city shall distribute at least 15 percent of the proceeds to the St. Lucie Education Foundation, Inc., to fund art education and art projects in public schools within St. Lucie County. All remaining proceeds shall be used by the city to fund the construction of the Highwaymen Museum and African-American Cultural Center.

2. Upon completion of construction of the Highwaymen Museum and African-American Cultural Center, the city shall distribute at least 10 percent of the proceeds to the St. Lucie Education Foundation, Inc., to fund art education and art projects in public schools within St. Lucie County. All remaining proceeds shall be used by the city to fund the day-to-day operations of the Highwaymen Museum and African-American Cultural Center.

(89) DAN MARINO CAMPUS LICENSE PLATES.—

(a) The department shall develop a Dan Marino Campus license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Marino Campus" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Dan Marino Foundation, a Florida nonprofit corporation, which may use up to 10 percent of the proceeds for administrative costs and marketing of the plate. All remaining proceeds shall be used by the Dan Marino Foundation to assist Floridians with developmental disabilities in becoming employed, independent, and productive and to promote and fund education scholarships and awareness of these services.

(90) ORLANDO CITY SOCCER CLUB LICENSE PLATES.—

(a) The department shall develop an Orlando City Soccer Club license plate as provided in paragraph (9)(a).

(b) The annual use fees from the sale of the plate shall be distributed and used as provided in paragraph (9)(b).

(91) DAUGHTERS OF THE AMERICAN REVOLUTION LICENSE PLATES.—

(a) The department shall develop a Daughters of the American Revolution license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Daughters of the American Revolution" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Daughters of the American Revolution, a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for the promotion and marketing of the plate. The remainder of the proceeds shall be used within this state by the Daughters of the American Revolution, a nonpolitical volunteer women's service organization, to promote patriotism, preserve American history, and secure America's future through

educational programs for local public and private K-12 students and scholarships and other educational funding for underprivileged children.

(92) GADSDEN FLAG LICENSE PLATES.—

(a) The department shall develop a Gadsden Flag license plate as provided in this section and s. 320.08053. The design of the license plate must replicate the color, layout, and design of the Gadsden Flag. The word "Florida" must appear at the top of the plate, and the words "Don't Tread on Me" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Veterans Foundation, a direct-support organization of the Department of Veterans' Affairs, and must be used to benefit veterans. Up to 10 percent of the proceeds may be used for continuing promotion and marketing of the license plate.

(93) AMERICA THE BEAUTIFUL LICENSE PLATES.—

(a) The department shall develop an America the Beautiful license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "America the Beautiful" must appear at the bottom of the plate.

(b) The annual use fees from the plate must be distributed to the America the Beautiful Fund as follows: 10 percent to offset administrative costs, marketing, and promotion of the plate and 90 percent for projects and programs teaching character, leadership, and service to Florida youth; the provision of supportive services and assistance to members of the military community; outdoor education advancing the ideal of self-sufficiency; wildlife conservation, including imperiled and managed species; the maintenance of historic or culturally important sites, buildings, structures, or objects; and the development and modification of playgrounds, recreational areas, or other outdoor amenities, including disability access.

(94) EXPLORE OFF ROAD FLORIDA LICENSE PLATES.—

(a) The department shall develop an Explore Off Road Florida license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Explore Off Road" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Florida Off Road Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the funds may be used for marketing of the plate, costs directly associated with creation of the plate, and administrative costs related to distribution of proceeds, including annual audit services and compliance affidavit costs. The remainder of the funds shall be used by the Florida Off Road Foundation, Inc., to fund qualified nonprofit organizations that protect and preserve Florida's natural off-road habitat; educate Floridians about responsible use of the off-road environment; support civilian volunteer programs to promote the use of off-road vehicles to assist law enforcement in situations such as search and rescue; support organized cleanups, trail maintenance, and restoration; or preserve Florida's off-road culture.

(95) AMERICAN EAGLE LICENSE PLATES.—

(a) The department shall develop an American Eagle license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "In God We Trust" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the American Eagle Foundation for deposit in the foundation's national endowment fund. Up to 10 percent of the funds received may be used for administrative costs and marketing of the plate. The American Eagle Foundation shall use the remainder of the proceeds to fund public education programs, rescue and care programs, and other conservation efforts in Florida that benefit bald eagles.

(96) GUARDIAN AD LITEM LICENSE PLATES.—

(a) The department shall develop a Guardian Ad Litem license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Heartfelt Child Advocacy" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Florida Guardian Ad Litem Foundation, Inc., a direct-support organization and a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for administrative costs and the marketing of the plate. The remainder of the proceeds must be used in this state to support the mission and efforts of the statewide Guardian Ad Litem Program to represent abused, abandoned, and neglected children and advocate for their best interests; recruit and retain volunteer child advocates; and meet the unique needs of the dependent children the program serves.

(97) JUMBO SHRIMP LICENSE PLATES.—

(a) The department shall develop a Jumbo Shrimp license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Jumbo Shrimp" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to St. Johns Riverkeeper, Inc., a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for the promotion and marketing of the plate. The remainder of the proceeds shall be used by St. Johns Riverkeeper, Inc., for programs and activities related to fulfilling its mission to protect and restore the health of the St. Johns River.

(98) THANK A LINEMAN LICENSE PLATES.—

(a) The department shall develop a Thank a Lineman license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Thank a Lineman" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Lake-Sumter State College Foundation, Inc., a nonprofit Florida corporation under s. 501(c)(3) of the Internal Revenue Code, to fund scholarships for students enrolled in the Electrical Distribution Technology Program at Lake-Sumter State College. Up to 10 percent of the funds received by the Lake-Sumter State College Foundation, Inc., may be used for marketing of the plate and costs directly associated with the administration of the foundation.

(99) BEST BUDDIES LICENSE PLATES.—

(a) The department shall develop a Best Buddies license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the term "BestBuddies.org" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Best Buddies International, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use up to 10 percent of the fees for administrative costs and marketing of the plate. The balance of the fees shall be used by Best Buddies International, Inc., to create opportunities for one-to-one friendships, integrated employment, leadership development, and inclusive living for individuals with intellectual and developmental disabilities.

(100) UNIVERSITY OF GEORGIA LICENSE PLATES.—

(a) The department shall develop a University of Georgia license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "The University of Georgia" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed annually as follows:

1. Up to 10 percent of the moneys raised from the sale of the plates may be used for continuing marketing and promotion of the plates by the Georgia Bulldog Club of Jacksonville.

2. In each school district that has a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of University of Georgia license plates must be distributed to the foundation or organization for enhancing educational programs.

3. In each school district that does not have a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of University of

Georgia license plates must be distributed to the district school board and must be used at the discretion of the board for enhancing educational programs.

(101) DIVINE NINE LICENSE PLATES.—

(a) The department shall develop a Divine Nine license plate as provided in this section and s. 320.08053 using a standard template and a unique logo, graphic, or color for each of the organizations listed in sub-subparagraphs (b) 2.a.-i. The plate must bear the colors and design approved by the department, and must include the official logo, graphic, or color as appropriate for each organization. The word "Florida" must appear at the top of the plate, and the words "Divine Nine" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed as follows:

1. Five percent of the proceeds shall be distributed to the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida's historically black colleges and universities.

2. The remaining 95 percent of the proceeds shall be distributed to one of the following organizations as selected by the purchaser of the plate who shall receive a license plate with the logo, graphic, or color associated with the appropriate recipient organization:

a. Alpha Phi Alpha Fraternity, Inc.

(I) Eighty-five percent shall be distributed to the Florida Federation of Alpha Chapters, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the Florida Federation of Alpha Chapters, Inc., solely for the marketing of the plate.

b. Alpha Kappa Alpha Sorority, Inc.

(I) Eighty-five percent shall be distributed to the Alpha Kappa Alpha Educational Advancement Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the Alpha Kappa Alpha Educational Advancement Foundation, Inc., solely for the marketing of the plate.

c. Kappa Alpha Psi Fraternity, Inc.

(I) Eighty-five percent shall be distributed to the Southern Province of Kappa Alpha Psi Fraternity, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the Southern Province of Kappa Alpha Psi Fraternity, Inc., solely for the marketing of the plate.

d. Omega Psi Phi Fraternity, Inc.

(I) Eighty-five percent shall be distributed to the State of Florida Omega Friendship Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the State of Florida Omega Friendship Foundation, Inc., solely for the marketing of the plate.

e. Delta Sigma Theta Sorority, Inc.

(I) Eighty-five percent shall be distributed to the Delta Research and Educational Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the Delta Research and Educational Foundation, Inc., solely for the marketing of the plate.

f. Phi Beta Sigma Fraternity, Inc.

(I) Eighty-five percent shall be distributed to the TMB Charitable Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the TMB Charitable Foundation, Inc., solely for the marketing of the plate.

g. Zeta Phi Beta Sorority, Inc.

(I) Eighty-five percent shall be distributed to the Florida Pearls, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the Florida Pearls, Inc., solely for the marketing of the plate.

h. Sigma Gamma Rho Sorority, Inc.

(I) Eighty-five percent shall be distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc., to promote community awareness

and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc., solely for the marketing of the plate.

i. Iota Phi Theta Fraternity, Inc.

(I) Eighty-five percent shall be distributed to the National Iota Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities within this state.

(II) Ten percent shall be distributed to the National Iota Foundation, Inc., solely for the marketing of the plate.

License plates created pursuant to this subsection shall have their plate sales combined for the purpose of meeting the minimum license plate sales threshold in s. 320.08056(8)(a) and for determining the license plate limit in s. 320.08053(3)(b). License plates created pursuant to this subsection must be ordered directly from the department.

(102) FLORIDA BAY FOREVER LICENSE PLATES.—

(a) The department shall develop a Florida Bay Forever license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Florida Bay Forever" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Florida National Park Association, Inc., which may use up to 10 percent of the proceeds for administrative costs and marketing of the plate. All remaining proceeds shall be used to supplement the Everglades National Park's budgets and to support educational, interpretive, historical, and scientific research relating to the Everglades National Park.

(103) BONEFISH AND TARPON TRUST LICENSE PLATES.—

(a) The department shall develop a Bonefish and Tarpon Trust license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Bonefish and Tarpon Trust" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Bonefish and Tarpon Trust, which may use up to 10 percent of the proceeds to promote and market the license plate. All remaining proceeds shall be used to conserve and enhance Florida bonefish and tarpon fisheries and their respective environments through stewardship, research, education, and advocacy.

(104) COASTAL CONSERVATION ASSOCIATION LICENSE PLATES.—

(a) The department shall develop a Coastal Conservation Association license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Conserve Florida's Fisheries" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Coastal Conservation Association Florida, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to be used as follows:

1. Up to 10 percent of the proceeds may be used for administrative costs and to promote and market the plate.

2. The remainder of the proceeds shall be used to support the mission and efforts of Coastal Conservation Association Florida for habitat enhancement and restoration, saltwater fisheries conservation, and education; to advise the public on the conservation of marine resources; and to promote and enhance the present and future availability of those coastal resources for the benefit and enjoyment of the general public.

(105) JOHNSON AND WALES UNIVERSITY LICENSE PLATES.—

(a) The department shall develop a Johnson and Wales University license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, the words "Johnson and Wales University" must appear at the bottom of the plate, and the official Johnson and Wales University logo must appear on the left side of the plate.

(b) The license plate annual use fees shall be distributed to Johnson and Wales University-North Miami, which may use up to 10 percent of the

proceeds to promote and market the plate. The remainder of the proceeds shall be used by Johnson and Wales University-North Miami, a Johnson and Wales University organization under s. 501(c)(3) of the Internal Revenue Code, to fund its charitable activities, including, but not limited to, student need-based scholarships.

(106) FLORIDA STANDS WITH ISRAEL LICENSE PLATES.—

(a) The department shall develop a Florida Stands with Israel license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Florida Stands with Israel" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate must be distributed to the Hatzalah of Miami-Dade, Inc., to be used as follows:

1. Ten percent must be used solely for the promotion and marketing of the plate.

2. Ninety percent must be used by Hatzalah of Miami-Dade, Inc., to assist in training and deploying first responders to expedite emergency response.

(107) GIVE KIDS THE WORLD LICENSE PLATES.—

(a) The department shall develop a Give Kids The World license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Give Kids The World" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Give Kids The World, Inc., a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for the promotion and marketing of the plate. The remainder of the proceeds shall be used by Give Kids The World, Inc., to support their mission of providing week-long, cost-free vacations to children with critical illnesses and their families.

(108) MARINE CORPS LEAGUE LICENSE PLATES.—

(a) The department shall develop a Marine Corps League license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top center of the plate, and the words "Marine Corps League" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Marine Corps League, Inc., Department of Florida as follows:

1. Up to 10 percent of the proceeds may be used for administrative costs and to promote and market the plate.

2. At least 15 percent shall be distributed to the Operations and Maintenance Trust Fund within the Department of Veterans' Affairs to be used to support program operations that benefit veterans or the operation, maintenance, or construction of domiciliary and nursing homes for veterans, subject to the requirements of chapter 216.

3. At least 40 percent shall be distributed to the Marine Corps League John Piazza Memorial Scholarship Fund to fund scholarships and assist Marine Corps Junior ROTC and Young Marine programs in this state.

4. At least 20 percent shall support the Marine Corps League efforts in disaster relief, aiding and rendering assistance to all Marines and former Marines and to their widows and orphans in this state.

5. At least 15 percent shall be distributed to the Injured Warriors Fund of Florida to assist those warriors injured in combat residing in this state.

(109) K9S UNITED LICENSE PLATES.—

(a) The department shall develop a K9s United license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "K9s United" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to K9s United, Inc., a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for the promotion and marketing of the plate. The remainder of the proceeds shall be used by K9s United, Inc., to support K9 units throughout the state.

(110) FLORIDA NATIVE LICENSE PLATES.—

(a) The department shall develop a Florida Native license plate as provided in this section and s. 320.08053. The word "Florida" must appear at the top of the plate, and the word "Native" must appear at the bottom of the plate. The

plate must contain a camouflage background including leaves, flowers, or fronds of a minimum of five different Florida native plants.

(b)1. The department shall retain all annual use fees from the sale of the plate until all startup costs for developing and issuing the plate have been recovered.

2. Thereafter, the annual use fees from the sale of the plate shall be distributed to the Florida Native Plant Society, a Florida nonprofit corporation, which may use a maximum of 10 percent of the fees for administrative costs and to market and promote the plate. The balance of the fees shall be used by the Florida Native Plant Society to fulfill the mission of the Florida Native Plant Society, which is to restore and preserve native Florida plants on private and public lands through grants, education, and community projects.

(111) UNIVERSITY OF ALABAMA LICENSE PLATES.—

(a) The department shall develop a University of Alabama license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Roll Tide" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed annually as follows:

1. Up to 10 percent of the moneys raised from the sale of the plates may be used for continuing marketing and promotion of the plates by the Pensacola Bama Club.

2. In each school district that has a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of University of Alabama license plates must be distributed to the foundation or organization for enhancing educational programs.

3. In each school district that does not have a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of University of Alabama license plates must be distributed to the district school board and must be used at the discretion of the board for enhancing educational programs.

Section 9. Paragraph (b) of subsection (1) of section 320.08062, Florida Statutes, is amended to read:

320.08062 Audits and attestations required; annual use fees of specialty license plates.—

(1)

(b) Any organization not subject to audit pursuant to s. 215.97 shall annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. 320.08056 and 320.08058. The attestation shall be made annually in a form and format determined by the department. In addition, the department shall audit any such organization every 3 years to ensure proceeds have been used in compliance with ss. 320.08056 and 320.08058.

Section 10. Paragraph (b) of subsection (4) of section 320.08068, Florida Statutes, is amended to read:

320.08068 Motorcycle specialty license plates.—

(4) A license plate annual use fee of \$20 shall be collected for each motorcycle specialty license plate. Annual use fees shall be distributed as follows:

(b) Twenty percent to Preserve Vision Prevent Blindness Florida.

Section 11. Subsections (5), (6), and (7) of section 320.0807, Florida Statutes, are amended to read:

320.0807 Special license plates for Governor and federal and state legislators.—

(5) Upon application by any current or former President of the Senate and payment of the fees prescribed by s. 320.0805, the department may issue a license plate stamped "Senate President" followed by the number assigned by the department or chosen by the applicant if it is not already in use. Upon application by any current or former Speaker of the House of Representatives and payment of the fees prescribed by s. 320.0805, the department may issue a license plate stamped "House Speaker" followed by the number assigned by the department or chosen by the applicant if it is not already in use. The applicant must have served as President of the Senate or Speaker of the House of Representatives prior to January 1, 2021.

(6)(a) Upon application by any ~~former member of Congress~~ or former member of the state Legislature, payment of the fees prescribed by s. 320.0805, and payment of a one-time fee of \$500, the department may issue a ~~former member of Congress~~, state senator, or state representative a license plate stamped "~~Retired Congress~~," "Retired Senate," or "Retired House," as appropriate, for a vehicle owned by the former member.

(b) To qualify for a ~~Retired Congress~~, Retired Senate, or Retired House prestige license plate, a former member must have served at least 4 years as a ~~member of Congress~~, state senator, or state representative, respectively, and must have served at least 2 years as a state senator or a state representative prior to January 1, 2021.

(c) Four hundred fifty dollars of the one-time fee collected under paragraph (a) shall be distributed to the account of the direct-support organization established pursuant to s. 272.136 and used for the benefit of the Florida Historic Capitol Museum, and the remaining \$50 shall be deposited into the Highway Safety Operating Trust Fund.

(7) The department may create a unique plate design for plates to be used by members or former members of the Legislature ~~or Congress~~ as provided in subsections (2), (5), and (6).

Section 12. Section 320.0875, Florida Statutes, is created to read:

320.0875 Purple Heart special motorcycle license plate.—

(1) Upon application to the department and payment of the license tax for the motorcycle as provided in s. 320.08, a resident of the state who owns or leases a motorcycle that is not used for hire or commercial use shall be issued a Purple Heart special motorcycle license plate if he or she provides documentation acceptable to the department that he or she is a recipient of the Purple Heart medal.

(2) The Purple Heart special motorcycle license plate shall be stamped with the term "Combat-wounded Veteran" followed by the serial number of the license plate. The Purple Heart special motorcycle license plate may have the term "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

Section 13. Paragraphs (b) and (c) of subsection (1) of section 320.089, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, paragraph (a) of that subsection is amended, and a new paragraph (b) is added to that subsection, to read:

320.089 Veterans of the United States Armed Forces; members of National Guard; survivors of Pearl Harbor; Purple Heart medal recipients; Bronze Star recipients; active or retired United States Armed Forces reservists; Combat Infantry Badge, Combat Medical Badge, or Combat Action Badge recipients; Combat Action Ribbon recipients; Air Force Combat Action Medal recipients; Distinguished Flying Cross recipients; former prisoners of war; Korean War Veterans; Vietnam War Veterans; Operation Desert Shield Veterans; Operation Desert Storm Veterans; Operation Enduring Freedom Veterans; Operation Iraqi Freedom Veterans; Women Veterans; World War II Veterans; and Navy Submariners; special license plates; fee.—

(1)(a) Each owner or lessee of an automobile or truck for private use or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and a veteran of the United States Armed Forces, a Woman Veteran, a World War II Veteran, a Navy Submariner, an active or retired member of the Florida National Guard, a survivor of the attack on Pearl Harbor, a recipient of the Purple Heart medal, a recipient of the Bronze Star, an active or retired member of any branch of the United States Armed Forces Reserve, or a recipient of the Combat Infantry Badge, Combat Medical Badge, Combat Action Badge, Combat Action Ribbon, Air Force Combat Action Medal, or Distinguished Flying Cross, upon application to the department, accompanied by proof of release or discharge from any branch of the United States Armed Forces, proof of active membership or retired status in the Florida National Guard, proof of membership in the Pearl Harbor Survivors Association or proof of active military duty in Pearl Harbor on December 7, 1941, proof of being a Purple Heart medal recipient, proof of being a Bronze Star recipient, proof of active or retired membership in any branch of the United States Armed Forces Reserve, or proof of membership in the Combat Infantrymen's Association, Inc., proof of being a recipient of the Combat Infantry Badge, Combat Medical Badge, Combat Action Badge, Combat Action Ribbon, Air Force Combat Action Medal, or Distinguished Flying Cross, and upon payment of the license tax

for the vehicle as provided in s. 320.08, shall be issued a license plate as provided by s. 320.06 which, in lieu of the serial numbers prescribed by s. 320.06, is stamped with the words "Veteran," "Woman Veteran," "WWII Veteran," "Navy Submariner," "National Guard," "Pearl Harbor Survivor," "Combat-wounded veteran," "Bronze Star," "U.S. Reserve," "Combat Infantry Badge," "Combat Medical Badge," "Combat Action Badge," "Combat Action Ribbon," "Air Force Combat Action Medal," or "Distinguished Flying Cross," as appropriate, and a likeness of the related campaign medal or badge, followed by the serial number of the license plate. Additionally, the Purple Heart plate may have the words "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

(b) The military members listed in paragraph (a) are eligible to be issued special veteran's motorcycle license plates. The veteran's motorcycle license plate design shall be the same as the design for the motor vehicle "Veteran" and "Woman Veteran" special license plate. The word "Veteran" or "Woman Veteran" shall be displayed at the bottom of the motorcycle license plate.

Section 14. Subsection (3) of section 320.0891, Florida Statutes, is amended to read:

320.0891 U.S. Paratroopers license plate.—

(3) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of this state and who meets the qualifications contained in subsection (2) shall, upon application therefor to the department, with the payment of the taxes and fees described in subsection (5), be issued a U.S. Paratroopers license plate. Each application must be accompanied by proof that the applicant has been decorated as a parachutist, ~~or~~ has completed the U.S. Army Jump School, ~~or has completed U.S. Army Air Assault School.~~

Section 15. Paragraph (b) of subsection (3) and paragraph (a) of subsection (4) of section 320.0894, Florida Statutes, are amended to read:

320.0894 Motor vehicle license plates to Gold Star family members.—The department shall develop a special license plate honoring the family members of servicemembers who have been killed while serving in the Armed Forces of the United States. The license plate shall be officially designated as the Gold Star license plate and shall be developed and issued as provided in this section.

(3)

(b) The surviving spouse and a surviving parent meeting the requirements in subsection (4) shall each, upon application therefor, be issued the Gold Star license plate for up to three vehicles ~~one vehicle~~ per household free of charge. Renewal decals for the plate issued under this paragraph shall be issued at no cost.

(4)(a)1.a. The Gold Star license plate shall be issued only to family members of a servicemember killed while serving in the Armed Forces of the United States ~~who resided in Florida at the time of the death of the servicemember.~~

b. Any family member, as defined in subparagraph 2., of a servicemember killed while serving may be issued a Gold Star license plate upon payment of the license tax and appropriate fees as provided in paragraph (3)(a) ~~without regard to the state of residence of the servicemember.~~

2. To qualify for issuance of a Gold Star license plate, the applicant must be directly related to a fallen servicemember as spouse, legal mother or father, stepparent, parent through adoption, foster parent, grandparent, child, stepchild, adopted child, brother, sister, half brother, or half sister of the fallen servicemember.

3. A servicemember is deemed to have been killed while in service as listed by the United States Department of Defense and may be verified from documentation directly from the Department of Defense or from its subordinate agencies, such as the Coast Guard, Reserve, or National Guard.

Section 16. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2020, but only if HB 387 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to license plates; amending s. 320.06, F.S.; authorizing election of a permanent registration period for certain vehicles if certain conditions are met; providing an exception to the design of dealer license plates; amending s. 320.0657, F.S.; providing an exception to the design of fleet license plates; authorizing fleet companies to purchase specialty license plates in lieu of standard fleet license plates; requiring fleet companies to be responsible for certain costs; amending s. 320.08, F.S.; authorizing dealers to purchase specialty license plates in lieu of standard dealer license plates; requiring dealers to be responsible for certain costs; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; allowing the department to authorize dealer and fleet specialty license plates; providing requirements for such plates; deleting provisions relating to annual use fees for certain specialty license plates; revising provisions for discontinuing issuance of a specialty license plate; revising provisions relating to expenditure of annual use fees and interest earned therefrom; prohibiting annual use fees received by any entity from being used for certain purposes; requiring the department, in cooperation with independent colleges and universities, to create a standard template specialty license plate for each independent college or university for use in lieu of certain specialty license plates; providing for distribution and use of annual use fees collected from the sale of the plates; providing requirements for meeting the license plate sales threshold and determining the license plate limit; requiring standard template specialty license plates to be ordered from the department; requiring that certain documentation be on file with the department prior to the development of certain license plates; providing requirements for issuance of presale vouchers for out-of-state college or university license plates; amending s. 320.08058, F.S.; revising the design of and distribution of proceeds from the Special Olympics Florida specialty license plate; deleting certain specialty license plates; revising the distribution of annual use fees for certain specialty license plates; directing the department to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of the plates; amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; amending s. 320.08068, F.S.; requiring distribution of a specified percentage of motorcycle specialty license plate annual use fees to Preserve Vision Florida; amending s. 320.0807, F.S.; revising provisions relating to special license plates for certain federal and state legislators; creating s. 320.0875, F.S.; providing for a special motorcycle license plate to be issued to a recipient of the Purple Heart; providing requirements for the plate; amending s. 320.089, F.S.; providing for a special license plate to be issued to a recipient of the Bronze Star; providing for the design and issuance of special veteran's motorcycle license plates; amending s. 320.0891, F.S.; revising eligibility requirements for the U.S. Paratroopers license plate; amending s. 320.0894, F.S.; revising requirements for eligibility for and issuance of the Gold Star license plate; providing contingent effective dates.

On motion by Rep. J. Grant, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **HB 1135**. The vote was:

Session Vote Sequence: 754

Speaker Oliva in the Chair.

Yeas—112

- | | | | |
|-----------|----------|------------|-----------|
| Alexander | Beltran | Clemons | Drake |
| Aloupis | Brannan | Cortes, J. | Driskell |
| Altman | Brown | Cummings | DuBose |
| Andrade | Buchanan | Daley | Duggan |
| Antone | Burton | Davis | Duran |
| Ausley | Bush | Diamond | Eagle |
| Avila | Byrd | DiCeglie | Eskamani |
| Bell | Caruso | Donalds | Fernández |

Fernandez-Barquin	Jacquet	Perez	Sirois
Fetterhoff	Jenne	Pigman	Smith, C.
Fine	Joseph	Plakon	Smith, D.
Fischer	Killebrew	Plasencia	Sprolws
Fitzenhagen	La Rosa	Polo	Stevenson
Geller	LaMarca	Polsky	Stone
Goff-Marcil	Latvala	Ponder	Sullivan
Good	Leek	Pritchett	Thompson
Gottlieb	Magar	Raschein	Toledo
Grall	Maggard	Renner	Tomkow
Grant, J.	Mariano	Roach	Trumbull
Grant, M.	Massullo	Robinson	Valdés
Gregory	McClain	Rodrigues, R.	Watson, B.
Grieco	McClure	Rodriguez, A.	Watson, C.
Hage	McGhee	Rodriguez, A. M.	Webb
Hart	Newton	Rommel	Willhite
Hattersley	Oliva	Sabatini	Williams
Hill	Omphroy	Santiago	Williamson
Hogan Johnson	Overdorf	Shoaf	Yarborough
Ingolia	Payne	Silvers	Zika

Nays—None

Votes after roll call:

Yeas—Casello, Jacobs, Mercado, Slosberg

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 1339, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/CS/CS/HB 1339—A bill to be entitled An act relating to community development and housing; amending s. 125.01055, F.S.; authorizing a board of county commissioners to approve development of affordable housing on any parcel zoned for residential, commercial, or industrial use; amending s. 129.03, F.S.; revising the information that the county budget officer must submit to the Office of Economic and Demographic Research regarding the final budget and the county’s economic status; s. 163.01, F.S.; amending the Florida Interlocal Cooperation Act of 1969 to authorize private entities to enter into specified loan agreements; authorizing certain bond proceeds to be loaned to private entities for specified types of projects; providing that such loans are deemed a paramount public purpose; amending s. 163.31771, F.S.; revising legislative findings; authorizing local governments to adopt ordinances that allow accessory dwelling units in any area zoned for single-family residential use; providing an exception; amending s. 163.31801, F.S.; requiring counties, municipalities, and special districts to include certain data relating to impact fees in their annual financial reports; amending s. 166.04151, F.S.; authorizing governing bodies of municipalities to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use; amending s. 166.241, F.S.; revising the information that the municipal budget officer must submit to the Office of Economic and Demographic Research regarding the final budget and the municipality’s economic status; amending s. 196.1978, F.S.; specifying that property owned by certain limited liability companies be exempt from ad valorem taxation; providing circumstances under which the exemption from ad valorem taxation applies; amending s. 320.77, F.S.; revising a certification requirement for mobile home dealer applicants relating to the applicant’s business location; amending s. 320.771, F.S.; exempting certain recreational vehicle dealer applicants from a garage liability insurance requirement; amending s. 320.822, F.S.; revising the definition of the term “code”; amending s. 320.8232, F.S.; revising applicable standards for the repair and remodeling of mobile and manufactured homes; amending s. 367.022, F.S.; exempting certain mobile home park owners and mobile home subdivision owners from regulation by the Florida Public

Service Commission relating to water and wastewater service; amending s. 420.5087, F.S.; revising the criteria used by a review committee when evaluating and selecting specified applications for state apartment incentive loans; amending s. 420.5095, F.S.; renaming the Community Workforce Housing Innovation Pilot Program as the Community Workforce Housing Loan Program; requiring the program to provide workforce housing; revising the definition of the term “workforce housing”; deleting the definition of the term “public-private partnership”; authorizing the Florida Housing Finance Corporation to provide loans under the program to applicants for construction of workforce housing; requiring the corporation to establish a certain loan application process; deleting provisions requiring the corporation to provide incentives for local governments to use certain funds; requiring projects to receive priority consideration for funding under certain circumstances; deleting a provision providing for the expedition of local government comprehensive plan amendments to implement a program project; requiring that the corporation award loans at a specified interest rate and for a limited term; conforming provisions to changes made by the act; creating s. 420.531, F.S.; authorizing certain applicants or affiliates to be precluded from the housing program under certain circumstances; providing procedural rules for use if the board of directors determines that an applicant or affiliate has been precluded from the program; specifying conditions which must be met before an order can be final; providing how funding, allocation of federal housing credits, credit underwriting procedures, or application review are to be handled under specified situations; amending s. 420.531, F.S.; specifying that technical support provided to local governments and community-based organizations includes implementation of the State Apartment Incentive Loan Program; requiring the entity providing training and technical assistance to convene and administer biannual regional workshops; requiring such entity to annually compile and submit certain information to the Legislature and the corporation by a specified date; amending s. 420.9071, F.S.; revising the definition of the term “affordable”; amending s. 420.9073, F.S.; authorizing the corporation to withhold a certain portion of funds distributed from the Local Government Housing Trust Fund to be used for certain transitional housing; prohibiting such funds from being used for specified purposes; requiring the corporation to consult with the Department of Children and Families to create minimum criteria for such housing; providing for the distribution of withheld funds; amending s. 420.9075, F.S.; revising information that must be included in the report from each county and municipality that addresses affordable housing programs and accomplishments; amending s. 420.9076, F.S.; revising the membership of local affordable housing advisory committees beginning on a specified date; requiring the committees to perform specified duties annually instead of triennially; requiring locally elected officials serving on advisory committees, or their designees, to attend biannual regional workshops; providing a penalty; amending s. s. 423.02, F.S.; prohibiting cities, towns, counties, or political subdivisions from changing taxes or assessments related to certain housing projects under certain circumstances; amending s. 723.011, F.S.; providing construction relating to rental agreements and tenancies; providing that a mobile home owner may be required to install permanent improvements as disclosed in the mobile home park prospectus; amending s. 723.012, F.S.; authorizing mobile home park owners to make certain prospectus amendments; providing requirements for the amendment; prohibiting certain costs and expenses from being passed on to existing mobile home owners; amending s. 723.023, F.S.; revising general obligations for mobile home owners; amending s. 723.031, F.S.; specifying a requirement for disclosing and agreeing to a mobile home lot rental increase; revising construction relating to a park owner’s disclosure of certain taxes and assessments; amending s. 723.037, F.S.; authorizing mobile home park owners to give notice of lot rental increases for multiple anniversary dates in one notice; providing construction; revising a requirement for a lot rental negotiation committee; amending s. 723.041, F.S.; providing that a mobile home park damaged or destroyed due to natural forces may be rebuilt with the same density as previously approved, permitted, and built; providing construction; amending s. 723.042, F.S.; conforming a provision to changes made by the act; amending s. 723.059, F.S.; authorizing certain mobile home purchasers to assume the remainder of a seller’s prospectus; authorizing a mobile home park owner to offer a purchaser any approved prospectus; amending s.

723.061, F.S.; specifying entities that must be provided with a copy of an eviction notice when received by a mobile home owner; specifying the waiver and nonwaiver of certain rights of a mobile home park owner under certain circumstances; requiring the accounting at final hearing of rents received; amending s. 723.076, F.S.; revising procedures related to the election or appointment of new officers or board members in a homeowner's association; amending s. 723.078, F.S.; revising requirements for board elections and ballots; requiring an impartial committee to be responsible for overseeing the election process and complying with ballot requirements; defining the term "impartial committee"; requiring that association bylaws provide a method for determining the winner of an election under certain circumstances; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt procedural rules; revising the types of meetings that are not required to be open to members; providing an exception to a provision requiring an officer of an association to provide an affidavit affirming certain information; authorizing meeting notices to be provided by electronic means; providing that the minutes of certain board and committee meetings are privileged and confidential; conforming provisions to changes made by the act; amending s. 723.079, F.S.; revising homeowners' association recordkeeping requirements; revising the timeframes for which certain records are required to be retained and be made available for inspection or photocopying; capping the amount of damages for which an association is liable when a member is denied access to official records; requiring that certain disputes be submitted to mandatory binding arbitration with the division; amending s. 723.1255, F.S.; requiring that certain disputes be submitted to mandatory binding arbitration with the division; providing requirements for such arbitration and fees and costs; requiring the division to adopt rules; reenacting s. 420.507(22)(i), F.S., relating to powers of the Florida Housing Finance Corporation, to incorporate the amendment made to s. 420.5087, F.S., in a reference thereto; reenacting s. 193.018(2), F.S., relating to land owned by a community land trust used to provide affordable housing, to incorporate the amendment made to s. 420.5095, F.S., in a reference thereto; providing an effective date.

(Amendment Bar Code: 573190)

Senate Amendment 1 (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. Section 125.01055, Florida Statutes, is amended to read:
125.01055 Affordable housing.—

(1) Notwithstanding any other provision of law, a county may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing or linkage fee ordinances.

(2) An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units.

(3) An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated on the basis of the number of approved dwelling units, the amount of approved square footage, or otherwise.

(4) ~~However,~~ In exchange for a developer fulfilling the requirements of subsection (2) or, for residential or mixed-use residential development, the requirements of subsection (3), a county must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee. Such incentives may include, but are not limited to:

(a) Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;

(b) Reducing or waiving fees, such as impact fees or water and sewer charges; or

(c) Granting other incentives.

(5) ~~(3)~~ Subsection (2) does not apply in an area of critical state concern, as designated in s. 380.0552.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.

Section 2. Paragraph (d) of subsection (3) of section 129.03, Florida Statutes, is amended to read:

129.03 Preparation and adoption of budget.—

(3) The county budget officer, after tentatively ascertaining the proposed fiscal policies of the board for the next fiscal year, shall prepare and present to the board a tentative budget for the next fiscal year for each of the funds provided in this chapter, including all estimated receipts, taxes to be levied, and balances expected to be brought forward and all estimated expenditures, reserves, and balances to be carried over at the end of the year.

(d) ~~By October 15, 2019, and~~ each October 15 ~~annually thereafter~~, the county budget officer shall electronically submit the following information regarding the final budget and the county's economic status to the Office of Economic and Demographic Research in the format specified by the office:

1. Government spending per resident, including, at a minimum, the spending per resident for the previous 5 fiscal years.

2. Government debt per resident, including, at a minimum, the debt per resident for the previous 5 fiscal years.

3. Median income within the county.

4. The average county employee salary.

5. Percent of budget spent on salaries and benefits for county employees.

6. Number of special taxing districts, wholly or partially, within the county.

7. Annual county expenditures providing for the financing, acquisition, construction, reconstruction, or rehabilitation of housing that is affordable, as that term is defined in s. 420.0004. The reported expenditures must indicate the source of such funds as "federal," "state," "local," or "other," as applicable. The information required by this subparagraph must be included in the submission due by October 15, 2020, and each annual submission thereafter.

Section 3. Paragraph (d) of subsection (7) of section 163.01, Florida Statutes, is amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(7)

(d) Notwithstanding the provisions of paragraph (c), any separate legal entity created pursuant to this section and controlled by the municipalities or counties of this state or by one or more municipality and one or more county of this state, the membership of which consists or is to consist of municipalities only, counties only, or one or more municipality and one or more county, may, for the purpose of financing or refinancing any capital projects, exercise all powers in connection with the authorization, issuance, and sale of bonds. Notwithstanding any limitations provided in this section, all of the privileges, benefits, powers, and terms of part I of chapter 125, part II of chapter 166, and part I of chapter 159 ~~are shall be~~ fully applicable to such entity. Bonds issued by such entity ~~are shall be~~ deemed issued on behalf of the counties, ~~or municipalities, or private entities~~ which enter into loan agreements with such entity as provided in this paragraph. Any loan agreement executed pursuant to a program of such entity ~~is shall be~~ governed by the provisions of part I of chapter 159 or, in the case of counties, part I of chapter 125, or in the case of municipalities and charter counties, part II of chapter 166. Proceeds of bonds issued by such entity may be loaned to counties or municipalities of this state or a combination of municipalities and counties, whether or not such counties or municipalities are also members of the entity issuing the bonds, ~~or to private entities for projects that are "self-liquidating," as provided in s. 159.02, whether or not such private entities are located within the jurisdictional boundaries of a county or municipality that is a member of the entity issuing the bonds.~~ The issuance of bonds by such entity to fund a loan program to make loans to municipalities, ~~or counties, or private entities~~ or a combination of municipalities, ~~and counties, and private entities~~ with one another for capital projects to be identified subsequent to the issuance of the bonds to fund such loan programs is deemed to be a paramount public purpose. Any entity so created may also issue bond anticipation notes, as provided by s. 215.431, in connection with the authorization, issuance, and sale of such bonds. In addition, the governing body of such legal entity may also authorize bonds to be issued and sold from time to time and may delegate, to such officer, official,

or agent of such legal entity as the governing body of such legal entity may select, the power to determine the time; manner of sale, public or private; maturities; rate or rates of interest, which may be fixed or may vary at such time or times and in accordance with a specified formula or method of determination; and other terms and conditions as may be deemed appropriate by the officer, official, or agent so designated by the governing body of such legal entity. However, the amounts and maturities of such bonds and the interest rate or rates of such bonds shall be within the limits prescribed by the governing body of such legal entity and its resolution delegating to such officer, official, or agent the power to authorize the issuance and sale of such bonds. A local government self-insurance fund established under this section may financially guarantee bonds or bond anticipation notes issued or loans made under this subsection. Bonds issued pursuant to this paragraph may be validated as provided in chapter 75. The complaint in any action to validate such bonds shall be filed only in the Circuit Court for Leon County. The notice required to be published by s. 75.06 shall be published only in Leon County, and the complaint and order of the circuit court shall be served only on the State Attorney of the Second Judicial Circuit and on the state attorney of each circuit in each county where the public agencies which were initially a party to the agreement are located. Notice of such proceedings shall be published in the manner and the time required by s. 75.06 in Leon County and in each county where the public agencies which were initially a party to the agreement are located. Obligations of any county or municipality pursuant to a loan agreement as described in this paragraph may be validated as provided in chapter 75.

Section 4. Subsections (3) and (4) of section 163.31771, Florida Statutes, are amended to read:

163.31771 Accessory dwelling units.—

(3) ~~Upon a finding by a local government that there is a shortage of affordable rentals within its jurisdiction, the local government may adopt an ordinance to allow accessory dwelling units in any area zoned for single-family residential use.~~

(4) ~~If the local government adopts an ordinance under this section, an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.~~

Section 5. Subsection (10) is added to section 163.31801, Florida Statutes, to read:

163.31801 Impact fees; short title; intent; minimum requirements; audits; challenges.—

(10) In addition to the items that must be reported in the annual financial reports under s. 218.32, a county, municipality, or special district must report all of the following data on all impact fees charged:

(a) The specific purpose of the impact fee, including the specific infrastructure needs to be met, including, but not limited to, transportation, parks, water, sewer, and schools.

(b) The impact fee schedule policy describing the method of calculating impact fees, such as flat fees, tiered scales based on number of bedrooms, or tiered scales based on square footage.

(c) The amount assessed for each purpose and for each type of dwelling.

(d) The total amount of impact fees charged by type of dwelling.

(e) Each exception and waiver provided for construction or development of housing that is affordable.

Section 6. Section 166.04151, Florida Statutes, is amended to read:

166.04151 Affordable housing.—

(1) Notwithstanding any other provision of law, a municipality may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing or linkage fee ordinances.

(2) An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units.

(3) An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated on the basis of the number

of approved dwelling units, the amount of approved square footage, or otherwise.

(4) ~~However, In exchange for a developer fulfilling the requirements of subsection (2) or, for residential or mixed-use residential development, the requirements of subsection (3), a municipality must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee. Such incentives may include, but are not limited to:~~

(a) Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;

(b) Reducing or waiving fees, such as impact fees or water and sewer charges; or

(c) Granting other incentives.

(5) ~~Subsection (2) does not apply in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code.~~

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.

Section 7. Subsection (4) of section 166.241, Florida Statutes, is amended to read:

166.241 Fiscal years, budgets, and budget amendments.—

(4) ~~By Beginning October 15, 2019, and each October 15 thereafter, the municipal budget officer shall electronically submit the following information regarding the final budget and the municipality's economic status to the Office of Economic and Demographic Research in the format specified by the office:~~

(a) Government spending per resident, including, at a minimum, the spending per resident for the previous 5 fiscal years.

(b) Government debt per resident, including, at a minimum, the debt per resident for the previous 5 fiscal years.

(c) Average municipal employee salary.

(d) Median income within the municipality.

(e) Number of special taxing districts wholly or partially within the municipality.

(f) Percent of budget spent on salaries and benefits for municipal employees.

(g) Annual municipal expenditures providing for the financing, acquisition, construction, reconstruction, or rehabilitation of housing that is affordable, as that term is defined in s. 420.0004. The reported expenditures must indicate the source of such funds as "federal," "state," "local," or "other," as applicable. This information must be included in the submission due by October 15, 2020, and each annual submission thereafter.

Section 8. Paragraph (h) of subsection (3) of section 320.77, Florida Statutes, is amended to read:

320.77 License required of mobile home dealers.—

(3) APPLICATION.—The application for such license shall be in the form prescribed by the department and subject to such rules as may be prescribed by it. The application shall be verified by oath or affirmation and shall contain:

(h) Certification by the applicant:

1. That the location is a permanent one, not a tent or a temporary stand or other temporary quarters; ~~and,~~

2. Except in the case of a mobile home broker, that the location affords sufficient ~~unoccupied~~ space to display ~~store all mobile homes offered and displayed~~ for sale. ~~A space to display a manufactured home as a model home is sufficient to satisfy this requirement; and that~~ The location ~~must be~~ is a suitable place in which the applicant can in good faith carry on business and keep and maintain books, records, and files necessary to conduct such business, which ~~must will~~ be available at all reasonable hours to inspection by the department or any of its inspectors or other employees.

This paragraph ~~does subsection shall~~ not preclude a licensed mobile home dealer from displaying and offering for sale mobile homes in a mobile home park.

The department shall, if it deems necessary, cause an investigation to be made to ascertain if the facts set forth in the application are true and shall not issue a

license to the applicant until it is satisfied that the facts set forth in the application are true.

Section 9. Paragraph (j) of subsection (3) of section 320.771, Florida Statutes, is amended to read:

320.771 License required of recreational vehicle dealers.—

(3) APPLICATION.—The application for such license shall be in the form prescribed by the department and subject to such rules as may be prescribed by it. The application shall be verified by oath or affirmation and shall contain:

(j) A statement that the applicant is insured under a garage liability insurance policy, which shall include, at a minimum, \$25,000 combined single-limit liability coverage, including bodily injury and property damage protection, and \$10,000 personal injury protection, if the applicant is to be licensed as a dealer in, or intends to sell, recreational vehicles. However, a garage liability policy is not required for the licensure of a mobile home dealer who sells only park trailers.

The department shall, if it deems necessary, cause an investigation to be made to ascertain if the facts set forth in the application are true and shall not issue a license to the applicant until it is satisfied that the facts set forth in the application are true.

Section 10. Subsection (2) of section 320.822, Florida Statutes, is amended to read:

320.822 Definitions; ss. 320.822-320.862.—In construing ss. 320.822-320.862, unless the context otherwise requires, the following words or phrases have the following meanings:

(2) "Code" means the appropriate standards found in:

(a) The Federal Manufactured Housing Construction and Safety Standards for single-family mobile homes, promulgated by the Department of Housing and Urban Development;

(b) The Uniform Standards Code approved by the American National Standards Institute, ANSI A-119.2 for recreational vehicles and ANSI A-119.5 for park trailers or the United States Department of Housing and Urban Development standard for park trailers certified as meeting that standard; or

(c) The Mobile and Manufactured Home Repair and Remodeling Code and the Used Recreational Vehicle Code.

Section 11. Subsection (2) of section 320.8232, Florida Statutes, is amended to read:

320.8232 Establishment of uniform standards for used recreational vehicles and repair and remodeling code for mobile homes.—

(2) The Mobile and Manufactured Home provisions of the Repair and Remodeling Code must be a uniform code, must shall ensure safe and livable housing, and may shall not be more stringent than those standards required to be met in the manufacture of mobile homes. Such code must provisions shall include, but not be limited to, standards for structural adequacy, plumbing, heating, electrical systems, and fire and life safety. All repairs and remodeling of mobile and manufactured homes must be performed in accordance with department rules.

Section 12. Subsection (9) of section 367.022, Florida Statutes, is amended, and subsection (14) is added to that section, to read:

367.022 Exemptions.—The following are not subject to regulation by the commission as a utility nor are they subject to the provisions of this chapter, except as expressly provided:

(9) Any person who resells water service to his or her tenants or to individually metered residents for a fee that does not exceed the actual purchase price of the water and wastewater service plus the actual cost of meter reading and billing, not to exceed 9 percent of the actual cost of service.

(14) The owner of a mobile home park operating both as a mobile home park and a mobile home subdivision, as those terms are defined in s. 723.003, who provides service within the park and subdivision to a combination of both tenants and lot owners, provided that the service to tenants is without specific compensation.

Section 13. Section 420.518, Florida Statutes, is created to read:

420.518 Fraudulent or material misrepresentation.—

(1) An applicant or affiliate of an applicant may be precluded from participation in any corporation program if the applicant or affiliate of the applicant has:

(a) Made a material misrepresentation or engaged in fraudulent actions in connection with any corporation program.

(b) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the financing, construction, or management of affordable housing or the fraudulent procurement of state or federal funds. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the state shall be admissible as prima facie evidence of such guilt.

(c) Been excluded from any federal funding program related to the provision of housing.

(d) Been excluded from any Florida procurement programs.

(e) Offered or given consideration, other than the consideration to provide affordable housing, with respect to a local contribution.

(f) Demonstrated a pattern of noncompliance and a failure to correct any such noncompliance after notice from the corporation in the construction, operation, or management of one or more developments funded through a corporation program.

(2) Upon a determination by the board of directors of the corporation that an applicant or affiliate of the applicant be precluded from participation in any corporation program, the board may issue an order taking any or all of the following actions:

(a) Preclude such applicant or affiliate from applying for funding from any corporation program for a specified period. The period may be a specified period of time or permanent in nature. With regard to establishing the duration, the board shall consider the facts and circumstances, inclusive of the compliance history of the applicant or affiliate of the applicant, the type of action under subsection (1), and the degree of harm to the corporation's programs that has been or may be done.

(b) Revoke any funding previously awarded by the corporation for any development for which construction or rehabilitation has not commenced.

(3) Before any order issued under this section can be final, an administrative complaint must be served on the applicant, affiliate of the applicant, or its registered agent that provides notification of findings of the board, the intended action, and the opportunity to request a proceeding pursuant to ss. 120.569 and 120.57.

(4) Any funding, allocation of federal housing credits, credit underwriting procedures, or application review for any development for which construction or rehabilitation has not commenced may be suspended by the corporation upon the service of an administrative complaint on the applicant, affiliate of the applicant, or its registered agent. The suspension shall be effective from the date the administrative complaint is served until an order issued by the corporation in regard to that complaint becomes final.

Section 14. Paragraph (c) of subsection (6) of section 420.5087, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(6) On all state apartment incentive loans, except loans made to housing communities for the elderly to provide for lifesafety, building preservation, health, sanitation, or security-related repairs or improvements, the following provisions shall apply:

(c) The corporation shall provide by rule for the establishment of a review committee for the competitive evaluation and selection of applications submitted in this program, including, but not limited to, the following criteria:

1. Tenant income and demographic targeting objectives of the corporation.

2. Targeting objectives of the corporation which will ensure an equitable distribution of loans between rural and urban areas.

3. Sponsor's agreement to reserve the units for persons or families who have incomes below 50 percent of the state or local median income, whichever is higher, for a time period that exceeds the minimum required by federal law or this part.

4. Sponsor's agreement to reserve more than:

a. Twenty percent of the units in the project for persons or families who have incomes that do not exceed 50 percent of the state or local median income, whichever is higher; or

b. Forty percent of the units in the project for persons or families who have incomes that do not exceed 60 percent of the state or local median income, whichever is higher, without requiring a greater amount of the loans as provided in this section.

5. Provision for tenant counseling.

6. Sponsor's agreement to accept rental assistance certificates or vouchers as payment for rent.

7. Projects requiring the least amount of a state apartment incentive loan compared to overall project cost, except that the share of the loan attributable to units serving extremely-low-income persons must be excluded from this requirement.

8. Local government contributions and local government comprehensive planning and activities that promote affordable housing and policies that promote access to public transportation, reduce the need for onsite parking, and expedite permits for affordable housing projects.

9. Project feasibility.

10. Economic viability of the project.

11. Commitment of first mortgage financing.

12. Sponsor's prior experience. This criterion may not require a sponsor to have prior experience with the corporation to qualify for financing under the program.

13. Sponsor's ability to proceed with construction.

14. Projects that directly implement or assist welfare-to-work transitioning.

15. Projects that reserve units for extremely-low-income persons.

16. Projects that include green building principles, storm-resistant construction, or other elements that reduce long-term costs relating to maintenance, utilities, or insurance.

17. Job-creation rate of the developer and general contractor, as provided in s. 420.507(47).

(10) The corporation may prioritize a portion of the program funds set aside under paragraph (3)(d) for persons with special needs as defined in s. 420.0004(13) to provide funding for the development of newly constructed permanent rental housing on a campus that provides housing for persons in foster care or persons aging out of foster care pursuant to s. 409.1451. Such housing shall promote and facilitate access to community-based supportive, educational, and employment services and resources that assist persons aging out of foster care to successfully transition to independent living and adulthood. The corporation must consult with the Department of Children and Families to create minimum criteria for such housing.

Section 15. Section 420.5095, Florida Statutes, is amended to read:

420.5095 Community Workforce Housing Loan Innovation Pilot Program.—

(1) The Legislature finds and declares that recent rapid increases in the median purchase price of a home and the cost of rental housing have far outstripped the increases in median income in the state, ~~preventing essential services personnel from living in the communities where they serve and thereby creating the need for innovative solutions for the provision of housing opportunities for essential services personnel.~~

(2) The Community Workforce Housing Loan Innovation Pilot Program is created to provide ~~affordable rental and home ownership community workforce housing for persons essential services personnel~~ affected by the high cost of housing, ~~using regulatory incentives and state and local funds to promote local public-private partnerships and leverage government and private resources.~~

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

(a) "workforce housing" means housing affordable to natural persons or families whose total annual household income does not exceed ~~80~~ 40 percent of the area median income, adjusted for household size, or ~~120~~ 150 percent of area median income, adjusted for household size, in areas of critical state concern designated under s. 380.05, for which the Legislature has declared its intent to provide affordable housing, and areas that were designated as areas of critical state concern for at least 20 consecutive years ~~before~~ prior to removal of the designation.

~~(b) "Public-private partnership" means any form of business entity that includes substantial involvement of at least one county, one municipality, or one public sector entity, such as a school district or other unit of local government in which the project is to be located, and at least one private sector for-profit or not-for-profit business or charitable entity, and may be any form of business entity, including a joint venture or contractual agreement.~~

(4) The Florida Housing Finance Corporation is authorized to provide loans under the Community Workforce Housing Innovation Pilot program ~~loans to applicants an applicant~~ for construction or rehabilitation of workforce housing in eligible areas. ~~This funding is intended to be used with other public and private sector resources.~~

(5) The corporation shall establish a loan application process under s. ~~420.5087~~ by rule which includes selection criteria, an application review process, and a funding process. The corporation shall also establish an application review committee that may include up to three private citizens ~~representing the areas of housing or real estate development, banking, community planning, or other areas related to the development or financing of workforce and affordable housing.~~

~~(a) The selection criteria and application review process must include a procedure for curing errors in the loan applications which do not make a substantial change to the proposed project.~~

~~(b) To achieve the goals of the pilot program, the application review committee may approve or reject loan applications or responses to questions raised during the review of an application due to the insufficiency of information provided.~~

~~(c) The application review committee shall make recommendations concerning program participation and funding to the corporation's board of directors.~~

~~(d) The board of directors shall approve or reject loan applications, determine the tentative loan amount available to each applicant, and rank all approved applications.~~

~~(e) The board of directors shall decide which approved applicants will become program participants and determine the maximum loan amount for each program participant.~~

~~(6) The corporation shall provide incentives for local governments in eligible areas to use local affordable housing funds, such as those from the State Housing Initiatives Partnership Program, to assist in meeting the affordable housing needs of persons eligible under this program. Local governments are authorized to use State Housing Initiative Partnership Program funds for persons or families whose total annual household income does not exceed:~~

~~(a) One hundred and forty percent of the area median income, adjusted for household size; or~~

~~(b) One hundred and fifty percent of the area median income, adjusted for household size, in areas that were designated as areas of critical state concern for at least 20 consecutive years prior to the removal of the designation and in areas of critical state concern, designated under s. 380.05, for which the Legislature has declared its intent to provide affordable housing.~~

~~(7) Funding shall be targeted to innovative projects in areas where the disparity between the area median income and the median sales price for a single family home is greatest, and where population growth as a percentage rate of increase is greatest. The corporation may also fund projects in areas where innovative regulatory and financial incentives are made available. The corporation shall fund at least one eligible project in as many counties and regions of the state as is practicable, consistent with program goals.~~

~~(6)(8) Projects must be given shall receive priority consideration for funding if where:~~

~~(a) the local jurisdiction has adopted, or is committed to adopting, appropriate regulatory incentives, or the local jurisdiction or public-private partnership has adopted or is committed to adopting local contributions or financial strategies, or other funding sources to promote the development and ongoing financial viability of such projects. Local incentives include such actions as expediting review of development orders and permits, supporting development near transportation hubs and major employment centers, and adopting land development regulations designed to allow flexibility in densities, use of accessory units, mixed-use developments, and flexible lot configurations. Financial strategies include such actions as promoting~~

employer-assisted housing programs, providing tax increment financing, and providing land.

(b) ~~Projects are innovative and include new construction or rehabilitation; mixed-income housing; commercial and housing mixed-use elements; innovative design; green building principles; storm-resistant construction; or other elements that reduce long-term costs relating to maintenance, utilities, or insurance and promote homeownership. The program funding may not exceed the costs attributable to the portion of the project that is set aside to provide housing for the targeted population.~~

(c) ~~Projects that set aside at least 80 percent of units for workforce housing and at least 50 percent for essential services personnel and for projects that require the least amount of program funding compared to the overall housing costs for the project.~~

(9) ~~Notwithstanding s. 163.3184(4)(b) (d), any local government comprehensive plan amendment to implement a Community Workforce Housing Innovation Pilot Program project found consistent with this section shall be expedited as provided in this subsection. At least 30 days prior to adopting a plan amendment under this subsection, the local government shall notify the state land planning agency of its intent to adopt such an amendment, and the notice shall include its evaluation related to site suitability and availability of facilities and services. The public notice of the hearing required by s. 163.3184(11)(b)2. shall include a statement that the local government intends to use the expedited adoption process authorized by this subsection. Such amendments shall require only a single public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(4)(e). Any further proceedings shall be governed by s. 163.3184(5)-(13).~~

(10) ~~The processing of approvals of development orders or development permits, as defined in s. 163.3164, for innovative community workforce housing projects shall be expedited.~~

(7)(4) ~~The corporation shall award loans with a 1 interest rates set at 1 to 3 percent interest rate for a term that does not exceed 15 years, which may be made forgivable when long-term affordability is provided and when at least 80 percent of the units are set aside for workforce housing and at least 50 percent of the units are set aside for essential services personnel.~~

(12) All eligible applications shall:

(a) ~~For home ownership, limit the sales price of a detached unit, townhome, or condominium unit to not more than 90 percent of the median sales price for that type of unit in that county, or the statewide median sales price for that type of unit, whichever is higher, and require that all eligible purchasers of home ownership units occupy the homes as their primary residence.~~

(b) ~~For rental units, restrict rents for all workforce housing serving those with incomes at or below 120 percent of area median income at the appropriate income level using the restricted rents for the federal low-income housing tax credit program and, for workforce housing units serving those with incomes above 120 percent of area median income, restrict rents to those established by the corporation, not to exceed 30 percent of the maximum household income adjusted to unit size.~~

(c) ~~Demonstrate that the applicant is a public-private partnership in an agreement, contract, partnership agreement, memorandum of understanding, or other written instrument signed by all the project partners.~~

(d) ~~Have grants, donations of land, or contributions from the public-private partnership or other sources collectively totaling at least 10 percent of the total development cost or \$2 million, whichever is less. Such grants, donations of land, or contributions must be evidenced by a letter of commitment, agreement, contract, deed, memorandum of understanding, or other written instrument at the time of application. Grants, donations of land, or contributions in excess of 10 percent of the development cost shall increase the application score.~~

(e) ~~Demonstrate how the applicant will use the regulatory incentives and financial strategies outlined in subsection (8) from the local jurisdiction in which the proposed project is to be located. The corporation may consult with the Department of Economic Opportunity in evaluating the use of regulatory incentives by applicants.~~

(f) ~~Demonstrate that the applicant possesses title to or site control of land and evidences availability of required infrastructure.~~

~~(g) Demonstrate the applicant's affordable housing development and management experience.~~

~~(h) Provide any research or facts available supporting the demand and need for rental or home ownership workforce housing for eligible persons in the market in which the project is proposed.~~

~~(13) Projects may include manufactured housing constructed after June 1994 and installed in accordance with mobile home installation standards of the Department of Highway Safety and Motor Vehicles.~~

~~(8)(14) The corporation may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.~~

~~(15) The corporation may use a maximum of 2 percent of the annual program appropriation for administration and compliance monitoring.~~

~~(16) The corporation shall review the success of the Community Workforce Housing Innovation Pilot Program to ascertain whether the projects financed by the program are useful in meeting the housing needs of eligible areas and shall include its findings in the annual report required under s. 420.511(3).~~

Section 16. Section 420.531, Florida Statutes, is amended to read:

420.531 Affordable Housing Catalyst Program.—

(1) The corporation shall operate the Affordable Housing Catalyst Program for the purpose of securing the expertise necessary to provide specialized technical support to local governments and community-based organizations to implement the HOME Investment Partnership Program, State Apartment Incentive Loan Program, State Housing Initiatives Partnership Program, and other affordable housing programs. To the maximum extent feasible, the entity to provide the necessary expertise must be recognized by the Internal Revenue Service as a nonprofit tax-exempt organization. It must have as its primary mission the provision of affordable housing training and technical assistance, an ability to provide training and technical assistance statewide, and a proven track record of successfully providing training and technical assistance under the Affordable Housing Catalyst Program. The technical support shall, at a minimum, include training relating to the following key elements of the partnership programs:

(a)(1) Formation of local and regional housing partnerships as a means of bringing together resources to provide affordable housing.

(b)(2) Implementation of regulatory reforms to reduce the risk and cost of developing affordable housing.

(c)(3) Implementation of affordable housing programs included in local government comprehensive plans.

(d)(4) Compliance with requirements of federally funded housing programs.

(2) In consultation with the corporation, the entity providing statewide training and technical assistance shall convene and administer biannual regional workshops for the locally elected officials serving on affordable housing advisory committees as provided in s. 420.9076. The regional workshops may be conducted through teleconferencing or other technological means and must include processes and programming that facilitate peer-to-peer identification and sharing of best affordable housing practices among the locally elected officials. Annually, calendar year reports summarizing the deliberations, actions, and recommendations of each region, as well as the attendance records of locally elected officials, must be compiled by the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program and must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the corporation by March 31 of the following year.

Section 17. Subsection (2) of section 420.9071, Florida Statutes, is amended to read:

420.9071 Definitions.—As used in ss. 420.907-420.9079, the term:

(2) "Affordable" means that monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in subsection (19), subsection (20), or subsection (28). However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent

benchmark. The term also includes housing provided by a not-for-profit corporation that derives at least 75 percent of its annual revenues from contracts or services provided to a state or federal agency for low-income persons and low-income households; that provides supportive housing for persons who suffer from mental health issues, substance abuse, or domestic violence; and that provides on-premises social and community support services relating to job training, life skills training, alcohol and substance abuse disorder, child care, and client case management.

Section 18. Paragraph (j) is added to subsection (10) of section 420.9075, Florida Statutes, to read:

420.9075 Local housing assistance plans; partnerships.—

(10) Each county or eligible municipality shall submit to the corporation by September 15 of each year a report of its affordable housing programs and accomplishments through June 30 immediately preceding submittal of the report. The report shall be certified as accurate and complete by the local government's chief elected official or his or her designee. Transmittal of the annual report by a county's or eligible municipality's chief elected official, or his or her designee, certifies that the local housing incentive strategies, or, if applicable, the local housing incentive plan, have been implemented or are in the process of being implemented pursuant to the adopted schedule for implementation. The report must include, but is not limited to:

(j) The number of affordable housing applications submitted, the number approved, and the number denied.

Section 19. Subsections (2) and (4) of section 420.9076, Florida Statutes, are amended, and subsection (10) is added to that section, to read:

420.9076 Adoption of affordable housing incentive strategies; committees.—

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee. The local action adopted pursuant to s. 420.9072 which creates the advisory committee and appoints the advisory committee members must name at least 8 but not more than 11 committee members and specify their terms. Effective October 1, 2020, the committee must consist of one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Program and one representative from at least six of the categories below:

(a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.

(b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

(c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

(d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

(e) A citizen who is actively engaged as a for-profit provider of affordable housing.

(f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.

(g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.

(h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.

(i) A citizen who resides within the jurisdiction of the local governing body making the appointments.

(j) A citizen who represents employers within the jurisdiction.

(k) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

(4) ~~Annually~~ Triennially, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures,

ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit an ~~annual~~ annual report to the local governing body and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which ~~that~~ includes recommendations on, ~~and triennially thereafter evaluates~~ the implementation of, affordable housing incentives in the following areas:

(a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.

~~(b) All allowable fee waivers provided. The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for the development or construction of affordable housing.~~

(c) The allowance of flexibility in densities for affordable housing.

(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

~~(e) The allowance of Affordable accessory residential units in residential zoning districts.~~

(f) The reduction of parking and setback requirements for affordable housing.

(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

(h) The modification of street requirements for affordable housing.

(i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

(k) The support of development near transportation hubs and major employment centers and mixed-use developments.

The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program shall perform an ~~the~~ initial review but may elect to not perform the ~~annual triennial~~ review.

(10) The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in s. 420.531(2). If the locally elected official or a locally elected designee fails to attend three consecutive regional workshops, the corporation may withhold funds pending the person's attendance at the next regularly scheduled biannual meeting.

Section 20. Subsection (18) of section 553.791, Florida Statutes, is amended to read:

553.791 Alternative plans review and inspection.—

(18) Each local building code enforcement agency may audit the performance of building code inspection services by private providers operating within the local jurisdiction. However, the same private provider may not be audited more than four times in a month ~~calendar year~~ unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare. Work on a building or structure may proceed after inspection and approval by a private provider if the provider has given notice of the inspection pursuant to subsection (9) and, subsequent to such inspection and approval, the work shall not be delayed for completion of an inspection audit by the local building code enforcement agency.

Section 21. Subsection (4) of section 723.011, Florida Statutes, is amended to read:

723.011 Disclosure prior to rental of a mobile home lot; prospectus, filing, approval.—

(4) With regard to a tenancy in existence on the effective date of this chapter, the prospectus or offering circular offered by the mobile home park owner must ~~shall~~ contain the same terms and conditions as rental agreements

offered to all other mobile home owners residing in the park on the effective date of this act, excepting only rent variations based upon lot location and size, and may shall not require any mobile home owner to install any permanent improvements, except that the mobile home owner may be required to install permanent improvements to the mobile home as disclosed in the prospectus.

Section 22. Subsection (5) of section 723.012, Florida Statutes, is amended to read:

723.012 Prospectus or offering circular.—The prospectus or offering circular, which is required to be provided by s. 723.011, must contain the following information:

(5) A description of the recreational and other common facilities, if any, that will be used by the mobile home owners, including, but not limited to:

(a) The number of buildings and each room thereof and its intended purposes, location, approximate floor area, and capacity in numbers of people.

(b) Each swimming pool, as to its general location, approximate size and depths, and approximate deck size and capacity and whether heated.

(c) All other facilities and permanent improvements that which will serve the mobile home owners.

(d) A general description of the items of personal property available for use by the mobile home owners.

(e) A general description of the days and hours that facilities will be available for use.

(f) A statement as to whether all improvements are complete and, if not, their estimated completion dates.

If a mobile home park owner intends to include additional property and mobile home lots and to increase the number of lots that will use the shared facilities of the park, the mobile home park owner must amend the prospectus to disclose such additions. If the number of mobile home lots in the park increases by more than 15 percent of the total number of lots in the original prospectus, the mobile home park owner must reasonably offset the impact of the additional lots by increasing the shared facilities. The amendment to the prospectus must include a reasonable timeframe for providing the required additional shared facilities. The costs and expenses necessary to increase the shared facilities may not be passed on or passed through to the existing mobile home owners.

Section 23. Section 723.023, Florida Statutes, is amended to read:

723.023 Mobile home owner's general obligations.—A mobile home owner shall at all times:

(1) At all times comply with all obligations imposed on mobile home owners by applicable provisions of building, housing, and health codes, including compliance with all building permits and construction requirements for construction on the mobile home and lot. The home owner is responsible for all fines imposed by the local government for noncompliance with any local codes.

(2) At all times keep the mobile home lot that which he or she occupies clean, neat, and sanitary, and maintained in compliance with all local codes.

(3) At all times comply with properly promulgated park rules and regulations and require other persons on the premises with his or her consent to comply with such rules and to conduct themselves, and other persons on the premises with his or her consent, in a manner that does not unreasonably disturb other residents of the park or constitute a breach of the peace.

(4) Receive written approval from the mobile home park owner before making any exterior modification or addition to the home.

(5) When vacating the premises, remove any debris and other property of any kind which is left on the mobile home lot.

Section 24. Subsection (5) of section 723.031, Florida Statutes, is amended to read:

723.031 Mobile home lot rental agreements.—

(5) The rental agreement must shall contain the lot rental amount and services included. An increase in lot rental amount upon expiration of the term of the lot rental agreement must shall be in accordance with ss. 723.033 and 723.037 or s. 723.059(4), whichever is applicable; provided that, pursuant to s. 723.059(4), the amount of the lot rental increase is disclosed and agreed to by the purchaser, in writing. An increase in lot rental amount shall not be arbitrary or discriminatory between similarly situated tenants in

the park. A lot rental amount may not be increased during the term of the lot rental agreement, except:

(a) When the manner of the increase is disclosed in a lot rental agreement with a term exceeding 12 months and which provides for such increases not more frequently than annually.

(b) For pass-through charges as defined in s. 723.003.

(c) That a charge may not be collected which results in payment of money for sums previously collected as part of the lot rental amount. The provisions hereof notwithstanding, the mobile home park owner may pass on, at any time during the term of the lot rental agreement, ad valorem property taxes, non-ad valorem assessments, and utility charges, or increases of either, provided that the ad valorem property taxes, non-ad valorem assessments, and utility charges are not otherwise being collected in the remainder of the lot rental amount and provided further that the passing on of such ad valorem taxes, non-ad valorem assessments, or utility charges, or increases of either, was disclosed prior to tenancy, was being passed on as a matter of custom between the mobile home park owner and the mobile home owner, or such passing on was authorized by law. A park owner is deemed to have disclosed the passing on of ad valorem property taxes and non-ad valorem assessments if ad valorem property taxes or non-ad valorem assessments were disclosed as a separate charge or a factor for increasing the lot rental amount in the prospectus or rental agreement. Such ad valorem taxes, non-ad valorem assessments, and utility charges shall be a part of the lot rental amount as defined by this chapter. The term "non-ad valorem assessments" has the same meaning as provided in s. 197.3632(1)(d). Other provisions of this chapter notwithstanding, pass-on charges may be passed on only within 1 year of the date a mobile home park owner remits payment of the charge. A mobile home park owner is prohibited from passing on any fine, interest, fee, or increase in a charge resulting from a park owner's payment of the charge after the date such charges become delinquent. A mobile home park owner is prohibited from charging or collecting from the mobile home owners any sum for ad valorem taxes or non-ad valorem tax charges in an amount in excess of the sums remitted by the park owner to the tax collector. Nothing herein shall prohibit a park owner and a homeowner from mutually agreeing to an alternative manner of payment to the park owner of the charges.

(d) If a notice of increase in lot rental amount is not given 90 days before the renewal date of the rental agreement, the rental agreement must remain under the same terms until a 90-day notice of increase in lot rental amount is given. The notice may provide for a rental term shorter than 1 year in order to maintain the same renewal date.

Section 25. Subsection (1) and paragraph (a) of subsection (4) of section 723.037, Florida Statutes, are amended to read:

723.037 Lot rental increases; reduction in services or utilities; change in rules and regulations; mediation.—

(1) A park owner shall give written notice to each affected mobile home owner and the board of directors of the homeowners' association, if one has been formed, at least 90 days before any increase in lot rental amount or reduction in services or utilities provided by the park owner or change in rules and regulations. The park owner may give notice of all increases in lot rental amount for multiple anniversary dates in the same 90-day notice. The notice must shall identify all other affected homeowners, which may be by lot number, name, group, or phase. If the affected homeowners are not identified by name, the park owner shall make the names and addresses available upon request. However, this requirement does not authorize the release of the names, addresses, or other private information about the homeowners to the association or any other person for any other purpose. The home owner's right to the 90-day notice may not be waived or precluded by a home owner, or the homeowners' committee, in an agreement with the park owner. Rules adopted as a result of restrictions imposed by governmental entities and required to protect the public health, safety, and welfare may be enforced prior to the expiration of the 90-day period but are not otherwise exempt from the requirements of this chapter. Pass-through charges must be separately listed as to the amount of the charge, the name of the governmental entity mandating the capital improvement, and the nature or type of the pass-through charge being levied. Notices of increase in the lot rental amount due to a pass-through charge must shall state the additional payment and starting and ending dates of each pass-through charge. The homeowners' association

shall have no standing to challenge the increase in lot rental amount, reduction in services or utilities, or change of rules and regulations unless a majority of the affected homeowners agree, in writing, to such representation.

(4)(a) A committee, not to exceed five in number, designated by a majority of the affected mobile home owners or by the board of directors of the homeowners' association, if applicable, and the park owner shall meet, at a mutually convenient time and place no later than 60 days before the effective date of the change to discuss the reasons for the increase in lot rental amount, reduction in services or utilities, or change in rules and regulations. The negotiating committee shall make a written request for a meeting with the park owner or subdivision developer to discuss those matters addressed in the 90-day notice, and may include in the request a listing of any other issue, with supporting documentation, that the committee intends to raise and discuss at the meeting. The committee shall address all lot rental amount increases that are specified in the notice of lot rental amount increase, regardless of the effective date of the increase.

This subsection is not intended to be enforced by civil or administrative action. Rather, the meetings and discussions are intended to be in the nature of settlement discussions prior to the parties proceeding to mediation of any dispute.

Section 26. Subsections (5) and (6) are added to section 723.041, Florida Statutes, to read:

723.041 Entrance fees; refunds; exit fees prohibited; replacement homes.—

(5) A mobile home park that is damaged or destroyed due to wind, water, or other natural force may be rebuilt on the same site with the same density as was approved, permitted, and built before the park was damaged or destroyed.

(6) This section does not limit the regulation of the uniform firesafety standards established under s. 633.206, but supersedes any other density, separation, setback, or lot size regulation adopted after initial permitting and construction of the mobile home park.

Section 27. Section 723.042, Florida Statutes, is amended to read:

723.042 Provision of improvements.—~~A No person may not shall~~ be required by a mobile home park owner or developer, as a condition of residence in the mobile home park, to provide any improvement unless the requirement is disclosed pursuant to s. 723.012(7) ~~s. 723.011~~ prior to occupancy in the mobile home park.

Section 28. Section 723.059, Florida Statutes, is amended to read:

723.059 ~~Rights of Purchaser of a mobile home within a mobile home park.—~~

(1) The purchaser of a mobile home within a mobile home park may become a tenant of the park if such purchaser would otherwise qualify with the requirements of entry into the park under the park rules and regulations, subject to the approval of the park owner, but such approval may not be unreasonably withheld. The purchaser of the mobile home may cancel or rescind the contract for purchase of the mobile home if the purchaser's tenancy has not been approved by the park owner 5 days before the closing of the purchase.

(2) Properly promulgated rules may provide for the screening of any prospective purchaser to determine whether or not such purchaser is qualified to become a tenant of the park.

(3) The purchaser of a mobile home who intends to become becomes a resident of the mobile home park in accordance with this section has the right to assume the remainder of the term of any rental agreement then in effect between the mobile home park owner and the seller and may assume the seller's prospectus. However, nothing herein shall prohibit a mobile home park owner from offering the purchaser of a mobile home any approved prospectus shall be entitled to rely on the terms and conditions of the prospectus or offering circular as delivered to the initial recipient.

(4) However, nothing herein shall be construed to prohibit a mobile home park owner from increasing the rental amount to be paid by the purchaser upon the expiration of the assumed rental agreement in an amount deemed appropriate by the mobile home park owner, so long as such increase is disclosed to the purchaser prior to his or her occupancy and is imposed in a manner consistent with the purchaser's initial offering circular or prospectus and this act.

(5) Lifetime leases and the renewal provisions in automatically renewable leases, both those existing and those entered into after July 1, 1986, are not assumable unless otherwise provided in the mobile home lot rental agreement or unless the transferee is the home owner's spouse. The right to an assumption of the lease by a spouse may be exercised only one time during the term of that lease.

Section 29. Paragraph (d) of subsection (1) of section 723.061, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

723.061 Eviction; grounds, proceedings.—

(1) A mobile home park owner may evict a mobile home owner, a mobile home tenant, a mobile home occupant, or a mobile home only on one or more of the following grounds:

(d) Change in use of the land comprising the mobile home park, or the portion thereof from which mobile homes are to be evicted, from mobile home lot rentals to some other use, if:

1. The park owner gives written notice to the homeowners' association formed and operating under ss. 723.075-723.079 of its right to purchase the mobile home park, if the land comprising the mobile home park is changing use from mobile home lot rentals to a different use, at the price and under the terms and conditions set forth in the written notice.

a. The notice shall be delivered to the officers of the homeowners' association by United States mail. Within 45 days after the date of mailing of the notice, the homeowners' association may execute and deliver a contract to the park owner to purchase the mobile home park at the price and under the terms and conditions set forth in the notice. If the contract between the park owner and the homeowners' association is not executed and delivered to the park owner within the 45-day period, the park owner is under no further obligation to the homeowners' association except as provided in sub-subparagraph b.

b. If the park owner elects to offer or sell the mobile home park at a price lower than the price specified in her or his initial notice to the officers of the homeowners' association, the homeowners' association has an additional 10 days to meet the revised price, terms, and conditions of the park owner by executing and delivering a revised contract to the park owner.

c. The park owner is not obligated under this subparagraph or s. 723.071 to give any other notice to, or to further negotiate with, the homeowners' association for the sale of the mobile home park to the homeowners' association after 6 months after the date of the mailing of the initial notice under sub-subparagraph a.

2. The park owner gives the affected mobile home owners and tenants at least 6 months' notice of the eviction due to the projected change in use and of their need to secure other accommodations. Within 20 days after giving an eviction notice to a mobile home owner, the park owner must provide the division with a copy of the notice. The division must provide the executive director of the Florida Mobile Home Relocation Corporation with a copy of the notice.

a. The notice of eviction due to a change in use of the land must include in a font no smaller than the body of the notice the following statement:

YOU MAY BE ENTITLED TO COMPENSATION FROM THE FLORIDA MOBILE HOME RELOCATION TRUST FUND, ADMINISTERED BY THE FLORIDA MOBILE HOME RELOCATION CORPORATION (FMHRC). FMHRC CONTACT INFORMATION IS AVAILABLE FROM THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.

b. The park owner may not give a notice of increase in lot rental amount within 90 days before giving notice of a change in use.

(5) A park owner who accepts payment of any portion of the lot rental amount with actual knowledge of noncompliance after notice and termination of the rental agreement due to a violation under paragraph (1)(b), paragraph (1)(c), or paragraph (1)(e) does not waive the right to terminate the rental agreement or the right to bring a civil action for the noncompliance, but not for any subsequent or continuing noncompliance. Any rent so received must be accounted for at the final hearing.

Section 30. Subsection (1) of section 723.076, Florida Statutes, is amended to read:

723.076 Incorporation; notification of park owner.—

(1) Upon receipt of its certificate of incorporation, the homeowners' association shall notify the park owner in writing of such incorporation and shall advise the park owner of the names and addresses of the officers of the homeowners' association by personal delivery upon the park owner's representative as designated in the prospectus or by certified mail, return receipt requested. Thereafter, the homeowners' association shall notify the park owner in writing by certified mail, return receipt requested, of any change of names and addresses of its president or registered agent. Upon election or appointment of new officers or board members, the homeowners' association shall notify the park owner in writing by certified mail, return receipt requested, of the names and addresses of the new officers or board members.

Section 31. Paragraphs (b) through (e) of subsection (2) of section 723.078, Florida Statutes, are amended, and paragraph (i) of that subsection is reenacted, to read:

723.078 Bylaws of homeowners' associations.—

(2) The bylaws shall provide and, if they do not, shall be deemed to include, the following provisions:

(b) *Quorum; voting requirements; proxies.*—

1. Unless otherwise provided in the bylaws, 30 percent of the total membership is required to constitute a quorum. Decisions shall be made by a majority of members represented at a meeting at which a quorum is present.

2.a. A member may not vote by general proxy but may vote by limited proxies substantially conforming to a limited proxy form adopted by the division. Limited proxies and general proxies may be used to establish a quorum. Limited proxies may be used for votes taken to amend the articles of incorporation or bylaws pursuant to this section, and any other matters for which this chapter requires or permits a vote of members. A, except that no proxy, limited or general, may not be used in the election of board members in general elections or elections to fill vacancies caused by recall, resignation, or otherwise. Board members must be elected by written ballot or by voting in person. If a mobile home or subdivision lot is owned jointly, the owners of the mobile home or subdivision lot must be counted as one for the purpose of determining the number of votes required for a majority. Only one vote per mobile home or subdivision lot shall be counted. Any number greater than 50 percent of the total number of votes constitutes a majority. Notwithstanding this section, members may vote in person at member meetings or by secret ballot, including absentee ballots, as defined by the division.

b. Elections shall be decided by a plurality of the ballots cast. There is no quorum requirement; however, at least 20 percent of the eligible voters must cast a ballot in order to have a valid election. A member may not allow any other person to cast his or her ballot, and any ballots improperly cast are invalid. An election is not required unless there are more candidates nominated than vacancies that exist on the board.

c. Each member or other eligible person who desires to be a candidate for the board of directors shall appear on the ballot in alphabetical order by surname. A ballot may not indicate if any of the candidates are incumbent on the board. All ballots must be uniform in appearance. Write-in candidates and more than one vote per candidate per ballot are not allowed. A ballot may not provide a space for the signature of, or any other means of identifying, a voter. If a ballot contains more votes than vacancies or fewer votes than vacancies, the ballot is invalid unless otherwise stated in the bylaws.

d. An impartial committee shall be responsible for overseeing the election process and complying with all ballot requirements. For purposes of this section, the term "impartial committee" means a committee whose members do not include any of the following people or their spouses:

(I) Current board members.

(II) Current association officers.

(III) Candidates for the association or board.

e. The association bylaws shall provide a method for determining the winner of an election in which two or more candidates for the same position receive the same number of votes.

f. The division shall adopt procedural rules to govern elections, including, but not limited to, rules for providing notice by electronic transmission and rules for maintaining the secrecy of ballots.

3. A proxy is effective only for the specific meeting for which originally given and any lawfully adjourned meetings thereof. In no event shall any proxy be valid for a period longer than 90 days after the date of the first meeting for which it was given. Every proxy shall be revocable at any time at the pleasure of the member executing it.

4. A member of the board of directors or a committee may submit in writing his or her agreement or disagreement with any action taken at a meeting that the member did not attend. This agreement or disagreement may not be used as a vote for or against the action taken and may not be used for the purposes of creating a quorum.

(c) *Board of directors' and committee meetings.*—

1. Meetings of the board of directors and meetings of its committees at which a quorum is present shall be open to all members. Notwithstanding any other provision of law, the requirement that board meetings and committee meetings be open to the members does not apply to meetings between the park owner and the board of directors or any of the board's committees, board or committee meetings held for the purpose of discussing personnel matters, or meetings between the board or a committee and the association's attorney, with respect to potential or pending litigation, when where the meeting is held for the purpose of seeking or rendering legal advice, and when where the contents of the discussion would otherwise be governed by the attorney-client privilege. Notice of all meetings open to members shall be posted in a conspicuous place upon the park property at least 48 hours in advance, except in an emergency. Notice of any meeting in which dues assessments against members are to be considered for any reason shall specifically contain a statement that dues assessments will be considered and the nature of such dues assessments.

2. A board or committee member's participation in a meeting via telephone, real-time videoconferencing, or similar real-time telephonic, electronic, or video communication counts toward a quorum, and such member may vote as if physically present. A speaker shall be used so that the conversation of those board or committee members attending by telephone may be heard by the board or committee members attending in person, as well as by members present at a meeting.

3. Members of the board of directors may use e-mail as a means of communication but may not cast a vote on an association matter via e-mail.

4. The right to attend meetings of the board of directors and its committees includes the right to speak at such meetings with reference to all designated agenda items. The association may adopt reasonable written rules governing the frequency, duration, and manner of members' statements. Any item not included on the notice may be taken up on an emergency basis by at least a majority plus one of the members of the board. Such emergency action shall be noticed and ratified at the next regular meeting of the board. Any member may tape record or videotape meetings of the board of directors and its committees, except meetings between the board of directors or its appointed homeowners' committee and the park owner. The division shall adopt reasonable rules governing the tape recording and videotaping of the meeting.

5. Except as provided in paragraph (1), a vacancy occurring on the board of directors may be filled by the affirmative vote of the majority of the remaining directors, even though the remaining directors constitute less than a quorum; by the sole remaining director; if the vacancy is not so filled or if no director remains, by the members; or, on the application of any person, by the circuit court of the county in which the registered office of the corporation is located.

6. The term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which directors are elected. A directorship to be filled by reason of an increase in the number of directors may be filled by the board of directors, but only for the term of office continuing until the next election of directors by the members.

7. A vacancy that will occur at a specific later date, by reason of a resignation effective at a later date, may be filled before the vacancy occurs. However, the new director may not take office until the vacancy occurs.

8.a. The officers and directors of the association have a fiduciary relationship to the members.

b. A director and committee member shall discharge his or her duties in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and in a manner he or she reasonably believes to be in the best interests of the corporation.

9. In discharging his or her duties, a director may rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

a. One or more officers or employees of the corporation who the director reasonably believes to be reliable and competent in the matters presented;

b. Legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the persons' professional or expert competence; or

c. A committee of the board of directors of which he or she is not a member if the director reasonably believes the committee merits confidence.

10. A director is not acting in good faith if he or she has knowledge concerning the matter in question that makes reliance otherwise permitted by subparagraph 9. unwarranted.

11. A director is not liable for any action taken as a director, or any failure to take any action, if he or she performed the duties of his or her office in compliance with this section.

(d) *Member meetings.*—Members shall meet at least once each calendar year, and the meeting shall be the annual meeting. All members of the board of directors shall be elected at the annual meeting unless the bylaws provide for staggered election terms or for their election at another meeting. The bylaws shall not restrict any member desiring to be a candidate for board membership from being nominated from the floor. All nominations from the floor must be made at a duly noticed meeting of the members held at least ~~27~~ 30 days before the annual meeting. The bylaws shall provide the method for calling the meetings of the members, including annual meetings. The method shall provide at least 14 days' written notice to each member in advance of the meeting and require the posting in a conspicuous place on the park property of a notice of the meeting at least 14 days prior to the meeting. The right to receive written notice of membership meetings may be waived in writing by a member. Unless waived, the notice of the annual meeting shall be mailed, hand delivered, or electronically transmitted to each member, and shall constitute notice. Unless otherwise stated in the bylaws, an officer of the association shall provide an affidavit affirming that the notices were mailed, ~~or hand delivered, or provided by electronic transmission~~ in accordance with ~~the provisions of~~ this section to each member at the address last furnished to the corporation. These meeting requirements do not prevent members from waiving notice of meetings or from acting by written agreement without meetings, if allowed by the bylaws.

(e) *Minutes of meetings.*—

1. Notwithstanding any other provision of law, the minutes of board or committee meetings that are closed to members are privileged and confidential and are not available for inspection or photocopying.

2. Minutes of all meetings of members of an association and meetings open to members of; the board of directors; and a committee of the board must be maintained in written form and approved by the members, board, or committee, as applicable. A vote or abstention from voting on each matter voted upon for each director present at a board meeting must be recorded in the minutes.

~~3.2.~~ All approved minutes of open meetings of members, committees, and the board of directors shall be kept in a businesslike manner and shall be available for inspection by members, or their authorized representatives, and board members at reasonable times. The association shall retain these minutes within this state for a period of at least 5 ~~7~~ years.

(i) *Recall of board members.*—Any member of the board of directors may be recalled and removed from office with or without cause by the vote of or agreement in writing by a majority of all members. A special meeting of the members to recall a member or members of the board of directors may be called by 10 percent of the members giving notice of the meeting as required for a meeting of members, and the notice shall state the purpose of the meeting. Electronic transmission may not be used as a method of giving notice of a meeting called in whole or in part for this purpose.

1. If the recall is approved by a majority of all members by a vote at a meeting, the recall is effective as provided in this paragraph. The board shall duly notice and hold a board meeting within 5 full business days after the adjournment of the member meeting to recall one or more board members. At the meeting, the board shall either certify the recall, in which case such member or members shall be recalled effective immediately and shall turn

over to the board within 5 full business days any and all records and property of the association in their possession, or shall proceed under subparagraph 3.

2. If the proposed recall is by an agreement in writing by a majority of all members, the agreement in writing or a copy thereof shall be served on the association by certified mail or by personal service in the manner authorized by chapter 48 and the Florida Rules of Civil Procedure. The board of directors shall duly notice and hold a meeting of the board within 5 full business days after receipt of the agreement in writing. At the meeting, the board shall either certify the written agreement to recall members of the board, in which case such members shall be recalled effective immediately and shall turn over to the board, within 5 full business days, any and all records and property of the association in their possession, or shall proceed as described in subparagraph 3.

3. If the board determines not to certify the written agreement to recall members of the board, or does not certify the recall by a vote at a meeting, the board shall, within 5 full business days after the board meeting, file with the division a petition for binding arbitration pursuant to the procedures of s. 723.1255. For purposes of this paragraph, the members who voted at the meeting or who executed the agreement in writing shall constitute one party under the petition for arbitration. If the arbitrator certifies the recall of a member of the board, the recall shall be effective upon mailing of the final order of arbitration to the association. If the association fails to comply with the order of the arbitrator, the division may take action under s. 723.006. A member so recalled shall deliver to the board any and all records and property of the association in the member's possession within 5 full business days after the effective date of the recall.

4. If the board fails to duly notice and hold a board meeting within 5 full business days after service of an agreement in writing or within 5 full business days after the adjournment of the members' recall meeting, the recall shall be deemed effective and the board members so recalled shall immediately turn over to the board all records and property of the association.

5. If the board fails to duly notice and hold the required meeting or fails to file the required petition, the member's representative may file a petition pursuant to s. 723.1255 challenging the board's failure to act. The petition must be filed within 60 days after expiration of the applicable 5-full-business-day period. The review of a petition under this subparagraph is limited to the sufficiency of service on the board and the facial validity of the written agreement or ballots filed.

6. If a vacancy occurs on the board as a result of a recall and less than a majority of the board members are removed, the vacancy may be filled by the affirmative vote of a majority of the remaining directors, notwithstanding any other provision of this chapter. If vacancies occur on the board as a result of a recall and a majority or more of the board members are removed, the vacancies shall be filled in accordance with procedural rules to be adopted by the division, which rules need not be consistent with this chapter. The rules must provide procedures governing the conduct of the recall election as well as the operation of the association during the period after a recall but before the recall election.

7. A board member who has been recalled may file a petition pursuant to s. 723.1255 challenging the validity of the recall. The petition must be filed within 60 days after the recall is deemed certified. The association and the member's representative shall be named as the respondents.

8. The division may not accept for filing a recall petition, whether or not filed pursuant to this subsection, and regardless of whether the recall was certified, when there are 60 or fewer days until the scheduled reelection of the board member sought to be recalled or when 60 or fewer days have not elapsed since the election of the board member sought to be recalled.

Section 32. Paragraphs (d) and (f) through (i) of subsection (4) and subsection (5) of section 723.079, Florida Statutes, are amended to read:

723.079 Powers and duties of homeowners' association.—

(4) The association shall maintain the following items, when applicable, which constitute the official records of the association:

(d) The approved minutes of all meetings of the members of an association and meetings open for members of; the board of directors, and committees of the board, which minutes must be retained within this ~~the~~ state for at least 5 ~~7~~ years.

(f) All of the association's insurance policies or copies thereof, which must be retained within this state for at least 5 7 years after the expiration date of the policy.

(g) A copy of all contracts or agreements to which the association is a party, including, without limitation, any written agreements with the park owner, lease, or other agreements or contracts under which the association or its members has any obligation or responsibility, which must be retained within this state for at least 5 7 years after the expiration date of the contract or agreement.

(h) The financial and accounting records of the association, kept according to good accounting practices. All financial and accounting records must be maintained within this state for a ~~period of~~ at least 5 7 years. The financial and accounting records must include:

1. Accurate, itemized, and detailed records of all receipts and expenditures.

2. A current account and a periodic statement of the account for each member, designating the name and current address of each member who is obligated to pay dues or assessments, the due date and amount of each assessment or other charge against the member, the date and amount of each payment on the account, and the balance due.

3. All tax returns, financial statements, and financial reports of the association.

4. Any other records that identify, measure, record, or communicate financial information.

(i) All other written records of the association not specifically included in the foregoing which are related to the operation of the association must be retained within this state for at least 5 years or at least 5 years after the expiration date, as applicable.

(5) The official records shall be ~~maintained within the state for at least 7 years and shall be~~ made available to a member for inspection or photocopying within 20 40 business days after receipt by the board or its designee of a written request submitted by certified mail, return receipt requested. The requirements of this subsection are satisfied by having a copy of the official records available for inspection or copying in the park or, at the option of the association, by making the records available to a member electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. If the association has a photocopy machine available where the records are maintained, it must provide a member with copies on request during the inspection if the entire request is no more than 25 pages. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a fee to a member or his or her authorized representative for the use of a portable device.

(a) The failure of an association to provide access to the records within 20 40 business days after receipt of a written request submitted by certified mail, return receipt requested, creates a rebuttable presumption that the association willfully failed to comply with this subsection.

(b) A member who is denied access to official records is entitled to ~~the actual damages or minimum~~ damages for the association's willful failure to comply with this subsection in the amount of: The minimum damages are to be \$10 per calendar day up to 10 days, not to exceed \$100. The calculation for damages begins to begin on the 21st 44th business day after receipt of the written request, submitted by certified mail, return receipt requested.

(c) A dispute between a member and an association regarding inspecting or photocopying official records must be submitted to mandatory binding arbitration with the division, and the arbitration must be conducted pursuant to s. 723.1255 and procedural rules adopted by the division.

(d) The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not require a member to demonstrate a proper purpose for the inspection, state a reason for the inspection, or limit a member's right to inspect records to less than 1 business day per month. The association may impose fees to cover the costs of providing copies of the official records, including the costs of copying and for personnel to retrieve and copy the

records if the time spent retrieving and copying the records exceeds 30 minutes and if the personnel costs do not exceed \$20 per hour. Personnel costs may not be charged for records requests that result in the copying of 25 or fewer pages. The association may charge up to 25 cents per page for copies made on the association's photocopier. If the association does not have a photocopy machine available where the records are kept, or if the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside duplicating service and may charge the actual cost of copying, as supported by the vendor invoice. The association shall maintain an adequate number of copies of the recorded governing documents, to ensure their availability to members and prospective members. Notwithstanding this paragraph, the following records are not accessible to members or home owners:

1. A record protected by the lawyer-client privilege as described in s. 90.502 and a record protected by the work-product privilege, including, but not limited to, a record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association and which was prepared exclusively for civil or criminal litigation, for adversarial administrative proceedings, or in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

2. E-mail addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a home owner other than as provided for association notice requirements, and other personal identifying information of any person, excluding the person's name, lot designation, mailing address, and property address. Notwithstanding the restrictions in this subparagraph, an association may print and distribute to home owners a directory containing the name, park address, and telephone number of each home owner. However, a home owner may exclude his or her telephone number from the directory by so requesting in writing to the association. The association is not liable for the disclosure of information that is protected under this subparagraph if the information is included in an official record of the association and is voluntarily provided by a home owner and not requested by the association.

3. An electronic security measure that is used by the association to safeguard data, including passwords.

4. The software and operating system used by the association which allows the manipulation of data, even if the home owner owns a copy of the same software used by the association. The data is part of the official records of the association.

Section 33. Section 723.1255, Florida Statutes, is amended to read:

723.1255 Alternative resolution of recall, election, and inspection and photocopying of official records disputes.—

(1) A dispute between a mobile home owner and a homeowners' association regarding the election and recall of officers or directors under s. 723.078(2)(b) or regarding the inspection and photocopying of official records under s. 723.079(5) must be submitted to mandatory binding arbitration with the division. The arbitration shall be conducted in accordance with this section and the procedural rules adopted by the division.

(2) Each party shall be responsible for paying its own attorney fees, expert and investigator fees, and associated costs. The cost of the arbitrators shall be divided equally between the parties regardless of the outcome.

(3) The division shall adopt procedural rules to govern mandatory binding arbitration proceedings. The Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation shall adopt rules of procedure to govern binding recall arbitration proceedings.

Section 34. For the purpose of incorporating the amendment made by this act to section 420.5087, Florida Statutes, in a reference thereto, paragraph (i) of subsection (22) of section 420.507, Florida Statutes, is reenacted to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(22) To develop and administer the State Apartment Incentive Loan Program. In developing and administering that program, the corporation may:

(i) Establish, by rule, the procedure for competitively evaluating and selecting all applications for funding based on the criteria set forth in s.

420.5087(6)(c), determining actual loan amounts, making and servicing loans, and exercising the powers authorized in this subsection.

Section 35. For the purpose of incorporating the amendment made by this act to section 420.5095, Florida Statutes, in a reference thereto, subsection (2) of section 193.018, Florida Statutes, is reenacted to read:

193.018 Land owned by a community land trust used to provide affordable housing; assessment; structural improvements, condominium parcels, and cooperative parcels.—

(2) A community land trust may convey structural improvements, condominium parcels, or cooperative parcels, that are located on specific parcels of land that are identified by a legal description contained in and subject to a ground lease having a term of at least 99 years, for the purpose of providing affordable housing to natural persons or families who meet the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, or the income limits for workforce housing, as defined in s. 420.5095(3). A community land trust shall retain a preemptive option to purchase any structural improvements, condominium parcels, or cooperative parcels on the land at a price determined by a formula specified in the ground lease which is designed to ensure that the structural improvements, condominium parcels, or cooperative parcels remain affordable.

Section 36. This act shall take effect July 1, 2020.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to community affairs; amending s. 125.01055, F.S.; adding linkage fee ordinances as land use mechanisms that counties are authorized to adopt and maintain; providing that affordable housing linkage fee ordinances may require the payment of certain fees; authorizing a board of county commissioners to approve development of affordable housing on any parcel zoned for residential, commercial, or industrial use; amending s. 129.03, F.S.; revising the information required to be annually submitted by county budget officers to the Office of Economic and Demographic Research; requiring certain information to be included beginning in a specified submission; amending s. 163.01, F.S.; amending the Florida Interlocal Cooperation Act of 1969 to authorize private entities to enter into specified loan agreements; authorizing certain bond proceeds to be loaned to private entities for specified types of projects; providing that such loans are deemed a paramount public purpose; amending s. 163.31771, F.S.; revising conditions under which local governments are authorized to adopt ordinances that allow accessory dwelling units in any area zoned for single-family residential use; amending s. 163.31801, F.S.; requiring counties, municipalities, and special districts to include certain data relating to impact fees in their annual financial reports; amending s. 166.04151, F.S.; adding linkage fee ordinances as land use mechanisms that municipalities are authorized to adopt and maintain; providing that affordable housing linkage fee ordinances may require the payment of certain fees; authorizing governing bodies of municipalities to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use; amending s. 166.241, F.S.; revising the information required to be annually submitted by municipal budget officers to the Office of Economic and Demographic Research; requiring certain information to be included beginning in a specified submission; amending s. 320.77, F.S.; revising a certification requirement for mobile home dealer applicants relating to the applicant's business location; amending s. 320.771, F.S.; exempting certain recreational vehicle dealer applicants from a garage liability insurance requirement; amending s. 320.822, F.S.; revising the definition of the term "code"; amending s. 320.8232, F.S.; revising applicable standards for the repair and remodeling of mobile and manufactured homes; amending s. 367.022, F.S.; revising an exemption from regulation for certain water service resellers; exempting certain mobile home park and mobile home subdivision owners from regulation by the Florida Public Service Commission relating to water and wastewater systems; creating s. 420.518, F.S.; authorizing the preclusion of an applicant or affiliate of an applicant

from participation in Florida Housing Finance Corporation programs under certain conditions; authorizing the board of directors of the corporation to preclude the applicant for a period of time or revoke the applicant's funding; requiring that an administrative complaint be served before an order is issued; authorizing the corporation to suspend certain funding, allocations of federal housing credits, credit underwriting procedures, or application reviews; providing requirements for such suspensions; amending s. 420.5087, F.S.; revising the criteria used by a review committee when evaluating and selecting specified applications for state apartment incentive loans; authorizing the corporation to prioritize a portion of the State Apartment Incentive Loan funding set aside for certain purposes; requiring that such funding be used for housing for certain persons in foster care or persons aging out of foster care; providing requirements for such housing; requiring the corporation to consult with the Department of Children and Families to create minimum criteria for such housing; amending s. 420.5095, F.S.; revising legislative findings; renaming the Community Workforce Housing Innovation Pilot Program as the Community Workforce Housing Loan Program to provide workforce housing for persons affected by the high cost of housing; revising the definition of the term "workforce housing"; deleting the definition of the term "public-private partnership"; authorizing the corporation to provide loans under the program to applicants for construction of workforce housing; requiring the corporation to establish a certain loan application process; deleting provisions requiring the corporation to provide incentives for local governments to use certain funds; requiring projects to receive priority consideration for funding under certain circumstances; deleting provisions providing for the expedition of local government comprehensive plan amendments to implement a program project; requiring that the corporation award loans at a specified interest rate and for a limited term; conforming provisions to changes made by the act; deleting a provision authorizing the corporation to use a maximum percentage of a specified appropriation for administration and compliance; amending s. 420.531, F.S.; specifying that technical support provided to local governments and community-based organizations includes implementation of the State Apartment Incentive Loan Program; requiring the entity providing training and technical assistance to convene and administer biannual workshops; providing requirements for such workshops; requiring such entity to annually compile and submit certain information to the Legislature and the corporation by a specified date; amending s. 420.9071, F.S.; revising the definition of the term "affordable"; amending s. 420.9075, F.S.; revising requirements for reports submitted to the corporation by counties and certain municipalities; amending s. 420.9076, F.S.; beginning on a specified date, revising the membership of local affordable housing advisory committees; requiring the committees to perform specified duties annually instead of triennially; revising duties of the committees; requiring locally elected officials serving on advisory committees, or their designees, to attend biannual regional workshops; providing a penalty; amending s. 553.791, F.S.; revising a prohibition against auditing certain private providers more than a specified number of times per month under certain conditions; amending s. 723.011, F.S.; providing that a mobile home owner may be required to install permanent improvements as disclosed in the mobile home park prospectus; amending s. 723.012, F.S.; requiring a mobile home park owner to amend its prospectus under certain circumstances; requiring a mobile home park owner to increase shared facilities under certain circumstances; providing a requirement for the prospectus amendment; prohibiting certain costs and expenses from being passed on or passed through to existing mobile home owners; amending s. 723.023, F.S.; revising general obligations for mobile home owners; amending s. 723.031, F.S.; revising construction relating to a mobile home park owner's disclosure of certain taxes and assessments; prohibiting a mobile home park owner from charging or collecting certain taxes or charges in excess of a certain amount; amending s. 723.037, F.S.; authorizing mobile home park owners to give notice of lot rental increases for multiple anniversary dates in one notice; providing construction; revising a requirement for a lot rental negotiation committee; amending s. 723.041, F.S.; providing that a mobile home park damaged or destroyed due to natural force may be rebuilt with the same density as previously approved, permitted, and built; providing construction; amending s. 723.042, F.S.; revising conditions under which a person is required by a mobile home park owner or

developer to provide improvements as a condition of residence in a mobile home park; amending s. 723.059, F.S.; authorizing certain mobile home purchasers to assume the seller's prospectus; authorizing a mobile home park owner to offer a purchaser any approved prospectus; amending s. 723.061, F.S.; revising requirements related to the provision of eviction notices by mobile home park owners to specified entities; specifying the waiver and nonwaiver of certain rights of mobile home park owners under certain circumstances; requiring the accounting at final hearing of rents received; amending s. 723.076, F.S.; providing a notice requirement for homeowners' associations to mobile home park owners after the election or appointment of new officers or board members; amending s. 723.078, F.S.; revising requirements for homeowners' association board elections and ballots; requiring an impartial committee to be responsible for overseeing the election process and complying with ballot requirements; defining the term "impartial committee"; requiring that association bylaws provide a method for determining the winner of an election under certain circumstances; requiring the division to adopt procedural rules; revising the types of meetings that are not required to be open to members; providing an exception to a requirement for an officer of an association to provide an affidavit affirming certain information; authorizing meeting notices to be provided by electronic means; providing that the minutes of certain board and committee meetings are privileged and confidential; conforming provisions to changes made by the act; amending s. 723.079, F.S.; revising homeowners' association recordkeeping requirements; revising the timeframes during which certain records are required to be retained and be made available for inspection or photocopying; limiting the amount of damages for which an association is liable when a member is denied access to official records; requiring that certain disputes be submitted to mandatory binding arbitration with the division; providing requirements for such arbitration; amending s. 723.1255, F.S.; requiring that certain disputes be submitted to mandatory binding arbitration with the division; providing requirements for such arbitration and responsibility for fees and costs; requiring the division to adopt procedural rules; reenacting s. 420.507(22)(i), F.S., relating to powers of the Florida Housing Finance Corporation, to incorporate the amendment made to s. 420.5087, F.S., in a reference thereto; reenacting s. 193.018(2), F.S., relating to land owned by a community land trust used to provide affordable housing, to incorporate the amendment made to s. 420.5095, F.S., in a reference thereto; providing an effective date.

On motion by Rep. Yarborough, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **CS/CS/CS/HB 1339**. The vote was:

Session Vote Sequence: 755

Representative Magar in the Chair.

Yeas—101

Alexander Drake Hart Omphroy
Aloupis Driskell Hattersley Overdorf
Altman DuBose Hogan Johnson Payne
Andrade Duggan Ingolia Perez
Antone Duran Jacquet Pigman
Ausley Eagle Joseph Plakon
Avila Fernandez Killebrew Plasencia
Beltran Fernandez-Barquin La Rosa Polo
Brannan Fetterhoff LaMarca Polsky
Buchanan Fine Latvala Ponder
Burton Fischer Leek Raschein
Bush Fitzenhagen Magar Renner
Byrd Geller Maggard Roach
Caruso Goff-Marcil Mariano Robinson
Clemons Grall Massullo Rodrigues, R.
Cummings Grant, J. McClain Rodriguez, A.
Daley Grant, M. McClure Rodriguez, A. M.
Davis Gregory McGehee Rommel
DiCeglie Grieco Newton Roth
Donalds Hage Oliva Sabatini

Santiago Sprowls Toledo Williamson
Shoaf Stark Tomkow Yarborough
Silvers Stevenson Trumbull Zika
Sirois Stone Valdés
Smith, C. Sullivan Willhite
Smith, D. Thompson Williams

Nays—10

Brown Eskamani Hill Webb
Cortes, J. Good Watson, B.
Diamond Gottlieb Watson, C.

Votes after roll call:

Yeas—Bell, Casello, Jacobs, Jenne, Mercado, Pritchett, Slosberg

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has refused to concur in House Amendments 1 (556959), and 2 (145281) to CS for SB 838 and requests the House to recede.

Debbie Brown, Secretary

By the Committee on Commerce and Tourism; and Senator Simmons—

CS for SB 838—A bill to be entitled An act relating to business organizations; amending s. 607.0120, F.S.; making technical changes; amending s. 607.0123, F.S.; specifying that certain documents accepted by the Department of State for filing are effective on the date the documents are accepted by the department; making technical changes; amending ss. 607.0125, 607.0127, 607.01401, 607.0141, 607.0501, and 607.0601, F.S.; making technical changes; amending s. 607.0602, F.S.; revising the authority of a board of directors to reclassify certain unissued shares; amending ss. 607.0620, 607.0623, 607.0630, 607.0704, 607.0705, 607.0707, 607.0720, 607.0721, 607.0732, and 607.0750, F.S.; making technical changes; amending s. 607.0808, F.S.; revising the required contents of a meeting notice relating to the removal of a director by shareholders; amending s. 607.0832, F.S.; making a technical change; amending s. 607.0850, F.S.; revising the definition of the term "expenses"; amending ss. 607.0855 and 607.0858, F.S.; making technical changes; amending s. 607.0901, F.S.; revising definitions; amending ss. 607.1002 and 607.1003, F.S.; making technical changes; amending s. 607.1102, F.S.; authorizing a domestic corporation to acquire one or more classes or series of shares under certain circumstances; amending ss. 607.1103, 607.11035, 607.11045, 607.1106, and 607.11920, F.S.; making technical changes; amending s. 607.11921, F.S.; revising an exception for the procedure to approve a plan of domestication; making a technical change; amending ss. 607.11923 and 607.11924, F.S.; making technical changes; amending s. 607.11932, F.S.; revising an exception for the procedure to approve a plan of conversion; making a technical change; amending ss. 607.11933, 607.11935, 607.1202, 607.1301, 607.1302, 607.1303, 607.1320, 607.1333, 607.1340, 607.1403, 607.1406, 607.1422, 607.1430, 607.1431, 607.1432, 607.14401, 607.1501, 607.1502, 607.1503, 607.1504, 607.1505, 607.1507, 607.1509, 607.15091, 607.15101, 607.1520, 607.1602, 607.1604, and 607.1622, F.S.; making technical changes; creating s. 607.1703, F.S.; authorizing the department to direct certain interrogatories to certain corporations and to officers or directors of certain corporations; providing requirements for answering the interrogatories; providing requirements for the department relating to interrogatories; authorizing the department to bring certain actions; authorizing the department to file a lis pendens against certain property and to certify certain findings to the Department of Legal Affairs; amending ss. 607.1907, 607.504, and 605.0116, F.S.; making technical changes; amending s. 605.0207, F.S.; specifying that certain documents accepted by the department for filing are effective on the date the records are accepted by the department; making a technical change; amending ss. 605.0215, 605.0702, 605.0716, 605.1104, and 617.0501, F.S.; making technical changes; amending s. 617.0825, F.S.; authorizing a board of directors to appoint

persons to serve on certain committees; requiring that a majority of the persons on such committees be directors; providing exceptions; making technical changes; providing responsibilities and duties for non-director committee members; authorizing a corporation to create or authorize the creation of advisory committees; specifying an advisory committee is not a committee of the board of directors; providing prohibitions and authorizations for advisory committees; providing applicability; providing an effective date.

Representative Robinson offered the following:

(Amendment Bar Code: 556959)

Amendment 1 (with directory and title amendments)—Between lines 1305 and 1306, insert:

(2) Notwithstanding subsection (1), the availability of appraisal rights under paragraphs (1)(a), (b), (c), (d), ~~and (e)~~, and (g) shall be limited in accordance with the following provisions:

(a) Appraisal rights shall not be available for the holders of shares of any class or series of shares which is:

1. A covered security under s. 18(b)(1)(A) or (B) of the Securities Act of 1933;

2. Not a covered security, but ~~traded in an organized market and~~ has at least 2,000 shareholders and the outstanding shares of such class or series have a market value of at least \$20 million, exclusive of the value of outstanding shares held by the corporation's subsidiaries, by the corporation's senior executives, by the corporation's directors, and by the corporation's beneficial shareholders and voting trust beneficiaries owning more than 10 percent of the outstanding shares; or

3. Issued by an open end management investment company registered with the Securities and Exchange Commission under the Investment Company Act of 1940 and which may be redeemed at the option of the holder at net asset value.

(b) The applicability of paragraph (a) shall be determined as of:

1. The record date fixed to determine the shareholders entitled to receive notice of the meeting of shareholders to act upon the corporate action requiring appraisal rights, or, in the case of an offer made pursuant to s. 607.11035, the date of such offer; or

2. If there will be no meeting of shareholders and no offer is made pursuant to s. 607.11035, the close of business on the day before the consummation of the corporate action or the effective date of the amendment of the articles, as applicable.

(c) Paragraph (a) is not applicable and appraisal rights shall be available pursuant to subsection (1) for the holders of any class or series of shares where the corporate action is an interested transaction.

DIRECTORY AMENDMENT

Remove lines 1200-1201 and insert:

Section 42. Subsections (1) and (2) of section 607.1302, Florida Statutes, are amended to read:

TITLE AMENDMENT

Remove lines 35-36 and insert:

amending ss. 607.11933, 607.11935, 607.1202, and 607.1301; making technical changes; amending s. 607.1302, F.S.; revising shareholder rights to appraisal for certain amendments to the articles of incorporation; revising shareholder rights to appraisal for certain shares that are not covered securities; amending ss. 607.1303, 607.1320, 607.1333, 607.1340,

Representative Santiago offered the following:

(Amendment Bar Code: 145281)

Amendment 2 (with title amendment)—Between lines 1956 and 1957, insert:

Section 77. Paragraph (c) is added to subsection (2) of section 617.0721, Florida Statutes, to read:

617.0721 Voting by members.—

(2) A member who is entitled to vote may vote in person or, unless the articles of incorporation or the bylaws otherwise provide, may vote by proxy executed in writing by the member or by his or her duly authorized attorney in fact. Notwithstanding any provision to the contrary in the articles of incorporation or bylaws, any copy, facsimile transmission, or other reliable reproduction of the original proxy may be substituted or used in lieu of the original proxy for any purpose for which the original proxy could be used if the copy, facsimile transmission, or other reproduction is a complete reproduction of the entire proxy. An appointment of a proxy is not valid after 11 months following the date of its execution unless otherwise provided in the proxy.

(c) Policyholders of a mutual insurance company or mutual insurance holding company shall have the right to vote any membership interest granted by the insurer's bylaws, at any special or annual meeting of the members, either in person or by proxy that has been properly transmitted to the insurer. For purposes of this paragraph, "properly transmitted" means substantial compliance with any reasonable procedure established by the insurer for the proper transmission of proxies. Such procedure may include transmission by mail, electronically, or by any other means reasonably calculated to ensure that the transmission was submitted by the member or by his or her attorney in fact.

TITLE AMENDMENT

Remove line 58 and insert:

F.S.; making technical changes; amending s. 617.0721, F.S.; providing that policyholders of certain insurance companies and insurance holding companies have the right to vote certain membership interest by proxy; defining the term "properly transmitted"; amending s. 617.0825,

On motion by Rep. Robinson, the House receded from **House Amendment 1 (556959) and House Amendment 2 (145281)**.

The question recurred on the passage of **CS for SB 838**. The vote was:

Session Vote Sequence: 756

Representative Magar in the Chair.

Yeas—109

Aloupis	Eskamani	Leek	Roth
Altman	Fernández	Magar	Sabatini
Andrade	Fernandez-Barquin	Maggard	Santiago
Antone	Fetterhoff	Mariano	Shoaf
Ausley	Fine	Massullo	Silvers
Avila	Fischer	McClain	Sirois
Bell	Fitzenhagen	McClure	Smith, C.
Beltran	Geller	McGhee	Smith, D.
Brannan	Goff-Marcil	Newton	Sprowls
Buchanan	Good	Oliva	Stark
Burton	Grall	Omphroy	Stevenson
Bush	Grant, J.	Overdorf	Stebb
Byrd	Grant, M.	Payne	Sullivan
Caruso	Gregory	Perez	Thompson
Clemons	Grieco	Pigman	Toledo
Cortes, J.	Hage	Plakon	Tomkow
Cummings	Hart	Plasencia	Trumbull
Daley	Hattersley	Polo	Valdés
Davis	Hill	Polsky	Watson, B.
Diamond	Hogan Johnson	Ponder	Watson, C.
DiCeglie	Ingoglia	Raschein	Webb
Donalds	Jacquet	Renner	Williams
Drake	Jones	Roach	Williamson
Driskell	Joseph	Robinson	Yarborough
DuBose	Killebrew	Rodriguez, R.	Zika
Duggan	La Rosa	Rodriguez, A.	
Duran	LaMarca	Rodriguez, A. M.	
Eagle	Latvala	Rommel	

Nays—None

Votes after roll call:

Yeas—Casello, Gottlieb, Jacobs, Jenne, Mercado, Pritchett, Slosberg

So the bill passed. The action, together with the bill, was immediately certified to the Senate.

Recessed

The House stood in informal recess at 11:18 a.m., to reconvene upon call of the Chair.

Reconvened

The House was called to order by the Speaker *pro tempore* at 6:57 p.m. A quorum was present [Session Vote Sequence: 757].

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 491, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/HB 491—A bill to be entitled An act relating to the disposition of surplus funds by candidates; amending s. 106.141, F.S.; prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate; providing that a candidate may give certain surplus funds to the state or a political subdivision to be disbursed in a specified manner; providing an effective date.

(Amendment Bar Code: 609638)

Senate Amendment 2 (with title amendment)—

Delete line 37

and insert:

Section 2. Effective upon becoming a law, paragraph (t) of subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

(t) ~~Whether the applicant has never been convicted of a felony, and if convicted, has had his or her voting rights restored by including the statement "I affirm I have never been convicted of a felony or, if I have been, my rights relating to voting have been restored."~~ and providing a box for the applicant to check to affirm the statement.

~~2. Whether the applicant has been convicted of a felony, and if convicted, has had his or her civil rights restored through executive clemency, by including the statement "If I have been convicted of a felony, I affirm my voting rights have been restored by the Board of Executive Clemency." and providing a box for the applicant to check to affirm the statement.~~

~~3. Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored pursuant s. 4, Art. VI of the State Constitution, by including the statement "If I have been convicted of a felony, I affirm my voting rights have been restored pursuant to s. 4, Art. VI of the State Constitution upon the completion of all terms of my sentence, including parole or probation." and providing a box for the applicant to check to affirm the statement.~~

Section 3. Effective upon becoming a law, paragraph (a) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

97.053 Acceptance of voter registration applications.—

(5)(a) A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility pursuant to s. 97.041, including:

1. The applicant's name.

2. The applicant's address of legal residence, including a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier, if

appropriate. Failure to include a distinguishing apartment, suite, lot, room, or dormitory room or other identifier on a voter registration application does not impact a voter's eligibility to register to vote or cast a ballot, and such an omission may not serve as the basis for a challenge to a voter's eligibility or reason to not count a ballot.

3. The applicant's date of birth.

4. A mark in the checkbox affirming that the applicant is a citizen of the United States.

5.a. The applicant's current and valid Florida driver license number or the identification number from a Florida identification card issued under s. 322.051, or

b. If the applicant has not been issued a current and valid Florida driver license or a Florida identification card, the last four digits of the applicant's social security number.

In case an applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application.

6. A mark in the ~~applicable~~ checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, ~~has had his or her civil rights restored through executive clemency, or has had his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution.~~

7. A mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored.

8. The original signature or a digital signature transmitted by the Department of Highway Safety and Motor Vehicles of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011 that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051.

Section 4. Effective upon becoming a law, paragraphs (d), (e), and (f) of subsection (1) of section 97.0585, Florida Statutes, are amended to read:

97.0585 Public records exemption; information regarding voters and voter registration; confidentiality.—

(1) The following information held by an agency, as defined in s. 119.011, and obtained for the purpose of voter registration is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and may be used only for purposes of voter registration:

~~(d) Information related to a voter registration applicant's or voter's prior felony conviction and whether such person has had his or her voting rights restored by the Board of Executive Clemency or pursuant to s. 4, Art. VI of the State Constitution.~~

~~(e) All information concerning preregistered voter registration applicants who are 16 or 17 years of age.~~

~~(e)(f) Paragraph (d) is Paragraphs (d) and (e) are subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 5. Paragraph (b) of subsection (1) of section 101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.—

(1)

(b) If the picture identification does not contain the signature of the elector, an additional identification that provides the elector's signature shall be required. The address appearing on the identification presented by the elector may not be used as the basis to ~~confirm an elector's legal residence or otherwise~~ challenge an elector's legal residence. The elector shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the elector's signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

Section 6. Effective upon becoming a law, subsection (2) of section 101.5612, Florida Statutes, is amended to read:

101.5612 Testing of tabulating equipment.—

(2) On any day not more than ~~25~~ 40 days ~~before~~ ~~prior to~~ the commencement of early voting as provided in s. 101.657, the supervisor of elections shall have the automatic tabulating equipment publicly tested to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. If the ballots to be used at the polling place on election day are not available at the time of the testing, the supervisor may conduct an additional test not more than 10 days before election day. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting the notice in at least four conspicuous places in the county. The supervisor or the municipal elections official may, at the time of qualifying, give written notice of the time and location of the public preelection test to each candidate qualifying with that office and obtain a signed receipt that the notice has been given. The Department of State shall give written notice to each statewide candidate at the time of qualifying, or immediately at the end of qualifying, that the voting equipment will be tested and advise each candidate to contact the county supervisor of elections as to the time and location of the public preelection test. The supervisor or the municipal elections official shall, at least ~~30~~ 45 days ~~before~~ ~~prior to~~ the commencement of early voting as provided in s. 101.657, send written notice by certified mail to the county party chair of each political party and to all candidates for other than statewide office whose names appear on the ballot in the county and who did not receive written notification from the supervisor or municipal elections official at the time of qualifying, stating the time and location of the public preelection test of the automatic tabulating equipment. The canvassing board shall convene, and each member of the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it. The test shall be open to representatives of the political parties, the press, and the public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

Section 7. Paragraph (a) of subsection (4) of section 101.5614, Florida Statutes, is amended to read:

101.5614 Canvass of returns.—

(4)(a) If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in the presence of witnesses and substituted for the damaged ballot. ~~Likewise, A duplicate ballot must also~~ ~~shall be made of a vote by mail ballot containing an overvoted race or a~~ ~~marked vote-by-mail ballot in which every race is undervoted, including~~ ~~which shall include~~ all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4). Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots. All duplicate ballots shall be clearly labeled "duplicate," bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in an envelope provided for that purpose, and the duplicate ballot shall be tallied with the other ballots for that precinct.

Section 8. Subsection (1) of section 101.6103, Florida Statutes, is amended to read:

101.6103 Mail ballot election procedure.—

(1) Except as otherwise provided in subsection (7), the supervisor of elections shall mail all official ballots with a secrecy envelope, a return mailing envelope, and instructions sufficient to describe the voting process to each elector entitled to vote in the election not sooner than the ~~40th~~ 20th day before the election and not later than the 10th day before the date of the election. All such ballots shall be mailed by first-class mail. Ballots shall be addressed to each elector at the address appearing in the registration records and placed in an envelope which is prominently marked "Do Not Forward."

Section 9. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete lines 2 - 8 and insert:

An act relating to elections; amending s. 106.141, F.S.; prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate; providing that a candidate may give certain surplus funds to the state or a political subdivision to be disbursed in a specified manner; amending ss. 97.052 and 97.053, F.S.; revising requirements for the uniform statewide voter registration application and the acceptance of such applications; amending s. 97.0585, F.S.; deleting an exemption from public records requirements for information related to a voter registration applicant's or voter's prior felony conviction and his or her restoration of voting rights to conform to changes made by the act; amending s. 101.043, F.S.; deleting a provision that prohibits the use of an address appearing on identification presented by an elector at the polls as a basis to confirm an elector's legal residence; amending s. 101.5612, F.S.; revising the timeframes for conducting public preelection testing of automatic tabulating equipment; amending s. 101.5614, F.S.; removing the requirement that duplicate ballots be made of vote-by-mail ballots containing overvoted races; amending s. 101.6103, F.S.; revising the timeframe in which the supervisor of elections must mail ballots in elections conducted under the Mail Ballot Election Act; providing effective dates.

Representative Ingoglia offered the following:

(Amendment Bar Code: 427809)

House Amendment 1 to Senate Amendment 2 (609638) (with title amendment)—Between lines 199 and 200 of the amendment, insert:

Section 9. Subsection (1) of section 101.131, Florida Statutes, is amended to read:

101.131 Watchers at polls.—

(1) Each political party and each candidate may have one watcher in each polling room or early voting area at any one time during the election. A political committee formed for the specific purpose of expressly advocating the passage or defeat of an issue on the ballot may have one watcher for each polling room or early voting area at any one time during the election. ~~A No~~ ~~watcher may not~~ ~~shall be permitted to~~ come closer to the officials' table or the voting booths than is reasonably necessary to properly perform his or her functions, but ~~is~~ ~~each~~ ~~shall be~~ allowed within the polling room or early voting area to watch and observe the conduct of electors and officials. The poll watchers shall furnish their own materials and necessities and ~~may~~ ~~shall~~ not obstruct the orderly conduct of any election. The poll watchers shall pose any questions regarding polling place procedures directly to the clerk for resolution. They may not interact with voters. Each poll watcher ~~must~~ ~~shall~~ be a qualified and registered elector of the county in which he or she serves, except that a political party of the state may designate a qualified and registered elector of the state to serve as a poll watcher in any county.

Section 10. Section 104.0616, Florida Statutes, is amended to read:

104.0616 Vote-by-mail ballots and voting; violations.—

(1) For purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, or sibling of the person or the person's spouse.

(2) Any person who provides or offers to provide, and any person who accepts, a pecuniary or other benefit in exchange for distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing ~~any~~ ~~more than two~~ vote-by-mail ballots, ~~except per election in addition to~~ his or her own ballot, ~~or~~ a ballot belonging to an immediate family member, ~~or~~ ~~except~~ as provided in ss. 101.6105-101.694, commits a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 11. Subsection (17) is added to section 901.15, Florida Statutes, to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(17) There is probable cause to believe that a person has committed a violation involving a vote-by-mail ballot as provided in s. 104.0616.

TITLE AMENDMENT

Remove line 234 of the amendment and insert: amending s. 101.131, F.S.; revising requirements for eligibility to serve as a poll watcher; amending s. 104.0616, F.S.; prohibiting a person from providing, offering to provide, or accepting a pecuniary or other benefit in exchange for distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing any vote-by-mail ballot; providing exceptions; providing a penalty; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when probable cause exists that the person committed a specified violation involving a vote-by-mail ballot; providing effective dates.

Rep. Ingoglia moved the adoption of **House Amendment 1 (427809) to Senate Amendment 2 (609638)**.

Representative Jacquet offered the following:

(Amendment Bar Code: 938405)

House Amendment 1 to House Amendment 1 (427809) to Senate Amendment 2 (609638) (with title amendment)—Remove lines 5-50 of the amendment

TITLE AMENDMENT

Remove lines 55-67 of the amendment

Rep. Jacquet moved the adoption of **House Amendment 1 (938405) to House Amendment 1 (427809) to Senate Amendment 2 (609638)**, which failed of adoption.

THE SPEAKER IN THE CHAIR

The question recurred on the adoption of **House Amendment 1 to Senate Amendment 2**, which was adopted.

On motion by Rep. Ingoglia, the House concurred in **Senate Amendment 2 (609638)**, as amended by the House.

The question recurred on the passage of **CS/HB 491**. The vote was:

Session Vote Sequence: 758

Speaker Oliva in the Chair.

Yeas—73

- Aloupis, Altman, Andrade, Avila, Bell, Beltran, Brannan, Buchanan, Burton, Byrd, Caruso, Clemons, Cummings, DiCeglie, Donalds, Drake, Duggan, Eagle, Fernandez-Barquin, Fetterhoff, Fine, Fischer, Fitzenhagen, Grall, Grant, J., Grant, M., Gregory, Hage, Hill, Ingoglia, Killebrew, La Rosa, LaMarca, Latvala, Leek, Magar, Maggard, Mariano, Massullo, McClain, McClure, Oliva, Overdorf, Payne, Perez, Pigman, Plakon, Plasencia, Ponder, Raschein, Renner, Roach, Robinson, Rodrigues, R., Rodriguez, A., Rodriguez, A. M., Rommel, Roth, Sabatini, Santiago, Shoaf, Sirois, Smith, D., Sprowls, Stevenson, Stone, Sullivan, Toledo, Tomkow, Trumbull, Williamson, Yarborough

Zika

Nays—37

- Alexander, Antone, Ausley, Brown, Cortes, J., Daley, Diamond, Driskell, DuBose, Duran, Eskamani, Fernandez, Geller, Goff-Marcil, Good, Gottlieb, Grieco, Hart, Hattersley, Hogan Johnson, Jacquet, Jenne, McGhee, Newton, Omphroy, Polo, Polsky, Pritchett, Silvers, Slosberg, Smith, C., Stark, Thompson, Valdés, Watson, B., Watson, C., Webb

Votes after roll call:

Nays—Casello, Davis, Jacobs, Mercado, Willhite

So the bill passed, as amended. The action, together with the bill and the amendments thereto, was immediately certified to the Senate.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 713, with 1 unengrossed amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/CS/CS/HB 713—A bill to be entitled An act relating to the Department of Health; amending s. 39.303, F.S.; specifying direct reporting requirements for certain positions within the Children’s Medical Services Program; amending s. 381.0042, F.S.; revising the purpose of patient care networks from serving patients with acquired immune deficiency syndrome to serving those with human immunodeficiency virus; conforming provisions to changes made by the act; deleting obsolete language; amending s. 381.4018, F.S.; requiring the Department of Health to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; authorizing the department to adopt certain rules; amending s. 381.915, F.S.; revising provisions relating to time limitations on a cancer center’s participation in the Tier 3 designation under the Florida Consortium of National Cancer Institute Centers Program; s. 381.986; providing a definition; revising a provision requiring certain information to be entered into the medical marijuana use registry; revising a provision relating to the informed consent form to include the negative health effects of marijuana use on certain persons; providing daily dose amount limits for edibles and marijuana in a form for smoking; prohibiting physicians from certifying a certain potency of tetrahydrocannabinol in marijuana for certain patients; providing an exception; authorizing the Department of Health to possess and test marijuana samples from medical marijuana treatment centers; authorizing medical marijuana treatment centers to contract with certain medical marijuana testing laboratories; prohibiting the department from renewing a medical marijuana treatment center’s license under certain circumstances; providing limits on the potency of tetrahydrocannabinol in marijuana and edibles dispensed by a medical marijuana treatment center; prohibiting a medical marijuana treatment center from dispensing a medical marijuana product containing tetrahydrocannabinol; providing applicability; authorizing the department and certain employees to acquire, possess, test, transport, and dispose of marijuana; amending s. 381.988, F.S.; prohibiting a certified medical marijuana testing laboratory from having an economic interest in or financial relationship with a medical marijuana treatment center; providing construction; amending s. 401.35, F.S.; revising provisions relating to the applicability of rules to certain licensees; deleting a requirement that the department base rules governing medical supplies and equipment required in ambulances and emergency medical services vehicles on a certain association’s standards; deleting a requirement that the department base rules governing ambulance or vehicle design and construction on a certain agency’s standards and instead requiring the department to base such rules on national standards recognized by the department; amending s. 404.031, F.S.; defining the term “useful beam”; amending s. 404.22, F.S.; providing requirements for the maintenance, operation, and modification of

certain radiation machines; providing conditions for the authorized exposure of human beings to the radiation emitted from a radiation machine; amending s. 456.013, F.S.; revising health care practitioner licensure application requirements; authorizing the board or department to issue a temporary license to certain applicants which expires after 60 days; amending s. 456.0635, F.S.; providing an exception to a prohibition on the examination or licensure of certain applicants who are listed on a specified federal list; amending s. 456.072, F.S.; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending s. 456.074, F.S.; conforming provisions to changes made by the act; amending s. 458.3145, F.S.; revising the list of individuals who may be issued a medical faculty certificate without examination; amending s. 458.3312, F.S.; removing a prohibition against physicians representing themselves as board-certified specialists in dermatology unless the recognizing agency is reviewed and reauthorized on a specified basis by the Board of Medicine; amending s. 459.0055, F.S.; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; repealing s. 460.4166, F.S., relating to registered chiropractic assistants; amending s. 464.019, F.S.; authorizing the Board of Nursing to adopt specified rules; extending through 2025 the Florida Center for Nursing's responsibility to study and issue an annual report on the implementation of nursing education programs; authorizing certain nursing education programs to apply for an extension for accreditation within a specified timeframe; providing limitations on and eligibility criteria for the extension; amending s. 464.202, F.S.; requiring the Board of Nursing to adopt rules that include disciplinary procedures and standards of practice for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; amending s. 464.204, F.S.; revising grounds for board-imposed disciplinary sanctions; amending s. 466.006, F.S.; revising certain examination requirements for applicants seeking dental licensure; reviving, reenacting, and amending s. 466.0067, F.S., relating to the application for a health access dental license; reviving, reenacting, and amending s. 466.00671, F.S., relating to the renewal of such a license; reviving and reenacting s. 466.00672, F.S., relating to the revocation of such a license; providing for retroactive application; amending s. 466.007, F.S.; revising requirements for examinations of dental hygienists; amending s. 466.017, F.S.; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; providing for disciplinary action by the Board of Dentistry for violations; defining the term "adverse incident"; authorizing the board to adopt rules; amending s. 466.031, F.S.; making technical changes; authorizing an employee or an independent contractor of a dental laboratory, acting as an agent of that dental laboratory, to engage in onsite consultation with a licensed dentist during a dental procedure; amending s. 466.036, F.S.; revising the frequency of dental laboratory inspections during a specified period; amending s. 468.701, F.S.; revising the definition of the term "athletic trainer"; deleting a requirement that is relocated to another section; amending s. 468.707, F.S.; revising athletic trainer licensure requirements; amending s. 468.711, F.S.; requiring certain licensees to maintain certification in good standing without lapse as a condition of renewal of their athletic trainer licenses; amending s. 468.713, F.S.; requiring that an athletic trainer work within a specified scope of practice; relocating an existing requirement that was stricken from another section; amending s. 468.723, F.S.; requiring the direct supervision of an athletic training student to be in accordance with rules adopted by the Board of Athletic Training; amending s. 468.803, F.S.; revising orthotic, prosthetic, and pedorthic licensure, registration, and examination requirements; amending s. 480.033, F.S.; revising the definition of the term "apprentice"; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; specifying that massage apprentices licensed before a specified date may continue to perform massage therapy as authorized under their licenses; authorizing massage apprentices to apply for full licensure upon completion of their apprenticeships, under certain conditions; repealing s. 480.042, F.S., relating to examinations for licensure as a massage therapist; amending s. 490.003, F.S.; revising the definition of the terms "doctoral-level psychological education" and "doctoral degree in psychology"; amending s. 490.005, F.S.; revising requirements for licensure by examination of psychologists and school psychologists; amending s.

490.006, F.S.; revising requirements for licensure by endorsement of psychologists and school psychologists; amending s. 491.0045, F.S.; exempting clinical social worker interns, marriage and family therapist interns, and mental health counselor interns from registration requirements, under certain circumstances; amending s. 491.005, F.S.; revising requirements for the licensure by examination of marriage and family therapists; revising requirements for the licensure by examination of mental health counselors; amending s. 491.006, F.S.; revising requirements for licensure by endorsement or certification for specified professions; amending s. 491.007, F.S.; removing a biennial intern registration fee; amending s. 491.009, F.S.; authorizing the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling or, under certain circumstances, the department to enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending s. 514.0115, F.S.; providing that certain surf pools are exempt from supervision for certain provisions under certain circumstances; providing construction; defining the term "surf pool"; amending s. 408.809, F.S.; providing that battery on a specified victim is a disqualifying offense for employment in certain health care facilities; amending s. 456.0135, F.S.; providing that battery on a specified victim is a disqualifying offense for licensure as a health care practitioner; amending s. 553.77, F.S.; conforming a cross-reference; amending ss. 491.0046 and 945.42, F.S.; conforming cross-references; providing effective dates.

(Amendment Bar Code: 624474)

Unengrossed Senate Amendment 1 (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (b) of subsection (2) of section 39.303, Florida Statutes, are amended to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(2)(a) The Statewide Medical Director for Child Protection must be a physician licensed under chapter 458 or chapter 459 who is a board-certified pediatrician with a subspecialty certification in child abuse from the American Board of Pediatrics. The Statewide Medical Director for Child Protection shall report directly to the Deputy Secretary for Children's Medical Services.

(b) Each Child Protection Team medical director must be a physician licensed under chapter 458 or chapter 459 who is a board-certified physician in pediatrics or family medicine and, within 2 years after the date of employment as a Child Protection Team medical director, obtains a subspecialty certification in child abuse from the American Board of Pediatrics or within 2 years meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Each Child Protection Team medical director employed on July 1, 2015, must, by July 1, 2019, either obtain a subspecialty certification in child abuse from the American Board of Pediatrics or meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Child Protection Team medical directors shall be responsible for oversight of the teams in the circuits. Each Child Protection Team medical director shall report directly to the Statewide Medical Director for Child Protection.

Section 2. Section 381.0042, Florida Statutes, is amended to read:

381.0042 Patient care for persons with HIV infection.—The department may establish human immunodeficiency virus acquired immune deficiency syndrome patient care networks in each region of the state where the number ~~number~~ of cases of acquired immune deficiency syndrome and other human immunodeficiency virus transmission infections justifies the establishment of cost-effective regional patient care networks. Such networks shall be delineated by rule of the department which shall take into account natural trade areas and centers of medical excellence that specialize in the treatment of human immunodeficiency virus acquired immune deficiency syndrome, as well as available federal, state, and other funds. Each patient care network shall include representation of persons with human immunodeficiency virus infection; health care providers; business interests; the department, including,

but not limited to, county health departments; and local units of government. Each network shall plan for the care and treatment of persons with human immunodeficiency virus acquired immune deficiency syndrome and acquired immune deficiency syndrome related complex in a cost-effective, dignified manner ~~that~~ which emphasizes outpatient and home care. Once per each year, ~~beginning April 1989,~~ each network shall make its recommendations concerning the needs for patient care to the department.

Section 3. Subsection (3) of section 381.4018, Florida Statutes, is amended to read:

381.4018 Physician workforce assessment and development.—

(3) GENERAL FUNCTIONS.—The department shall maximize the use of existing programs under the jurisdiction of the department and other state agencies and coordinate governmental and nongovernmental stakeholders and resources in order to develop a state strategic plan and assess the implementation of such strategic plan. In developing the state strategic plan, the department shall:

(a) Monitor, evaluate, and report on the supply and distribution of physicians licensed under chapter 458 or chapter 459. The department shall maintain a database to serve as a statewide source of data concerning the physician workforce.

(b) Develop a model and quantify, on an ongoing basis, the adequacy of the state's current and future physician workforce as reliable data becomes available. Such model must take into account demographics, physician practice status, place of education and training, generational changes, population growth, economic indicators, and issues concerning the "pipeline" into medical education.

(c) Develop and recommend strategies to determine whether the number of qualified medical school applicants who might become competent, practicing physicians in this state will be sufficient to meet the capacity of the state's medical schools. If appropriate, the department shall, working with representatives of appropriate governmental and nongovernmental entities, develop strategies and recommendations and identify best practice programs that introduce health care as a profession and strengthen skills needed for medical school admission for elementary, middle, and high school students, and improve premedical education at the precollege and college level in order to increase this state's potential pool of medical students.

(d) Develop strategies to ensure that the number of graduates from the state's public and private allopathic and osteopathic medical schools is adequate to meet physician workforce needs, based on the analysis of the physician workforce data, so as to provide a high-quality medical education to students in a manner that recognizes the uniqueness of each new and existing medical school in this state.

(e) Pursue strategies and policies to create, expand, and maintain graduate medical education positions in the state based on the analysis of the physician workforce data. Such strategies and policies must take into account the effect of federal funding limitations on the expansion and creation of positions in graduate medical education. The department shall develop options to address such federal funding limitations. The department shall consider options to provide direct state funding for graduate medical education positions in a manner that addresses requirements and needs relative to accreditation of graduate medical education programs. The department shall consider funding residency positions as a means of addressing needed physician specialty areas, rural areas having a shortage of physicians, and areas of ongoing critical need, and as a means of addressing the state's physician workforce needs based on an ongoing analysis of physician workforce data.

(f) Develop strategies to maximize federal and state programs that provide for the use of incentives to attract physicians to this state or retain physicians within the state. Such strategies should explore and maximize federal-state partnerships that provide incentives for physicians to practice in federally designated shortage areas, in otherwise medically underserved areas, or in rural areas. Strategies shall also consider the use of state programs, such as the Medical Education Reimbursement and Loan Repayment Program pursuant to s. 1009.65, which provide for education loan repayment or loan forgiveness and provide monetary incentives for physicians to relocate to underserved areas of the state.

(g) Coordinate and enhance activities relative to physician workforce needs, undergraduate medical education, graduate medical education, and

reentry of retired military and other physicians into the physician workforce provided by the Division of Medical Quality Assurance, area health education center networks established pursuant to s. 381.0402, and other offices and programs within the department as designated by the State Surgeon General.

(h) Work in conjunction with and act as a coordinating body for governmental and nongovernmental stakeholders to address matters relating to the state's physician workforce assessment and development for the purpose of ensuring an adequate supply of well-trained physicians to meet the state's future needs. Such governmental stakeholders shall include, but need not be limited to, the State Surgeon General or his or her designee, the Commissioner of Education or his or her designee, the Secretary of Health Care Administration or his or her designee, and the Chancellor of the State University System or his or her designee, and, at the discretion of the department, other representatives of state and local agencies that are involved in assessing, educating, or training the state's current or future physicians. Other stakeholders shall include, but need not be limited to, organizations representing the state's public and private allopathic and osteopathic medical schools; organizations representing hospitals and other institutions providing health care, particularly those that currently provide or have an interest in providing accredited medical education and graduate medical education to medical students and medical residents; organizations representing allopathic and osteopathic practicing physicians; and, at the discretion of the department, representatives of other organizations or entities involved in assessing, educating, or training the state's current or future physicians.

(i) Serve as a liaison with other states and federal agencies and programs in order to enhance resources available to the state's physician workforce and medical education continuum.

(j) Act as a clearinghouse for collecting and disseminating information concerning the physician workforce and medical education continuum in this state.

The department may adopt rules to implement this subsection, including rules that establish guidelines to implement the federal Conrad 30 Waiver Program created under s. 214(l) of the Immigration and Nationality Act.

Section 4. Paragraph (c) of subsection (4) of section 381.915, Florida Statutes, is amended to read:

381.915 Florida Consortium of National Cancer Institute Centers Program.—

(4) Tier designations and corresponding weights within the Florida Consortium of National Cancer Institute Centers Program are as follows:

(c) Tier 3: Florida-based cancer centers seeking designation as either a NCI-designated cancer center or NCI-designated comprehensive cancer center, which shall be weighted at 1.0.

1. A cancer center shall meet the following minimum criteria to be considered eligible for Tier 3 designation in any given fiscal year:

a. Conducting cancer-related basic scientific research and cancer-related population scientific research;

b. Offering and providing the full range of diagnostic and treatment services on site, as determined by the Commission on Cancer of the American College of Surgeons;

c. Hosting or conducting cancer-related interventional clinical trials that are registered with the NCI's Clinical Trials Reporting Program;

d. Offering degree-granting programs or affiliating with universities through degree-granting programs accredited or approved by a nationally recognized agency and offered through the center or through the center in conjunction with another institution accredited by the Commission on Colleges of the Southern Association of Colleges and Schools;

e. Providing training to clinical trainees, medical trainees accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, and postdoctoral fellows recently awarded a doctorate degree; and

f. Having more than \$5 million in annual direct costs associated with their total NCI peer-reviewed grant funding.

2. The General Appropriations Act or accompanying legislation may limit the number of cancer centers which shall receive Tier 3 designations or provide additional criteria for such designation.

3. A cancer center's participation in Tier 3 may not extend beyond June 30, 2024 shall be limited to 6 years.

4. A cancer center that qualifies as a designated Tier 3 center under the criteria provided in subparagraph 1. by July 1, 2014, is authorized to pursue NCI designation as a cancer center or a comprehensive cancer center until June 30, 2024 for 6 years after qualification.

Section 5. Paragraphs (c) and (d) of subsection (1) of section 401.35, Florida Statutes, are amended to read:

401.35 Rules.—The department shall adopt rules, including definitions of terms, necessary to carry out the purposes of this part.

(1) The rules must provide at least minimum standards governing:

(c) Ground ambulance and vehicle equipment and supplies that a licensee with a valid vehicle permit under s. 401.26 is required to maintain to provide basic or advanced life support services at least as comprehensive as those published in the most current edition of the American College of Surgeons, Committee on Trauma, list of essential equipment for ambulances, as interpreted by rules of the department.

(d) Ground ambulance or vehicle design and construction based on national standards recognized by the department and at least equal to those most currently recommended by the United States General Services Administration as interpreted by department rule rules of the department.

Section 6. Subsection (21) is added to section 404.031, Florida Statutes, to read:

404.031 Definitions.—As used in this chapter, unless the context clearly indicates otherwise, the term:

(21) "Useful beam" means that portion of the radiation emitted from a radiation machine through the aperture of the machine's beam-limiting device which is designed to focus the radiation on the intended target in order to accomplish the machine's purpose when the machine's exposure controls are in a mode to cause the system to produce radiation.

Section 7. Subsections (7) and (8) are added to section 404.22, Florida Statutes, to read:

404.22 Radiation machines and components; inspection.—

(7) Radiation machines that are used to intentionally expose a human being to the useful beam:

(a) Must be maintained and operated according to manufacturer standards or nationally recognized consensus standards accepted by the department;

(b) Must be operated at the lowest exposure that will achieve the intended purpose of the exposure; and

(c) May not be modified in a manner that causes the original parts to operate in a way that differs from the original manufacturer's design specification or the parameters approved for the machine and its components by the United States Food and Drug Administration.

(8) A human being may be exposed to the useful beam of a radiation machine only under the following conditions:

(a) For the purpose of medical or health care, if a licensed health care practitioner operating within the scope of his or her practice has determined that the exposure provides a medical or health benefit greater than the health risks posed by the exposure and the health care practitioner uses the results of the exposure in the medical or health care of the exposed individual; or

(b) For the purpose of providing security for facilities or other venues, if the exposure is determined to provide a life safety benefit to the individual exposed which is greater than the health risk posed by the exposure. Such determination must be made by an individual trained in evaluating and calculating comparative mortality and morbidity risks according to standards set by the department. To be valid, the calculation and method of making the determination must be submitted to and accepted by the department. Limits to annual total exposure for security purposes must be adopted by department rule based on nationally recognized limits or relevant consensus standards.

Section 8. Paragraphs (a) and (b) of subsection (1) of section 456.013, Florida Statutes, are amended to read:

456.013 Department; general licensing provisions.—

(1)(a) Any person desiring to be licensed in a profession within the jurisdiction of the department must shall apply to the department in writing to take the licensure examination. The application must shall be made on a form prepared and furnished by the department. The application form must be available on the Internet World Wide Web and the department may accept

electronically submitted applications. The application shall require the social security number and date of birth of the applicant, except as provided in paragraphs (b) and (c). The form shall be supplemented as needed to reflect any material change in any circumstance or condition stated in the application which takes place between the initial filing of the application and the final grant or denial of the license and which might affect the decision of the department. If an application is submitted electronically, the department may require supplemental materials, including an original signature of the applicant and verification of credentials, to be submitted in a nonelectronic format. An incomplete application shall expire 1 year after initial filing. In order to further the economic development goals of the state, and notwithstanding any law to the contrary, the department may enter into an agreement with the county tax collector for the purpose of appointing the county tax collector as the department's agent to accept applications for licenses and applications for renewals of licenses. The agreement must specify the time within which the tax collector must forward any applications and accompanying application fees to the department.

(b) If an applicant has not been issued a social security number by the Federal Government at the time of application because the applicant is not a citizen or resident of this country, the department may process the application using a unique personal identification number. If such an applicant is otherwise eligible for licensure, the board, or the department when there is no board, may issue a temporary license to the applicant, which shall expire 30 days after issuance unless a social security number is obtained and submitted in writing to the department. A temporary license issued under this paragraph to an applicant who has accepted a position with an accredited residency, internship, or fellowship program in this state and is applying for registration under s. 458.345 or s. 459.021 shall expire 60 days after issuance unless the applicant obtains a social security number and submits it in writing to the department. Upon receipt of the applicant's social security number, the department shall issue a new license, which shall expire at the end of the current biennium.

Section 9. Paragraph (o) of subsection (3) of section 456.053, Florida Statutes, is amended to read:

456.053 Financial arrangements between referring health care providers and providers of health care services.—

(3) DEFINITIONS.—For the purpose of this section, the word, phrase, or term:

(o) "Referral" means any referral of a patient by a health care provider for health care services, including, without limitation:

1. The forwarding of a patient by a health care provider to another health care provider or to an entity which provides or supplies designated health services or any other health care item or service; or

2. The request or establishment of a plan of care by a health care provider, which includes the provision of designated health services or other health care item or service.

3. The following orders, recommendations, or plans of care shall not constitute a referral by a health care provider:

a. By a radiologist for diagnostic-imaging services.

b. By a physician specializing in the provision of radiation therapy services for such services.

c. By a medical oncologist for drugs and solutions to be prepared and administered intravenously to such oncologist's patient, as well as for the supplies and equipment used in connection therewith to treat such patient for cancer and the complications thereof.

d. By a cardiologist for cardiac catheterization services.

e. By a pathologist for diagnostic clinical laboratory tests and pathological examination services, if furnished by or under the supervision of such pathologist pursuant to a consultation requested by another physician.

f. By a health care provider who is the sole provider or member of a group practice for designated health services or other health care items or services that are prescribed or provided solely for such referring health care provider's or group practice's own patients, and that are provided or performed by or under the direct supervision of such referring health care provider or group practice; provided, however, that effective July 1, 1999, a physician licensed pursuant to chapter 458, chapter 459, chapter 460, or chapter 461 may refer a patient to a sole provider or group practice for diagnostic imaging services,

excluding radiation therapy services, for which the sole provider or group practice billed both the technical and the professional fee for or on behalf of the patient, if the referring physician has no investment interest in the practice. The diagnostic imaging service referred to a group practice or sole provider must be a diagnostic imaging service normally provided within the scope of practice to the patients of the group practice or sole provider. The group practice or sole provider may accept no more than 15 percent of their patients receiving diagnostic imaging services from outside referrals, excluding radiation therapy services. However, the 15 percent limitation of this sub-subparagraph and the requirements of subparagraph (4)(a)2. do not apply to a group practice entity that owns an accountable care organization or an entity operating under an advanced alternative payment model according to federal regulations if such entity provides diagnostic imaging services to more than 30,000 patients per year.

g. By a health care provider for services provided by an ambulatory surgical center licensed under chapter 395.

h. By a urologist for lithotripsy services.

i. By a dentist for dental services performed by an employee of or health care provider who is an independent contractor with the dentist or group practice of which the dentist is a member.

j. By a physician for infusion therapy services to a patient of that physician or a member of that physician's group practice.

k. By a nephrologist for renal dialysis services and supplies, except laboratory services.

l. By a health care provider whose principal professional practice consists of treating patients in their private residences for services to be rendered in such private residences, except for services rendered by a home health agency licensed under chapter 400. For purposes of this sub-subparagraph, the term "private residences" includes patients' private homes, independent living centers, and assisted living facilities, but does not include skilled nursing facilities.

m. By a health care provider for sleep-related testing.

Section 10. Effective upon this act becoming a law, paragraphs (a), (k), and (t), of subsection (1) and subsection (2) of section 456.072, Florida Statutes, are amended to read:

456.072 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(a) Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee's profession or specialty designation.

(k) Failing to perform any statutory or legal obligation placed upon a licensee. For purposes of this section, failing to repay a student loan issued or guaranteed by the state or the Federal Government in accordance with the terms of the loan is not or failing to comply with service scholarship obligations shall be considered a failure to perform a statutory or legal obligation, and the minimum disciplinary action imposed shall be a suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount. Fines collected shall be deposited into the Medical Quality Assurance Trust Fund.

(t) Failing to identify through written notice, which may include the wearing of a name tag, or orally to a patient the type of license or specialty designation under which the practitioner is practicing. Any advertisement for health care services naming the practitioner must identify the type of license the practitioner holds. This paragraph does not apply to a practitioner while the practitioner is providing services in a facility licensed under chapter 394, chapter 395, chapter 400, or chapter 429. The department shall enforce this paragraph. Each board, or the department where there is no board, is authorized by rule to determine how its practitioners may comply with this disclosure requirement.

(2)(a) When the board, or the department when there is no board, finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it may enter an order imposing one or more of the following penalties:

1.(a) Refusal to certify, or to certify with restrictions, an application for a license.

2.(b) Suspension or permanent revocation of a license.

3.(c) Restriction of practice or license, including, but not limited to, restricting the licensee from practicing in certain settings, restricting the licensee to work only under designated conditions or in certain settings, restricting the licensee from performing or providing designated clinical and administrative services, restricting the licensee from practicing more than a designated number of hours, or any other restriction found to be necessary for the protection of the public health, safety, and welfare.

4.(d) Imposition of an administrative fine not to exceed \$10,000 for each count or separate offense. If the violation is for fraud or making a false or fraudulent representation, the board, or the department if there is no board, must impose a fine of \$10,000 per count or offense.

5.(e) Issuance of a reprimand or letter of concern.

6.(f) Placement of the licensee on probation for a period of time and subject to such conditions as the board, or the department when there is no board, may specify. Those conditions may include, but are not limited to, requiring the licensee to undergo treatment, attend continuing education courses, submit to be reexamined, work under the supervision of another licensee, or satisfy any terms which are reasonably tailored to the violations found.

7.(g) Corrective action.

8.(h) Imposition of an administrative fine in accordance with s. 381.0261 for violations regarding patient rights.

9.(i) Refund of fees billed and collected from the patient or a third party on behalf of the patient.

10.(j) Requirement that the practitioner undergo remedial education.

In determining what action is appropriate, the board, or department when there is no board, must first consider what sanctions are necessary to protect the public or to compensate the patient. Only after those sanctions have been imposed may the disciplining authority consider and include in the order requirements designed to rehabilitate the practitioner. All costs associated with compliance with orders issued under this subsection are the obligation of the practitioner.

(b)1. If the department finds that any licensed health care practitioner has violated paragraph (1)(a), the department must issue an emergency order to the practitioner to cease and desist the use of such name, title, words, letter, abbreviations, or insignia. The department shall send the emergency cease and desist order to the practitioner by certified mail and e-mail to the practitioner's physical address and e-mail address of record on file with the department and to any other mailing address or e-mail address through which the department believes the person may be reached.

2. If the practitioner does not cease and desist his or her actions in violation of paragraph (1)(a) immediately upon receipt of the emergency cease and desist order, the department must enter an order imposing any of the following penalties, or a combination thereof, until the practitioner complies with the cease and desist order:

a. A citation and a daily fine.

b. A reprimand or a letter of concern.

c. Suspension of license.

Section 11. Section 456.0721, Florida Statutes, is repealed.

Section 12. Subsection (4) of section 456.074, Florida Statutes, is amended to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(4) Upon receipt of information that a Florida-licensed health care practitioner has defaulted on a student loan issued or guaranteed by the state or the Federal Government, the department shall notify the licensee by certified mail that he or she shall be subject to immediate suspension of license unless, within 45 days after the date of mailing, the licensee provides proof that new payment terms have been agreed upon by all parties to the loan. The department shall issue an emergency order suspending the license of any licensee who, after 45 days following the date of mailing from the department, has failed to provide such proof. Production of such proof shall not prohibit the

~~department from proceeding with disciplinary action against the licensee pursuant to s. 456.073.~~

Section 13. Subsection (1) of section 458.3145, Florida Statutes, is amended to read:

458.3145 Medical faculty certificate.—

(1) A medical faculty certificate may be issued without examination to an individual who:

(a) Is a graduate of an accredited medical school or its equivalent, or is a graduate of a foreign medical school listed with the World Health Organization;

(b) Holds a valid, current license to practice medicine in another jurisdiction;

(c) Has completed the application form and remitted a nonrefundable application fee not to exceed \$500;

(d) Has completed an approved residency or fellowship of at least 1 year or has received training which has been determined by the board to be equivalent to the 1-year residency requirement;

(e) Is at least 21 years of age;

(f) Is of good moral character;

(g) Has not committed any act in this or any other jurisdiction which would constitute the basis for disciplining a physician under s. 458.331;

(h) For any applicant who has graduated from medical school after October 1, 1992, has completed, before entering medical school, the equivalent of 2 academic years of preprofessional, postsecondary education, as determined by rule of the board, which must include, at a minimum, courses in such fields as anatomy, biology, and chemistry; and

(i) Has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at:

1. The University of Florida;
2. The University of Miami;
3. The University of South Florida;
4. The Florida State University;
5. The Florida International University;
6. The University of Central Florida;
7. The Mayo Clinic College of Medicine and Science in Jacksonville, Florida;
8. The Florida Atlantic University; ~~or~~
9. The Johns Hopkins All Children's Hospital in St. Petersburg, Florida;
10. Nova Southeastern University; or
11. Lake Erie College of Osteopathic Medicine.

Section 14. Section 458.3312, Florida Statutes, is amended to read:

458.3312 Specialties.—A physician licensed under this chapter may not hold himself or herself out as a board-certified specialist unless the physician has received formal recognition as a specialist from a specialty board of the American Board of Medical Specialties or other recognizing agency that has been approved by the board. However, a physician may indicate the services offered and may state that his or her practice is limited to one or more types of services when this accurately reflects the scope of practice of the physician. ~~A physician may not hold himself or herself out as a board-certified specialist in dermatology unless the recognizing agency, whether authorized in statute or by rule, is triennially reviewed and reauthorized by the Board of Medicine.~~

Section 15. Subsection (1) of section 459.0055, Florida Statutes, is amended to read:

459.0055 General licensure requirements.—

(1) Except as otherwise provided herein, any person desiring to be licensed or certified as an osteopathic physician pursuant to this chapter shall:

(a) Complete an application form and submit the appropriate fee to the department;

(b) Be at least 21 years of age;

(c) Be of good moral character;

(d) Have completed at least 3 years of preprofessional postsecondary education;

(e) Have not previously committed any act that would constitute a violation of this chapter, unless the board determines that such act does not adversely affect the applicant's present ability and fitness to practice osteopathic medicine;

(f) Not be under investigation in any jurisdiction for an act that would constitute a violation of this chapter. If, upon completion of such investigation, it is determined that the applicant has committed an act that would constitute a violation of this chapter, the applicant is ineligible for licensure unless the board determines that such act does not adversely affect the applicant's present ability and fitness to practice osteopathic medicine;

(g) Have not had an application for a license to practice osteopathic medicine denied or a license to practice osteopathic medicine revoked, suspended, or otherwise acted against by the licensing authority of any jurisdiction unless the board determines that the grounds on which such action was taken do not adversely affect the applicant's present ability and fitness to practice osteopathic medicine. A licensing authority's acceptance of a physician's relinquishment of license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of administrative charges against the osteopathic physician, shall be considered action against the osteopathic physician's license;

(h) Not have received less than a satisfactory evaluation from an internship, residency, or fellowship training program, unless the board determines that such act does not adversely affect the applicant's present ability and fitness to practice osteopathic medicine. Such evaluation shall be provided by the director of medical education from the medical training facility;

(i) Have met the criteria set forth in s. 459.0075, s. 459.0077, or s. 459.021, whichever is applicable;

(j) Submit to the department a set of fingerprints on a form and under procedures specified by the department, along with a payment in an amount equal to the costs incurred by the Department of Health for the criminal background check of the applicant;

(k) Demonstrate that he or she is a graduate of a medical college recognized and approved by the American Osteopathic Association;

(l) Demonstrate that she or he has successfully completed an internship or residency ~~a resident internship~~ of not less than 12 months in a program accredited hospital approved for this purpose by the Board of Trustees of the American Osteopathic Association or the Accreditation Council for Graduate Medical Education ~~any other internship program approved by the board upon a showing of good cause by the applicant.~~ This requirement may be waived for an applicant who matriculated in a college of osteopathic medicine during or before 1948; and

(m) Demonstrate that she or he has obtained a passing score, as established by rule of the board, on all parts of the examination conducted by the National Board of Osteopathic Medical Examiners or other examination approved by the board no more than 5 years before making application in this state or, if holding a valid active license in another state, that the initial licensure in the other state occurred no more than 5 years after the applicant obtained a passing score on the examination conducted by the National Board of Osteopathic Medical Examiners or other substantially similar examination approved by the board.

Section 16. Section 460.4166, Florida Statutes, is repealed.

Section 17. Effective upon this act becoming a law, subsections (8) and (10) of section 464.019, Florida Statutes, are amended, and paragraph (f) is added to subsection (11) of that section, to read:

464.019 Approval of nursing education programs.—

(8) RULEMAKING.—The board does not have rulemaking authority to administer this section, except that the board shall adopt rules that prescribe the format for submitting program applications under subsection (1) and annual reports under subsection (3), and to administer the documentation of the accreditation of nursing education programs under subsection (11). The board may adopt rules relating to the nursing curriculum, including rules relating to the uses and limitations of simulation technology, and rules relating to the criteria to qualify for an extension of time to meet the accreditation requirements under paragraph (11)(f). The board may not impose any condition or requirement on an educational institution submitting a program application, an approved program, or an accredited program, except as expressly provided in this section.

(10) IMPLEMENTATION STUDY.—The Florida Center for Nursing shall study the administration of this section and submit reports to the Governor, the President of the Senate, and the Speaker of the House of

Representatives annually by January 30, through January 30, ~~2025~~ 2020. The annual reports shall address the previous academic year; provide data on the measures specified in paragraphs (a) and (b), as such data becomes available; and include an evaluation of such data for purposes of determining whether this section is increasing the availability of nursing education programs and the production of quality nurses. The department and each approved program or accredited program shall comply with requests for data from the Florida Center for Nursing.

(a) The Florida Center for Nursing shall evaluate program-specific data for each approved program and accredited program conducted in the state, including, but not limited to:

1. The number of programs and student slots available.
2. The number of student applications submitted, the number of qualified applicants, and the number of students accepted.
3. The number of program graduates.
4. Program retention rates of students tracked from program entry to graduation.
5. Graduate passage rates on the National Council of State Boards of Nursing Licensing Examination.
6. The number of graduates who become employed as practical or professional nurses in the state.

(b) The Florida Center for Nursing shall evaluate the board's implementation of the:

1. Program application approval process, including, but not limited to, the number of program applications submitted under subsection (1);⁵ the number of program applications approved and denied by the board under subsection (2);⁵ the number of denials of program applications reviewed under chapter 120;⁵ and a description of the outcomes of those reviews.
2. Accountability processes, including, but not limited to, the number of programs on probationary status, the number of approved programs for which the program director is required to appear before the board under subsection (5), the number of approved programs terminated by the board, the number of terminations reviewed under chapter 120, and a description of the outcomes of those reviews.

(c) The Florida Center for Nursing shall complete an annual assessment of compliance by programs with the accreditation requirements of subsection (11), include in the assessment a determination of the accreditation process status for each program, and submit the assessment as part of the reports required by this subsection.

(11) ACCREDITATION REQUIRED.—

(f) An approved nursing education program may, no sooner than 90 days before the deadline for meeting the accreditation requirements of this subsection, apply to the board for an extension of the accreditation deadline for a period which does not exceed 2 years. An additional extension may not be granted. In order to be eligible for the extension, the approved program must establish that it has a graduate passage rate of 60 percent or higher on the National Council of State Boards of Nursing Licensing Examination for the most recent calendar year and must meet a majority of the board's additional criteria, including, but not limited to, all of the following:

1. A student retention rate of 60 percent or higher for the most recent calendar year.
2. A graduate work placement rate of 70 percent or higher for the most recent calendar year.
3. The program has applied for approval or been approved by an institutional or programmatic accreditor recognized by the United States Department of Education.
4. The program is in full compliance with subsections (1) and (3) and paragraph (5)(b).
5. The program is not currently in its second year of probationary status under subsection (5).

The applicable deadline under this paragraph is tolled from the date on which an approved program applies for an extension until the date on which the board issues a decision on the requested extension.

Section 18. Section 464.202, Florida Statutes, is amended to read:

464.202 Duties and powers of the board.—The board shall maintain, or contract with or approve another entity to maintain, a state registry of certified

nursing assistants. The registry must consist of the name of each certified nursing assistant in this state; other identifying information defined by board rule; certification status; the effective date of certification; other information required by state or federal law; information regarding any crime or any abuse, neglect, or exploitation as provided under chapter 435; and any disciplinary action taken against the certified nursing assistant. The registry shall be accessible to the public, the certificateholder, employers, and other state agencies. The board shall adopt by rule testing procedures for use in certifying nursing assistants and shall adopt rules regulating the practice of certified nursing assistants, including disciplinary procedures and standards of practice, and specifying the scope of practice authorized and the level of supervision required for the practice of certified nursing assistants. The board may contract with or approve another entity or organization to provide the examination services, including the development and administration of examinations. The board shall require that the contract provider offer certified nursing assistant applications via the Internet, and may require the contract provider to accept certified nursing assistant applications for processing via the Internet. The board shall require the contract provider to provide the preliminary results of the certified nursing examination on the date the test is administered. The provider shall pay all reasonable costs and expenses incurred by the board in evaluating the provider's application and performance during the delivery of services, including examination services and procedures for maintaining the certified nursing assistant registry.

Section 19. Paragraph (c) of subsection (1) of section 464.203, Florida Statutes, is amended to read:

464.203 Certified nursing assistants; certification requirement.—

(1) The board shall issue a certificate to practice as a certified nursing assistant to any person who demonstrates a minimum competency to read and write and successfully passes the required background screening pursuant to s. 400.215. If the person has successfully passed the required background screening pursuant to s. 400.215 or s. 408.809 within 90 days before applying for a certificate to practice and the person's background screening results are not retained in the clearinghouse created under s. 435.12, the board shall waive the requirement that the applicant successfully pass an additional background screening pursuant to s. 400.215. The person must also meet one of the following requirements:

(c) Is currently certified in another state or territory of the United States or in the District of Columbia; is listed on that jurisdiction's state's certified nursing assistant registry; and has not been found to have committed abuse, neglect, or exploitation in that jurisdiction state.

Section 20. Paragraph (b) of subsection (1) of section 464.204, Florida Statutes, is amended to read:

464.204 Denial, suspension, or revocation of certification; disciplinary actions.—

(1) The following acts constitute grounds for which the board may impose disciplinary sanctions as specified in subsection (2):

(b) ~~Intentionally~~ Violating any provision of this chapter, chapter 456, or the rules adopted by the board.

Section 21. Subsections (3) and (4) of section 466.006, Florida Statutes, are amended to read:

466.006 Examination of dentists.—

(3) If an applicant is a graduate of a dental college or school not accredited in accordance with paragraph (2)(b) or of a dental college or school not approved by the board, the applicant is not entitled to take the examinations required in this section to practice dentistry until she or he satisfies one of the following:

(a) Completes a program of study, as defined by the board by rule, at an accredited American dental school and demonstrates receipt of a D.D.S. or D.M.D. from said school; or

(b) Submits proof of having successfully completed at least 2 consecutive academic years at a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation. This program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. For purposes of this paragraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty.

(4) Notwithstanding any other provision of law in chapter 456 pertaining to the clinical dental licensure examination or national examinations, to be licensed as a dentist in this state, an applicant must successfully complete both of the following:

(a) A written examination on the laws and rules of the state regulating the practice of dentistry;

(b) ~~A practical or clinical examination, which must shall be the American Dental Licensing Examination produced by the American Board of Dental Examiners, Inc., or its successor entity, if any, that is administered in this state and graded by dentists licensed in this state and employed by the department for just such purpose, provided that the board has attained, and continues to maintain thereafter, representation on the board of directors of the American Board of Dental Examiners, the examination development committee of the American Board of Dental Examiners, and such other committees of the American Board of Dental Examiners as the board deems appropriate by rule to assure that the standards established herein are maintained organizationally. A passing score on the American Dental Licensing Examination administered in this state and graded by dentists who are licensed in this state is valid for 365 days after the date the official examination results are published.~~

~~1.2.a.~~ As an alternative to such practical or clinical examination the requirements of subparagraph 1., an applicant may submit scores from an American Dental Licensing Examination previously administered in a jurisdiction other than this state after October 1, 2011, and such examination results shall be recognized as valid for the purpose of licensure in this state. A passing score on the American Dental Licensing Examination administered out of state out of state shall be the same as the passing score for the American Dental Licensing Examination administered in this state ~~and graded by dentists who are licensed in this state~~. The examination results are valid for 365 days after the date the official examination results are published. The applicant must have completed the examination after October 1, 2011.

~~b.~~ This subparagraph may not be given retroactive application.

~~2.3.~~ If the date of an applicant's passing American Dental Licensing Examination scores from an examination previously administered in a jurisdiction other than this state under subparagraph 1. subparagraph 2. is older than 365 days, ~~then~~ such scores are shall nevertheless be recognized as valid for the purpose of licensure in this state, but only if the applicant demonstrates that all of the following additional standards have been met:

a. ~~(H)~~ The applicant completed the American Dental Licensing Examination after October 1, 2011.

~~(H)~~ This sub-subparagraph may not be given retroactive application;

b. The applicant graduated from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor entity, if any, or any other dental accrediting organization recognized by the United States Department of Education. Provided, however, if the applicant did not graduate from such a dental school, the applicant may submit proof of having successfully completed a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation of at least 2 consecutive academic years at such accredited sponsoring institution. Such program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. For purposes of this sub-subparagraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty;

c. The applicant currently possesses a valid and active dental license in good standing, with no restriction, which has never been revoked, suspended, restricted, or otherwise disciplined, from another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico;

d. The applicant submits proof that he or she has never been reported to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, or the American Association of Dental Boards Clearinghouse. This sub-subparagraph does not apply if the applicant successfully appealed to have his or her name removed from the data banks of these agencies;

e. ~~(I)(A)~~ In the 5 years immediately preceding the date of application for licensure in this state, The applicant submits must submit proof of having been consecutively engaged in the full-time practice of dentistry in another state or

territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico in the 5 years immediately preceding the date of application for licensure in this state; or;

~~(B)~~ If the applicant has been licensed in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico for less than 5 years, the applicant submits must submit proof of having been engaged in the full-time practice of dentistry since the date of his or her initial licensure.

(II) As used in this section, "full-time practice" is defined as a minimum of 1,200 hours per year for each and every year in the consecutive 5-year period or, when where applicable, the period since initial licensure, and must include any combination of the following:

(A) Active clinical practice of dentistry providing direct patient care.

(B) Full-time practice as a faculty member employed by a dental or dental hygiene school approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(C) Full-time practice as a student at a postgraduate dental education program approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(III) The board shall develop rules to determine what type of proof of full-time practice is required and to recoup the cost to the board of verifying full-time practice under this section. Such proof must, at a minimum, be:

(A) Admissible as evidence in an administrative proceeding;

(B) Submitted in writing;

(C) Submitted by the applicant under oath with penalties of perjury attached;

(D) Further documented by an affidavit of someone unrelated to the applicant who is familiar with the applicant's practice and testifies with particularity that the applicant has been engaged in full-time practice; and

(E) Specifically found by the board to be both credible and admissible.

(IV) An affidavit of only the applicant is not acceptable proof of full-time practice unless it is further attested to by someone unrelated to the applicant who has personal knowledge of the applicant's practice. If the board deems it necessary to assess credibility or accuracy, the board may require the applicant or the applicant's witnesses to appear before the board and give oral testimony under oath;

f. The applicant submits must submit documentation that he or she has completed, or will complete before he or she is licensed, prior to licensure in this state, continuing education equivalent to this state's requirements for the last full reporting biennium;

g. The applicant proves must prove that he or she has never been convicted of, or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession in any jurisdiction;

h. The applicant has must successfully passed pass a written examination on the laws and rules of this state regulating the practice of dentistry and must successfully pass the computer-based diagnostic skills examination; and

i. The applicant submits must submit documentation that he or she has successfully completed the applicable examination administered by the Joint Commission on National Dental Examinations or its successor organization National Board of Dental Examiners dental examination.

Section 22. Notwithstanding the January 1, 2020, repeal of section 466.0067, Florida Statutes, that section is revived, reenacted, and amended to read:

466.0067 Application for health access dental license.—The Legislature finds that there is an important state interest in attracting dentists to practice in underserved health access settings in this state and further, that allowing out-of-state dentists who meet certain criteria to practice in health access settings without the supervision of a dentist licensed in this state is substantially related to achieving this important state interest. Therefore, notwithstanding the requirements of s. 466.006, the board shall grant a health access dental license to practice dentistry in this state in health access settings as defined in s. 466.003 to an applicant who that:

(1) Files an appropriate application approved by the board;

(2) Pays an application license fee for a health access dental license, laws-and-rule exam fee, and an initial licensure fee. The fees specified in this

subsection may not differ from an applicant seeking licensure pursuant to s. 466.006;

(3) Has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;

(4) Submits proof of graduation from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency;

(5) Submits documentation that she or he has completed, or will obtain ~~before prior to~~ licensure, continuing education equivalent to this state's requirement for dentists licensed under s. 466.006 for the last full reporting biennium before applying for a health access dental license;

(6) Submits proof of her or his successful completion of parts I and II of the dental examination by the National Board of Dental Examiners and a state or regional clinical dental licensing examination that the board has determined effectively measures the applicant's ability to practice safely;

(7) Currently holds a valid, active, dental license in good standing which has not been revoked, suspended, restricted, or otherwise disciplined from another of the United States, the District of Columbia, or a United States territory;

(8) Has never had a license revoked from another of the United States, the District of Columbia, or a United States territory;

(9) Has never failed the examination specified in s. 466.006, unless the applicant was reexamined pursuant to s. 466.006 and received a license to practice dentistry in this state;

(10) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank;

(11) Submits proof that he or she has been engaged in the active, clinical practice of dentistry providing direct patient care for 5 years immediately preceding the date of application, or in instances when the applicant has graduated from an accredited dental school within the preceding 5 years, submits proof of continuous clinical practice providing direct patient care since graduation; and

(12) Has passed an examination covering the laws and rules of the practice of dentistry in this state as described in s. 466.006(4)(a).

Section 23. Notwithstanding the January 1, 2020, repeal of section 466.00671, Florida Statutes, that section is revived, reenacted, and amended to read:

466.00671 Renewal of the health access dental license.—

(1) A health access dental licensee shall apply for renewal each biennium. At the time of renewal, the licensee shall sign a statement that she or he has complied with all continuing education requirements of an active dentist licensee. The board shall renew a health access dental license for an applicant ~~who that~~:

(a) Submits documentation, as approved by the board, from the employer in the health access setting that the licensee has at all times pertinent remained an employee;

(b) Has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;

(c) Has paid a renewal fee set by the board. The fee specified herein may not differ from the renewal fee adopted by the board pursuant to s. 466.013. The department may provide payment for these fees through the dentist's salary, benefits, or other department funds;

(d) Has not failed the examination specified in s. 466.006 since initially receiving a health access dental license or since the last renewal; and

(e) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank.

(2) The board may undertake measures to independently verify the health access dental licensee's ongoing employment status in the health access setting.

Section 24. Notwithstanding the January 1, 2020, repeal of section 466.00672, Florida Statutes, that section is revived and reenacted to read:

466.00672 Revocation of health access dental license.—

(1) The board shall revoke a health access dental license upon:

(a) The licensee's termination from employment from a qualifying health access setting;

(b) Final agency action determining that the licensee has violated any provision of s. 466.027 or s. 466.028, other than infractions constituting citation offenses or minor violations; or

(c) Failure of the Florida dental licensure examination.

(2) Failure of an individual licensed pursuant to s. 466.0067 to limit the practice of dentistry to health access settings as defined in s. 466.003 constitutes the unlicensed practice of dentistry.

Section 25. Paragraph (b) of subsection (4) and paragraph (a) of subsection (6) of section 466.007, Florida Statutes, are amended to read:

466.007 Examination of dental hygienists.—

(4) Effective July 1, 2012, to be licensed as a dental hygienist in this state, an applicant must successfully complete the following:

(b) A practical or clinical examination approved by the board. The examination shall be the Dental Hygiene Examination produced by the American Board of Dental Examiners, Inc. (ADEX) or its successor entity, if any, if the board finds that the successor entity's clinical examination meets or exceeds the provisions of this section. The board shall approve the ADEX Dental Hygiene Examination if the board has attained and continues to maintain representation on the ADEX House of Representatives, the ADEX Dental Hygiene Examination Development Committee, and such other ADEX Dental Hygiene committees as the board deems appropriate through rulemaking to ensure that the standards established in this section are maintained organizationally. The ADEX Dental Hygiene Examination or the examination produced by its successor entity is a comprehensive examination in which an applicant must demonstrate skills within the dental hygiene scope of practice on a live patient and any other components that the board deems necessary for the applicant to successfully demonstrate competency for the purpose of licensure. ~~The ADEX Dental Hygiene Examination or the examination by the successor entity administered in this state shall be graded by dentists and dental hygienists licensed in this state who are employed by the department for this purpose.~~

(6)(a) A passing score on the ADEX Dental Hygiene Examination administered out of state ~~must shall~~ be considered the same as a passing score for the ADEX Dental Hygiene Examination administered in this state ~~and graded by licensed dentists and dental hygienists.~~

Section 26. Subsections (9) through (15) are added to section 466.017, Florida Statutes, to read:

466.017 Prescription of drugs; anesthesia.—

(9) Any adverse incident that occurs in an office maintained by a dentist must be reported to the department. The required notification to the department must be submitted in writing by certified mail and postmarked within 48 hours after the incident occurs.

(10) A dentist practicing in this state must notify the board in writing by certified mail within 48 hours after any adverse incident that occurs in the dentist's outpatient facility. A complete written report must be filed with the board within 30 days after the incident occurs.

(11) Any certified registered dental hygienist administering local anesthesia must notify the board in writing by registered mail within 48 hours after any adverse incident that was related to or the result of the administration of local anesthesia. A complete written report must be filed with the board within 30 days after the mortality or other adverse incident.

(12) A failure by the dentist or dental hygienist to timely and completely comply with all the reporting requirements in this section is the basis for disciplinary action by the board pursuant to s. 466.028(1).

(13) The department shall review each adverse incident and determine whether it involved conduct by a health care professional subject to disciplinary action, in which case s. 456.073 applies. Disciplinary action, if any, shall be taken by the board under which the health care professional is licensed.

(14) As used in subsections (9)-(13), the term "adverse incident" means any mortality that occurs during or as the result of a dental procedure, or an incident that results in a temporary or permanent physical or mental injury that requires hospitalization or emergency room treatment of a dental patient which occurs during or as a direct result of the use of general anesthesia, deep

sedation, moderate sedation, pediatric moderate sedation, oral sedation, minimal sedation (anxiolysis), nitrous oxide, or local anesthesia.

(15) The board may adopt rules to administer this section.

Section 27. Section 466.031, Florida Statutes, is amended to read:

466.031 "Dental laboratories ~~laboratory~~" defined.—

(1) As used in this chapter, the term "dental laboratory" ~~as used in this chapter:~~

(1) includes any person, firm, or corporation ~~that who~~ performs for a fee of any kind, gratuitously, or otherwise, directly or through an agent or an employee, by any means or method, or ~~who in any way~~ supplies or manufactures artificial substitutes for the natural teeth; ~~or who~~ furnishes, supplies, constructs, or reproduces or repairs any prosthetic denture, bridge, or appliance to be worn in the human mouth; ~~or who~~ in any way represents ~~holds itself out~~ as a dental laboratory.

(2) The term does not include a ~~Excludes any~~ dental laboratory technician who constructs or repairs dental prosthetic appliances in the office of a licensed dentist exclusively for that such dentist only and under her or his supervision and work order.

(2) An employee or independent contractor of a dental laboratory, acting as an agent of that dental laboratory, may engage in onsite consultation with a licensed dentist during a dental procedure.

Section 28. Section 466.036, Florida Statutes, is amended to read:

466.036 Information; periodic inspections; equipment and supplies.—The department may require from the applicant for a registration certificate to operate a dental laboratory any information necessary to carry out the purpose of this chapter, including proof that the applicant has the equipment and supplies necessary to operate as determined by rule of the department, and shall require periodic inspection of all dental laboratories operating in this state at least once each biennial registration period. Such inspections must shall include, but need not be limited to, inspection of sanitary conditions, equipment, supplies, and facilities on the premises. The department shall specify dental equipment and supplies that are not allowed permitted in a registered dental laboratory.

Section 29. Subsection (1) of section 468.701, Florida Statutes, is amended to read:

468.701 Definitions.—As used in this part, the term:

(1) "Athletic trainer" means a person licensed under this part who has met the requirements of under this part, including the education requirements established as set forth by the Commission on Accreditation of Athletic Training Education or its successor organization and necessary credentials from the Board of Certification. ~~An individual who is licensed as an athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide, or that he or she is otherwise prohibited by law from providing.~~

Section 30. Section 468.707, Florida Statutes, is amended to read:

468.707 Licensure requirements.—Any person desiring to be licensed as an athletic trainer shall apply to the department on a form approved by the department. An applicant shall also provide records or other evidence, as determined by the board, to prove he or she has met the requirements of this section. The department shall license each applicant who:

(1) Has completed the application form and remitted the required fees.

(2) ~~For a person who applies on or after July 1, 2016,~~ Has submitted to background screening pursuant to s. 456.0135. The board may require a background screening for an applicant whose license has expired or who is undergoing disciplinary action.

(3)(a) Has obtained, at a minimum, a bachelor's baccalaureate or higher degree from a college or university professional athletic training degree program accredited by the Commission on Accreditation of Athletic Training Education or its successor organization recognized and approved by the United States Department of Education or the Commission on Recognition of Postsecondary Accreditation, approved by the board, or recognized by the Board of Certification, and has passed the national examination to be certified by the Board of Certification; or:

(b)(4) Has obtained, at a minimum, a bachelor's degree, has completed the Board of Certification internship requirements, and holds if graduated before 2004, has a current certification from the Board of Certification.

(4)(5) Has current certification in both cardiopulmonary resuscitation and the use of an automated external defibrillator set forth in the continuing education requirements as determined by the board pursuant to s. 468.711.

(5)(6) Has completed any other requirements as determined by the department and approved by the board.

Section 31. Subsection (3) of section 468.711, Florida Statutes, is amended to read:

468.711 Renewal of license; continuing education.—

(3) If initially licensed after January 1, 1998, the licensee must be currently certified by the Board of Certification or its successor agency and maintain that certification in good standing without lapse.

Section 32. Section 468.713, Florida Statutes, is amended to read:

468.713 Responsibilities of athletic trainers.—

(1) An athletic trainer shall practice under the direction of a physician licensed under chapter 458, chapter 459, chapter 460, or otherwise authorized by Florida law to practice medicine. The physician shall communicate his or her direction through oral or written prescriptions or protocols as deemed appropriate by the physician for the provision of services and care by the athletic trainer. An athletic trainer shall provide service or care in the manner dictated by the physician.

(2) An athletic trainer shall work within his or her allowable scope of practice as specified by board rule under s. 468.705. An athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide or that he or she is otherwise prohibited by law from providing.

Section 33. Subsection (2) of section 468.723, Florida Statutes, is amended to read:

468.723 Exemptions.—This part does not ~~prohibit prevent~~ or restrict:

(2) An athletic training student acting under the direct supervision of a licensed athletic trainer. For purposes of this subsection, "direct supervision" means the physical presence of an athletic trainer so that the athletic trainer is immediately available to the athletic training student and able to intervene on behalf of the athletic training student. The supervision must comply with board rule in accordance with the standards set forth by the Commission on Accreditation of Athletic Training Education or its successor.

Section 34. Subsections (1), (3), and (4) of section 468.803, Florida Statutes, are amended to read:

468.803 License, registration, and examination requirements.—

(1) The department shall issue a license to practice orthotics, prosthetics, or pedorthics, or a registration for a resident to practice orthotics or prosthetics, to qualified applicants. Licenses to practice shall be granted independently in orthotics, prosthetics, or pedorthics must be granted independently, but a person may be licensed in more than one such discipline, and a prosthetist-orthotist license may be granted to persons meeting the requirements for licensure both as a prosthetist and as an orthotist license. Registrations to practice shall be granted independently in orthotics or prosthetics must be granted independently, and a person may be registered in both disciplines fields at the same time or jointly in orthotics and prosthetics as a dual registration.

(3) A person seeking to attain the ~~required~~ orthotics or prosthetics experience required for licensure in this state must be approved by the board and registered as a resident by the department. Although a registration may be held in both disciplines practice fields, for independent registrations the board may shall not approve a second registration until at least 1 year after the issuance of the first registration. Notwithstanding subsection (2), a person an applicant who has been approved by the board and registered by the department in one discipline practice field may apply for registration in the second discipline practice field without an additional state or national criminal history check during the period in which the first registration is valid. Each independent registration or dual registration is valid for 2 years after from the date of issuance unless otherwise revoked by the department upon recommendation of the board. The board shall set a registration fee not to exceed \$500 to be paid by the applicant. A registration may be renewed once by the department upon recommendation of the board for a period no longer than 1 year, as such renewal is defined by the board by rule. The registration renewal fee may shall not exceed one-half the current registration

fee. To be considered by the board for approval of registration as a resident, the applicant must have one of the following:

(a) A Bachelor of Science or higher-level postgraduate degree in orthotics and prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs, ~~or, at~~

(b) A minimum ~~of~~ a bachelor's degree from a regionally accredited college or university and a certificate in orthotics or prosthetics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board, ~~or~~

(c) A minimum of a bachelor's degree from a regionally accredited college or university and a dual certificate in both orthotics and prosthetics from programs recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board.

~~(b) A Bachelor of Science or higher-level postgraduate degree in Orthotics and Prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor's degree from a regionally accredited college or university and a certificate in prosthetics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board.~~

(4) The department may develop and administer a state examination for an orthotist or a prosthetist license, or the board may approve the existing examination of a national standards organization. The examination must be predicated on a minimum of a baccalaureate-level education and formalized specialized training in the appropriate field. Each examination must demonstrate a minimum level of competence in basic scientific knowledge, written problem solving, and practical clinical patient management. The board shall require an examination fee not to exceed the actual cost to the board in developing, administering, and approving the examination, which fee must be paid by the applicant. To be considered by the board for examination, the applicant must have:

(a) For an examination in orthotics:

1. A Bachelor of Science or higher-level postgraduate degree in orthotics and prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor's degree from a regionally accredited college or university and a certificate in orthotics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board; and

2. An approved orthotics internship of 1 year of qualified experience, as determined by the board, or an orthotic residency or dual residency program recognized by the board.

(b) For an examination in prosthetics:

1. A Bachelor of Science or higher-level postgraduate degree in orthotics and prosthetics from a regionally accredited college or university recognized by the Commission on Accreditation of Allied Health Education Programs or, at a minimum, a bachelor's degree from a regionally accredited college or university and a certificate in prosthetics from a program recognized by the Commission on Accreditation of Allied Health Education Programs, or its equivalent, as determined by the board; and

2. An approved prosthetics internship of 1 year of qualified experience, as determined by the board, or a prosthetic residency or dual residency program recognized by the board.

Section 35. Subsection (5) of section 480.033, Florida Statutes, is amended to read:

480.033 Definitions.—As used in this act:

(5) "Apprentice" means a person approved by the board to study colonic irrigation ~~massage~~ under the instruction of a licensed massage therapist practicing colonic irrigation.

Section 36. Subsections (1) and (2) of section 480.041, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

480.041 Massage therapists; qualifications; licensure; endorsement.—

(1) Any person is qualified for licensure as a massage therapist under this act who:

(a) Is at least 18 years of age or has received a high school diploma or high school equivalency diploma;

(b) Has completed a course of study at a board-approved massage school ~~or has completed an apprenticeship program~~ that meets standards adopted by the board; and

(c) Has received a passing grade on a national ~~an~~ examination designated administered by the board department.

(2) Every person desiring to be examined for licensure as a massage therapist must ~~shall~~ apply to the department in writing upon forms prepared and furnished by the department. Such applicants are ~~shall be~~ subject to the provisions of s. 480.046(1). ~~Applicants may take an examination administered by the department only upon meeting the requirements of this section as determined by the board.~~

(8) A person issued a license as a massage apprentice before July 1, 2020, may continue that apprenticeship and perform massage therapy as authorized under that license until it expires. Upon completion of the apprenticeship, which must occur before July 1, 2023, a massage apprentice may apply to the board for full licensure and be granted a license if all other applicable licensure requirements are met.

Section 37. Section 480.042, Florida Statutes, is repealed.

Section 38. Subsection (3) of section 490.003, Florida Statutes, is amended to read:

490.003 Definitions.—As used in this chapter:

(3)(a) Prior to July 1, 1999, "doctoral-level psychological education" and "doctoral degree in psychology" mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology from:

1. An educational institution which, at the time the applicant was enrolled and graduated, had institutional accreditation from an agency recognized and approved by the United States Department of Education or was recognized as a member in good standing with the Association of Universities and Colleges of Canada; and

2. A psychology program within that educational institution which, at the time the applicant was enrolled and graduated, had programmatic accreditation from an accrediting agency recognized and approved by the United States Department of Education or was comparable to such programs.

~~(b) Effective July 1, 1999, "doctoral-level psychological education" and "doctoral degree in psychology" mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology from a psychology program at:~~

~~1. an educational institution that ~~which~~, at the time the applicant was enrolled and graduated;~~

~~(a) ; Had institutional accreditation from an agency recognized and approved by the United States Department of Education or was recognized as a member in good standing with the Association of Universities and Colleges of Canada; and~~

~~(b)2. A psychology program within that educational institution which, at the time the applicant was enrolled and graduated, Had programmatic accreditation from the American Psychological Association an agency recognized and approved by the United States Department of Education.~~

Section 39. Paragraph (b) of subsection (1) and paragraph (b) of subsection (2) of section 490.005, Florida Statutes, are amended to read:

490.005 Licensure by examination.—

(1) Any person desiring to be licensed as a psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the board certifies has:

(b) Submitted proof satisfactory to the board that the applicant has received:

1. ~~Received~~ Doctoral-level psychological education, ~~as defined in s. 490.003(3); or~~

2. ~~Received~~ The equivalent of a doctoral-level psychological education, as defined in s. 490.003(3), from a program at a school or university located outside the United States of America ~~and Canada~~, which was officially recognized by the government of the country in which it is located as an institution or program to train students to practice professional psychology. ~~The applicant has the burden of establishing that this requirement has the requirements of this provision have been met shall be upon the applicant;~~

3. ~~Received and submitted to the board, prior to July 1, 1999, certification of an augmented doctoral-level psychological education from the program director of a doctoral-level psychology program accredited by a~~

~~programmatic agency recognized and approved by the United States Department of Education; or~~

~~4. Received and submitted to the board, prior to August 31, 2001, certification of a doctoral level program that at the time the applicant was enrolled and graduated maintained a standard of education and training comparable to the standard of training of programs accredited by a programmatic agency recognized and approved by the United States Department of Education. Such certification of comparability shall be provided by the program director of a doctoral level psychology program accredited by a programmatic agency recognized and approved by the United States Department of Education.~~

(2) Any person desiring to be licensed as a school psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the department certifies has:

(b) Submitted satisfactory proof to the department that the applicant:

1. Has received a doctorate, specialist, or equivalent degree from a program primarily psychological in nature and has completed 60 semester hours or 90 quarter hours of graduate study, in areas related to school psychology as defined by rule of the department, from a college or university which at the time the applicant was enrolled and graduated was accredited by an accrediting agency recognized and approved by the Council for Higher Education Accreditation or its successor organization Commission on Recognition of Postsecondary Accreditation or from an institution that which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada.

2. Has had a minimum of 3 years of experience in school psychology, 2 years of which must be supervised by an individual who is a licensed school psychologist or who has otherwise qualified as a school psychologist supervisor, by education and experience, as set forth by rule of the department. A doctoral internship may be applied toward the supervision requirement.

3. Has passed an examination provided by the department.

Section 40. Subsection (1) of section 490.006, Florida Statutes, is amended to read:

490.006 Licensure by endorsement.—

(1) The department shall license a person as a psychologist or school psychologist who, upon applying to the department and remitting the appropriate fee, demonstrates to the department or, in the case of psychologists, to the board that the applicant:

~~(a) Holds a valid license or certificate in another state to practice psychology or school psychology, as applicable, provided that, when the applicant secured such license or certificate, the requirements were substantially equivalent to or more stringent than those set forth in this chapter at that time; and, if no Florida law existed at that time, then the requirements in the other state must have been substantially equivalent to or more stringent than those set forth in this chapter at the present time;~~

~~(a)(b)~~ Is a diplomate in good standing with the American Board of Professional Psychology, Inc.; or

~~(b)(e)~~ Possesses a doctoral degree in psychology as described in s. 490.003 and has at least 10 ~~20~~ years of experience as a licensed psychologist in any jurisdiction or territory of the United States within the 25 years preceding the date of application.

Section 41. Subsection (6) of section 491.0045, Florida Statutes, as created by chapters 2016-80 and 2016-241, Laws of Florida, is amended to read:

491.0045 Intern registration; requirements.—

(6) A registration issued on or before March 31, 2017, expires March 31, 2022, and may not be renewed or reissued. Any registration issued after March 31, 2017, expires 60 months after the date it is issued. The board may make a one-time exception to the requirements of this subsection in emergency or hardship cases, as defined by board rule, if a subsequent intern registration may not be issued unless the candidate has passed the theory and practice examination described in s. 491.005(1)(d), (3)(d), and (4)(d).

Section 42. Subsections (3) and (4) of section 491.005, Florida Statutes, are amended to read:

491.005 Licensure by examination.—

(3) MARRIAGE AND FAMILY THERAPY.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule,

plus the actual cost of to the department for the purchase of the examination from the Association of Marital and Family Therapy Regulatory Board, or similar national organization, the department shall issue a license as a marriage and family therapist to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate fee.

~~(b) Has a minimum of a master's degree with major emphasis in marriage and family therapy; or a closely related field from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education or from a Florida university program accredited by the Council for Accreditation of Counseling and Related Educational Programs; and graduate courses approved by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, has completed all of the following requirements:~~

~~a. Thirty-six semester hours or 48 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate level course credits in each of the following nine areas: dynamics of marriage and family systems; marriage therapy and counseling theory and techniques; family therapy and counseling theory and techniques; individual human development theories throughout the life cycle; personality theory or general counseling theory and techniques; psychopathology; human sexuality theory and counseling techniques; psychosocial theory; and substance abuse theory and counseling techniques. Courses in research, evaluation, appraisal, assessment, or testing theories and procedures; thesis or dissertation work; or practicums, internships, or fieldwork may not be applied toward this requirement.~~

~~b. A minimum of one graduate level course of 3 semester hours or 4 quarter hours in legal, ethical, and professional standards issues in the practice of marriage and family therapy or a course determined by the board to be equivalent.~~

~~c. A minimum of one graduate level course of 3 semester hours or 4 quarter hours in diagnosis, appraisal, assessment, and testing for individual or interpersonal disorder or dysfunction; and a minimum of one 3-semester hour or 4-quarter hour graduate level course in behavioral research which focuses on the interpretation and application of research data as it applies to clinical practice. Credit for thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.~~

~~d. A minimum of one supervised clinical practicum, internship, or field experience in a marriage and family counseling setting, during which the student provided 180 direct client contact hours of marriage and family therapy services under the supervision of an individual who met the requirements for supervision under paragraph (c). This requirement may be met by a supervised practice experience which took place outside the academic arena, but which is certified as equivalent to a graduate level practicum or internship program which required a minimum of 180 direct client contact hours of marriage and family therapy services currently offered within an academic program of a college or university accredited by an accrediting agency approved by the United States Department of Education, or an institution which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada or a training institution accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education. Certification shall be required from an official of such college, university, or training institution.~~

~~2. If the course title that which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant shall be required to provide additional documentation, including, but not limited to, a syllabus or catalog description published for the course.~~

The required master's degree must have been received in an institution of higher education that, which at the time the applicant graduated, was fully accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation or; publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada; or an institution of higher education located outside the United States and Canada; which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United

States which are accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as professional marriage and family therapists or psychotherapists. The applicant has the burden of establishing that the requirements of this provision have been met ~~shall be upon the applicant~~, and the board shall require documentation, such as, ~~but not limited to~~, an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. An applicant with a master's degree from a program that which did not emphasize marriage and family therapy may complete the coursework requirement in a training institution fully accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education.

(c) Has had at least 2 years of clinical experience during which 50 percent of the applicant's clients were receiving marriage and family therapy services, which must be at the post-master's level under the supervision of a licensed marriage and family therapist with at least 5 years of experience, or the equivalent, who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major emphasis in marriage and family therapy or a closely related field which that did not include all of the coursework required by paragraph (b) under sub-subparagraphs (b)1.a.-e., credit for the post-master's level clinical experience may shall not commence until the applicant has completed a minimum of 10 of the courses required by paragraph (b) under sub-subparagraphs (b)1.a.-e., as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques. Within the 2 3 years of required experience, the applicant shall provide direct individual, group, or family therapy and counseling; to include the following categories of cases including those involving: unmarried dyads, married couples, separating and divorcing couples, and family groups that include including children. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination provided by the department for this purpose.

(e) Has demonstrated, in a manner designated by board rule of the board, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

(f)

For the purposes of dual licensure, the department shall license as a marriage and family therapist any person who meets the requirements of s. 491.0057. Fees for dual licensure may shall not exceed those stated in this subsection.

(4) MENTAL HEALTH COUNSELING.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, plus the actual per applicant cost of to the department for purchase of the examination from the National Board for Certified Counselors or its successor Professional Examination Service for the National Academy of Certified Clinical Mental Health Counselors or a similar national organization, the department shall issue a license as a mental health counselor to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate fee.

(b)1. Has a minimum of an earned master's degree from a mental health counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs which that consists of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction, including a course in human sexuality and a course in substance abuse. If the master's degree is earned from a program related to the practice of mental health counseling which that is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs, then the coursework and practicum, internship, or fieldwork must consist of at least

60 semester hours or 80 quarter hours and meet all of the following requirements:

a. Thirty-three semester hours or 44 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; substance abuse; and legal, ethical, and professional standards issues in the practice of mental health counseling in community settings; and substance abuse. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.

b. A minimum of 3 semester hours or 4 quarter hours of graduate-level coursework addressing diagnostic processes, including differential diagnosis and the use of the current diagnostic tools, such as the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. The graduate program must have emphasized the common core curricular experience in legal, ethical, and professional standards issues in the practice of mental health counseling, which includes goals, objectives, and practices of professional counseling organizations, codes of ethics, legal considerations, standards of preparation, certifications and licensing, and the role identity and professional obligations of mental health counselors. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.

c. The equivalent, as determined by the board, of at least 700 4,000 hours of university-sponsored supervised clinical practicum, internship, or field experience that includes at least 280 hours of direct client services, as required in the accrediting standards of the Council for Accreditation of Counseling and Related Educational Programs for mental health counseling programs. This experience may not be used to satisfy the post-master's clinical experience requirement.

2. Has provided additional documentation if a the course title that which appears on the applicant's transcript does not clearly identify the content of the coursework; The applicant shall be required to provide additional documentation must include, including, but is not limited to, a syllabus or catalog description published for the course.

Education and training in mental health counseling must have been received in an institution of higher education that, which at the time the applicant graduated, was: fully accredited by a regional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization or Commission on Recognition of Postsecondary Accreditation; publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada; or an institution of higher education located outside the United States and Canada; which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by a regional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization Commission on Recognition of Postsecondary Accreditation. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as mental health counselors. The applicant has the burden of establishing that the requirements of this provision have been met ~~shall be upon the applicant~~, and the board shall require documentation, such as, ~~but not limited to~~, an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. Beginning July 1, 2025, an applicant must have a master's degree from a program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs which consists of at least 60 semester hours or 80 quarter hours to apply for licensure under this paragraph.

(c) Has had at least 2 years of clinical experience in mental health counseling, which must be at the post-master's level under the supervision of

a licensed mental health counselor or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major related to the practice of mental health counseling ~~which that~~ did not include all the coursework required under sub-subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, credit for the post-master's level clinical experience ~~may shall~~ not commence until the applicant has completed a minimum of seven of the courses required under sub-subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, as determined by the board, one of which must be a course in psychopathology or abnormal psychology. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination provided by the department for this purpose.

(e) Has demonstrated, in a manner designated by ~~board rule of the board~~, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

Section 43. Paragraph (b) of subsection (1) of section 491.006, Florida Statutes, is amended to read:

491.006 Licensure or certification by endorsement.—

(1) The department shall license or grant a certificate to a person in a profession regulated by this chapter who, upon applying to the department and remitting the appropriate fee, demonstrates to the board that he or she:

(b)1. Holds an active valid license to practice and has actively practiced the licensed profession for which licensure is applied in another state for 3 of the last 5 years immediately preceding licensure;—

~~2. Meets the education requirements of this chapter for the profession for which licensure is applied.~~

~~2.3.~~ Has passed a substantially equivalent licensing examination in another state or has passed the licensure examination in this state in the profession for which the applicant seeks licensure; ~~and~~—

~~3.4.~~ Holds a license in good standing, is not under investigation for an act that would constitute a violation of this chapter, and has not been found to have committed any act that would constitute a violation of this chapter.

The fees paid by any applicant for certification as a master social worker under this section are nonrefundable.

Section 44. Subsection (3) of section 491.007, Florida Statutes, is amended to read:

491.007 Renewal of license, registration, or certificate.—

~~(3) The board or department shall prescribe by rule a method for the biennial renewal of an intern registration at a fee set by rule, not to exceed \$100.~~

Section 45. Subsection (2) of section 491.009, Florida Statutes, is amended to read:

491.009 Discipline.—

(2) The ~~board department~~, or, in the case of certified master social workers ~~psychologists~~, the ~~department board~~, may enter an order denying licensure or imposing any of the penalties authorized in s. 456.072(2) against any applicant for licensure or ~~any licensee who violates is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).~~

Section 46. Subsection (2) of section 491.0046, Florida Statutes, is amended to read:

491.0046 Provisional license; requirements.—

(2) The department shall issue a provisional clinical social worker license, provisional marriage and family therapist license, or provisional mental health counselor license to each applicant who the board certifies has:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed \$100, as set by board rule; and

(b) Earned a graduate degree in social work, a graduate degree with a major emphasis in marriage and family therapy or a closely related field, or a graduate degree in a major related to the practice of mental health counseling; and

(c) ~~Has~~ Met the following minimum coursework requirements:

1. For clinical social work, a minimum of 15 semester hours or 22 quarter hours of the coursework required by s. 491.005(1)(b)2.b.

2. For marriage and family therapy, 10 of the courses required by ~~s. 491.005(3)(b) s. 491.005(3)(b)1.a.-e.~~, as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques.

3. For mental health counseling, a minimum of seven of the courses required under s. 491.005(4)(b)1.a.-c.

Section 47. Subsection (11) of section 945.42, Florida Statutes, is amended to read:

945.42 Definitions; ss. 945.40-945.49.—As used in ss. 945.40-945.49, the following terms shall have the meanings ascribed to them, unless the context shall clearly indicate otherwise:

(11) "Psychological professional" means a behavioral practitioner who has an approved doctoral degree in psychology as defined in ~~s. 490.003(3) s. 490.003(3)(b)~~ and is employed by the department or who is licensed as a psychologist pursuant to chapter 490.

Section 48. For the purpose of incorporating the amendment made by this act to section 459.0055, Florida Statutes, in a reference thereto, subsection (6) of section 459.021, Florida Statutes, is reenacted to read:

459.021 Registration of resident physicians, interns, and fellows; list of hospital employees; penalty.—

(6) Any person desiring registration pursuant to this section shall meet all the requirements of s. 459.0055, except paragraphs (1)(l) and (m).

Section 49. Present subsection (7) of section 514.0115, Florida Statutes, is redesignated as subsection (8), and a new subsection (7) is added to that section, to read:

514.0115 Exemptions from supervision or regulation; variances.—

(7) Until such time as the department adopts rules for the supervision and regulation of surf pools, a surf pool that is larger than 4 acres is exempt from supervision under this chapter if the surf pool is permitted by a local government pursuant to a special use permit process in which the local government asserts regulatory authority over the construction of the surf pool and, in consultation with the department, establishes through the local government's special use permitting process the conditions for the surf pool's operation, water quality, and necessary lifesaving equipment. This subsection does not affect the department's or a county health department's right of entry pursuant to s. 514.04 or its authority to seek an injunction pursuant to s. 514.06 to restrain the operation of a surf pool permitted and operated under this subsection if the surf pool presents significant risks to public health. For the purposes of this subsection, the term "surf pool" means a pool that is designed to generate waves dedicated to the activity of surfing on a surfboard or an analogous surfing device commonly used in the ocean and intended for sport, as opposed to the general play intent of wave pools, other large-scale public swimming pools, or other public bathing places.

Section 50. Subsection (7) of section 553.77, Florida Statutes, is amended to read:

553.77 Specific powers of the commission.—

(7) Building officials shall recognize and enforce variance orders issued by the Department of Health pursuant to ~~s. 514.0115(8) s. 514.0115(7)~~, including any conditions attached to the granting of the variance.

Section 51. Present paragraphs (g) through (v) of subsection (4) of section 408.809, Florida Statutes, are redesignated as paragraphs (h) through (w), respectively, and a new paragraph (g) is added to that subsection, to read:

408.809 Background screening; prohibited offenses.—

(4) In addition to the offenses listed in s. 435.04, all persons required to undergo background screening pursuant to this part or authorizing statutes must not have an arrest awaiting final disposition for, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record not have been sealed or expunged for any of the following offenses or any similar offense of another jurisdiction:

(g) Section 784.03, relating to battery, if the victim is a vulnerable adult as defined in s. 415.102 or a patient or resident of a facility licensed under chapter 395, chapter 400, or chapter 429.

If, upon rescreening, a person who is currently employed or contracted with a licensee as of June 30, 2014, and was screened and qualified under ss. 435.03 and 435.04, has a disqualifying offense that was not a disqualifying offense at the time of the last screening, but is a current disqualifying offense and was committed before the last screening, he or she may apply for an exemption from the appropriate licensing agency and, if agreed to by the employer, may continue to perform his or her duties until the licensing agency renders a decision on the application for exemption if the person is eligible to apply for an exemption and the exemption request is received by the agency no later than 30 days after receipt of the rescreening results by the person.

Section 52. Subsection (5) is added to section 456.0135, Florida Statutes, to read:

456.0135 General background screening provisions.—

(5) In addition to the offenses listed in s. 435.04, all persons required to undergo background screening under this section, other than those licensed under s. 465.022, must not have an arrest awaiting final disposition for, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record not have been sealed or expunged for an offense under s. 784.03 or any similar offense of another jurisdiction relating to battery, if the victim is a vulnerable adult as defined in s. 415.102 or a patient or resident of a facility licensed under chapter 395, chapter 400, or chapter 429.

Section 53. The amendments and reenactments made by this act to sections 466.0067, 466.00671, and 466.00672, Florida Statutes, are remedial in nature, shall take effect upon this act becoming a law, and shall apply retroactively to January 1, 2020. This section shall take effect upon this act becoming a law.

Section 54. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

===== TITLE A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to health regulation; amending s. 39.303, F.S.; specifying direct reporting requirements for certain positions within the Children's Medical Services Program; amending s. 381.0042, F.S.; revising the purpose of patient care networks from serving patients with acquired immune deficiency syndrome to serving those with human immunodeficiency virus; conforming provisions to changes made by the act; deleting obsolete language; amending s. 381.4018, F.S.; requiring the Department of Health to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; authorizing the department to adopt certain rules; amending s. 381.915, F.S.; revising term limits for Tier 3 cancer center designations within the Florida Consortium of National Cancer Institute Centers Program; amending s. 401.35, F.S.; revising provisions related to the department's rules governing minimum standards for ground ambulances and emergency medical services vehicles; deleting the requirement that the department base rules governing medical supplies and equipment required in ambulances and emergency medical services vehicles on a certain association's standards; deleting the requirement that the department base rules governing ambulance or emergency medical services vehicle design and construction on a certain agency's standards and instead requiring the department to base such rules on national standards recognized by the department; amending s. 404.031, F.S.; defining the term "useful beam"; amending s. 404.22, F.S.; providing limitations on the maintenance, operation, and modification of certain radiation machines; providing conditions for the authorized exposure of human beings to the radiation emitted from a radiation machine; amending s. 456.013, F.S.; revising health care practitioner licensure application requirements; authorizing the board or department to issue a temporary license to certain applicants which expires after 60 days; amending s. 456.053, F.S.; revising the definition of the term "referral"; amending s. 456.072, F.S.; prohibiting specified acts by health care practitioners relating to specialty designations; revising grounds for certain disciplinary actions to conform to changes made by the act;

authorizing the department to enforce compliance with the act; authorizing the department to take specified disciplinary action against health care practitioners in violation of the act; specifying applicable administrative penalties; repealing s. 456.0721, F.S., relating to health care practitioners in default on student loan or scholarship obligations; amending s. 456.074, F.S.; conforming provisions to changes made by the act; amending s. 458.3145, F.S.; revising the list of individuals who may be issued a medical faculty certificate without examination; amending s. 458.3312, F.S.; removing a prohibition against physicians representing themselves as board-certified specialists in dermatology unless the recognizing agency is reviewed and reauthorized on a specified basis by the Board of Medicine; amending s. 459.0055, F.S.; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; repealing s. 460.4166, F.S., relating to registered chiropractic assistants; amending s. 464.019, F.S.; authorizing the Board of Nursing to adopt specified rules; extending through 2025 the Florida Center for Nursing's responsibility to study and issue an annual report on the implementation of nursing education programs; authorizing certain nursing education programs to apply for an extension for accreditation within a specified timeframe; providing limitations on and eligibility criteria for the extension; providing a tolling provision; amending s. 464.202, F.S.; requiring the Board of Nursing to adopt rules that include disciplinary procedures and standards of practice for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; amending s. 464.204, F.S.; revising grounds for board-imposed disciplinary sanctions; amending s. 466.006, F.S.; revising certain examination requirements for applicants seeking dental licensure; revising, reenacting, and amending s. 466.0067, F.S., relating to the application for a health access dental license; revising, reenacting, and amending s. 466.00671, F.S., relating to the renewal of such a license; revising and reenacting s. 466.00672, F.S., relating to the revocation of such license; amending s. 466.007, F.S.; revising requirements for dental hygienist licensure; amending s. 466.017, F.S.; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; providing for disciplinary action by the Board of Dentistry for violations; defining the term "adverse incident"; authorizing the board to adopt rules; amending s. 466.031, F.S.; making technical changes; authorizing an employee or an independent contractor of a dental laboratory, acting as an agent of that dental laboratory, to engage in onsite consultation with a licensed dentist during a dental procedure; amending s. 466.036, F.S.; revising the frequency of dental laboratory inspections during a specified period; amending s. 468.701, F.S.; revising the definition of the term "athletic trainer"; deleting a requirement that is relocated to another section; amending s. 468.707, F.S.; revising athletic trainer licensure requirements; amending s. 468.711, F.S.; requiring certain athletic trainer licensees to maintain certification in good standing without lapse as a condition of license renewal; amending s. 468.713, F.S.; requiring that an athletic trainer work within a specified scope of practice; relocating an existing requirement that was stricken from another section; amending s. 468.723, F.S.; requiring the direct supervision of an athletic training student to be in accordance with rules adopted by the Board of Athletic Training; amending s. 468.803, F.S.; revising orthotic, prosthetic, and pedorthic licensure, registration, and examination requirements; amending s. 480.033, F.S.; revising the definition of the term "apprentice"; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; specifying that massage apprentices licensed before a specified date may continue to perform massage therapy as authorized under their licenses; authorizing massage apprentices to apply for full licensure upon completion of their apprenticeships, under certain conditions; repealing s. 480.042, F.S., relating to examinations for licensure as a massage therapist; amending s. 490.003, F.S.; revising the definition of the terms "doctoral-level psychological education" and "doctoral degree in psychology"; amending s. 490.005, F.S.; revising requirements for licensure by examination of psychologists and school psychologists; amending s. 490.006, F.S.; revising requirements for licensure by endorsement of psychologists and school psychologists; amending s. 491.0045, F.S.; exempting clinical social worker interns, marriage and family therapist interns, and mental health counselor interns from registration requirements, under certain circumstances; amending s.

491.005, F.S.; revising requirements for the licensure by examination of marriage and family therapists; revising requirements for the licensure by examination of mental health counselors; amending s. 491.006, F.S.; revising requirements for licensure by endorsement or certification for specified professions; amending s. 491.007, F.S.; removing a biennial intern registration fee; amending s. 491.009, F.S.; authorizing the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling or, under certain circumstances, the department to enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending ss. 491.0046 and 945.42, F.S.; conforming cross-references; reenacting s. 459.021(6), F.S., relating to registration of osteopathic resident physicians, interns, and fellows, to incorporate the amendment made to s. 459.0055, F.S., in a reference thereto; amending s. 514.0115, F.S.; providing that certain surf pools are exempt from supervision for specified provisions under certain circumstances; providing construction; defining the term "surf pool"; amending s. 553.77, F.S.; conforming a cross-reference; amending s. 408.809, F.S.; providing that battery on a specified victim is a disqualifying offense for employment in certain health care facilities; amending s. 456.0135, F.S.; providing that battery on a specified victim is a disqualifying offense for licensure as a health care practitioner; providing for retroactive applicability of specified provisions; providing effective dates.

Representative Rodrigues, R. offered the following:

(Amendment Bar Code: 888727)

House Amendment 1 to Unengrossed Senate Amendment 1 (624474) (with title amendment)—Remove lines 411-513 of the amendment and insert:

Section 10. Section 408.064, Florida Statutes, is created to read:

408.064 Direct care worker education and awareness.—

(1) The agency shall create a webpage dedicated solely to providing information to patients and their families about direct care workers, as defined in s. 408.822, including, but not limited to, a description of:

(a) Each type of direct care worker, including any licensure or certification requirements.

(b) The services that each type of direct care worker typically provides.

(c) The business relationship that each type of direct care worker typically has with a patient or a patient's family, including the responsibilities of the consumer for each type of business relationship.

(2) The webpage shall contain a link to health-related data required by s. 408.05, which allows consumers to search and locate direct care workers by county and statewide. The agency shall prominently display a link on its website to the webpage created under this section.

T I T L E A M E N D M E N T

Remove lines 2060-2068 of the amendment and insert: "referral"; creating s. 408.064, F.S.; requiring the agency to create a webpage to provide information to patients and their families about direct care workers; providing requirements for the webpage; requiring the agency to display a link on its website to the webpage; repealing s.

Rep. R. Rodrigues moved the adoption of the amendment to the amendment, which was adopted.

On motion by Rep. A. M. Rodriguez, the House concurred in **Unengrossed Senate Amendment 1**, as amended.

(Amendment Bar Code: 272342)

Unengrossed Senate Amendment 1a to Unengrossed Senate Amendment 1 (624474)

Delete line 388

and insert:

diagnostic imaging services and has more than 30,000 patients enrolled per

On motion by Rep. A. M. Rodriguez, the House concurred in **Unengrossed Senate Amendment 1a to Unengrossed Senate Amendment 1**.

(Amendment Bar Code: 446828)

Unengrossed Senate Amendment 1b to Unengrossed Senate Amendment 1 (624474) (with title amendment)—

Between lines 589 and 590

insert:

Section 15. Paragraphs (a) and (b) of subsection (9) of section 458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.—

(9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on Physician Assistants is created within the department.

(a) The council shall consist of five members appointed as follows:

1. The chairperson of the Board of Medicine shall appoint one member ~~three members~~ who is a physician and member ~~are physicians and members~~ of the Board of Medicine who supervises. ~~One of the physicians must supervise~~ a physician assistant in the physician's practice.

2. The chairperson of the Board of Osteopathic Medicine shall appoint one member who is a physician and ~~a~~ member of the Board of Osteopathic Medicine who supervises a physician assistant in the physician's practice.

3. The State Surgeon General or his or her designee shall appoint three ~~three~~ fully licensed physician assistants ~~assistant~~ licensed under this chapter or chapter 459.

(b) ~~Two of the members appointed to the council must be physicians who supervise physician assistants in their practice.~~ Members shall be appointed to terms of 4 years, except that of the initial appointments, two members shall be appointed to terms of 2 years, two members shall be appointed to terms of 3 years, and one member shall be appointed to a term of 4 years, as established by rule of the boards. Council members may not serve more than two consecutive terms. The council shall annually elect a chairperson from among its members.

Section 16. Paragraphs (a) and (b) of subsection (9) of section 459.022, Florida Statutes, are amended to read:

459.022 Physician assistants.—

(9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on Physician Assistants is created within the department.

(a) The council shall consist of five members appointed as follows:

1. The chairperson of the Board of Medicine shall appoint one member ~~three members~~ who is a physician and member ~~are physicians and members~~ of the Board of Medicine who supervises. ~~One of the physicians must supervise~~ a physician assistant in the physician's practice.

2. The chairperson of the Board of Osteopathic Medicine shall appoint one member who is a physician and ~~a~~ member of the Board of Osteopathic Medicine who supervises a physician assistant in the physician's practice.

3. The State Surgeon General or her or his designee shall appoint three ~~three~~ fully licensed physician assistants ~~assistant~~ licensed under chapter 458 or this chapter.

(b) ~~Two of the members appointed to the council must be physicians who supervise physician assistants in their practice.~~ Members shall be appointed to terms of 4 years, except that of the initial appointments, two members shall be appointed to terms of 2 years, two members shall be appointed to terms of 3 years, and one member shall be appointed to a term of 4 years, as established by rule of the boards. Council members may not serve more than two consecutive terms. The council shall annually elect a chairperson from among its members.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 2079

and insert:

specified basis by the Board of Medicine; amending ss. 458.347 and 459.022, F.S.; revising requirements relating to the Council on Physician Assistants membership; conforming provisions to changes made by the act; amending s.

On motion by Rep. A. M. Rodriguez, the House concurred in **Unengrossed Senate Amendment 1b to Unengrossed Senate Amendment 1.**

The question recurred on the passage of **CS/CS/CS/HB 713.** The vote was:

Session Vote Sequence: 759

Speaker Oliva in the Chair.

Yeas—110

Table listing names of representatives who voted 'Yeas' for CS/CS/CS/HB 713, including Alexander, Aloupis, Altman, Andrade, Ausley, Avila, Bell, Beltran, Brannan, Brown, Buchanan, Burton, Byrd, Caruso, Clemons, Cortes, J., Cummings, Daley, Davis, Diamond, DiCeglie, Donalds, Drake, Driskell, DuBose, Duggan, Duran, Eagle, Eskamani, Fernandez, Fernandez-Barquin, Fetterhoff, Fine, Fischer, Fitzenhagen, Geller, Goff-Marcil, Gottlieb, Grall, Grant, J., Grant, M., Gregory, Grieco, Hage, Hart, Hattersley, Hill, Hogan Johnson, Ingoglia, Jacques, Jenne, Killebrew, La Rosa, LaMarca, Latvala, Leek, Magar, Maggard, Mariano, Massullo, McClain, McClure, McGhee, Newton, Oliva, Omphroy, Overdorf, Payne, Perez, Pigman, Plakon, Plasencia, Polo, Polsky, Ponder, Pritchett, Raschein, Renner, Roach, Robinson, Rodriguez, R., Rodriguez, A., Rodriguez, A. M., Rommel, Roth, Sabatini, Santiago, Shoaf, Silvers, Sirois, Slosberg, Smith, C., Smith, D., Sprowls, Stark, Stevenson, Stone, Sullivan, Thompson, Toledo, Tomkow, Trumbull, Valdés, Watson, B., Webb, Willhite, Williamson, Yarborough, Zika.

Nays—None

Votes after roll call:

- Yeas—Casello, Jacobs, Mercado
Nays—Good

So the bill passed, as amended. The action, together with the bill and the amendments thereto, was immediately certified to the Senate.

Consideration of **CS/HB 7065** was temporarily postponed.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 133, with 2 amendments, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/CS/HB 133—A bill to be entitled An act relating to towing and immobilizing vehicles and vessels; amending ss. 125.0103 and 166.043, F.S.; authorizing local governments to enact rates to tow or immobilize vessels on private property and to remove and store vessels under specified circumstances; creating ss. 125.01047 and 166.04465, F.S.; prohibiting counties or municipalities from enacting certain ordinances or rules that impose fees or charges on authorized wrecker operators or towing businesses; defining the term "towing business"; providing exceptions; amending s. 323.002, F.S.; prohibiting counties or municipalities from adopting or maintaining in effect certain ordinances or rules that impose charges, costs, expenses, fines, fees, or penalties on registered owners, other legally authorized persons in control or the lienholder of a vehicle or vessel under certain conditions; providing an exception; prohibiting counties or

municipalities from enacting certain ordinances or rules that require authorized wrecker operators to accept a specified form of payment; providing exceptions; providing applicability; amending s. 713.78, F.S.; authorizing certain persons to place liens on vehicles or vessels to recover specified fees or charges; revising the timeframe within which the notice of sale must be sent to certain entities; amending s.715.07, F.S.; revising a requirement regarding notices and signs concerning the towing or removal of vehicles or vessels; prohibiting counties or municipalities from enacting certain ordinances or rules that require towing businesses to accept a specified form of payment; providing an effective date.

(Amendment Bar Code: 319936)

Senate Amendment 2 (with title amendment)—
Delete lines 232 - 240.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 19 - 22

and insert:
providing

On motion by Rep. McClain, the House concurred in Senate Amendment 2.

(Amendment Bar Code: 112030)

Senate Amendment 3 (with title amendment)—
Delete lines 499 - 507

and insert:
vessels are towed from private property.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 30 - 32.

On motion by Rep. McClain, the House concurred in Senate Amendment 3.

The question recurred on the passage of **CS/CS/HB 133.** The vote was:

Session Vote Sequence: 760

Speaker Oliva in the Chair.

Yeas—81

Table listing names of representatives who voted 'Yeas' for CS/CS/HB 133, including Aloupis, Altman, Andrade, Ausley, Avila, Bell, Beltran, Brannan, Buchanan, Burton, Byrd, Caruso, Clemons, Cummings, DiCeglie, Donalds, Drake, Duggan, Eagle, Fernandez, Fernandez-Barquin, Fetterhoff, Fine, Fischer, Fitzenhagen, Geller, Grall, Grant, J., Grant, M., Gregory, Hage, Hill, Ingoglia, Killebrew, La Rosa, LaMarca, Latvala, Leek, Magar, Maggard, Mariano, Massullo, McClain, McClure, McGhee, Newton, Oliva, Overdorf, Payne, Perez, Pigman, Plakon, Plasencia, Ponder, Raschein, Renner, Roach, Robinson, Rodrigues, R., Rodriguez, A., Rodriguez, A. M., Rommel, Roth, Sabatini, Santiago, Shoaf, Sirois, Smith, D., Sprowls, Stark, Stevenson, Stone, Sullivan, Thompson, Toledo, Tomkow, Trumbull, Valdés, Webb, Williamson, Yarborough, Zika.

Nays—31

Table listing names of representatives who voted 'Nays' for CS/CS/HB 133, including Alexander, Antone, Brown, Cortes, J., Daley, Davis, Diamond, Driskell, DuBose, Duran, Eskamani, Goff-Marcil, Good, Gottlieb, Grieco, Hart.

Hattersley	Omphroy	Silvers	Watson, B.
Hogan Johnson	Polo	Slosberg	Watson, C.
Jacquet	Polsky	Smith, C.	Willhite
Jenne	Pritchett	Thompson	

Votes after roll call:
 Nays—Casello, Jacobs, Mercado
 Yeas to Nays—Valdés

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 921, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/CS/HB 921—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 316.520, F.S.; revising application of agricultural load securing requirements; amending s. 527.01, F.S.; defining the term “recreational vehicle”; amending s. 527.0201, F.S.; requiring the Department of Agriculture and Consumer Services to adopt rules specifying requirements for agents to administer certain competency examinations and establishing a competency examination for a license to engage in activities solely related to the service and repair of recreational vehicles; authorizing certain qualifiers and master qualifiers to engage in activities solely related to the service and repair of recreational vehicles; requiring verifiable LP gas experience or professional certification by an LP gas manufacturer in order to apply for certification as a master qualifier; amending s. 570.441, F.S.; extending the scheduled expiration for the Department of Agriculture and Consumer Services’ use of funds from the Pest Control Trust Fund for certain duties of the department; amending s. 590.02, F.S.; directing the Florida Forest Service to develop a training curriculum for wildland firefighters; providing requirements for such training; amending s. 597.003, F.S.; authorizing the Department of Agriculture and Consumer Services to revoke an aquaculture certificate of registration under certain conditions; amending s. 633.408, F.S.; providing wildland firefighter training and certification for certain firefighters and volunteer firefighters; providing an effective date.

(Amendment Bar Code: 158898)

Senate Amendment 1 (with title amendment)—

Between lines 118 and 119

insert:

Section 5. Paragraph (e) of subsection (3) and subsection (7) of section 581.217, Florida Statutes, are amended to read:

581.217 State hemp program.—

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

(e) "Hemp extract" means a substance or compound intended for ingestion, containing more than trace amounts of cannabinoid, or for inhalation which that is derived from or contains hemp and which that does not contain other controlled substances. The term does not include synthetic CBD or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.

(7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

(a) Hemp extract may only be distributed and sold in the state if the product:

- ~~1.~~ Has a certificate of analysis prepared by an independent testing laboratory that states:
 - ~~a.1.~~ The hemp extract is the product of a batch tested by the independent testing laboratory;
 - ~~b.2.~~ The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent ~~on a dry weight basis~~ pursuant to the testing of a random sample of the batch; and

~~c.3.~~ The batch does not contain contaminants unsafe for human consumption.

~~2.~~(b) Is distributed or sold in a container packaging that includes:

~~a.1.~~ A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by an independent testing laboratory;

~~b.2.~~ The batch number;

~~c.3.~~ The Internet address of a website where batch information may be obtained;

~~d.4.~~ The expiration date; and

~~e.5.~~ The number of milligrams of each marketed cannabinoid per serving hemp extract; and

~~6.~~ ~~A statement that the product contains a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry weight basis.~~

(b) Hemp extract distributed or sold in violation of this section shall be considered adulterated or misbranded pursuant to chapter 500, chapter 502, or chapter 580.

(c) Products that are intended for inhalation and contain hemp extract may not be sold in this state to a person who is under 21 years of age.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 23

and insert:

department; amending s. 581.217, F.S.; redefining the term "hemp extract"; providing that hemp extract that does not meet certain requirements will be considered adulterated or misbranded; prohibiting the sale of certain hemp extract products to individuals under a specified age; amending s. 590.02, F.S.; directing the

On motion by Rep. Brannan, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **CS/CS/HB 921**. The vote was:

Session Vote Sequence: 761

Speaker Oliva in the Chair.

Yeas—111

Alexander	Eagle	Latvala	Rodriguez, A. M.
Aloupis	Eskamani	Leek	Rommel
Altman	Fernández	Magar	Roth
Andrade	Fernandez-Barquin	Maggard	Sabatini
Antone	Fetterhoff	Mariano	Santiago
Ausley	Fine	Massullo	Shoaf
Avila	Fischer	McClain	Silvers
Bell	Fitzenhagen	McClure	Sirois
Beltran	Geller	McGhee	Slosberg
Brannan	Goff-Marcil	Newton	Smith, D.
Brown	Good	Oliva	Sprowls
Buchanan	Gottlieb	Omphroy	Stark
Burton	Grall	Overdorf	Stevenson
Byrd	Grant, J.	Payne	Stone
Caruso	Grant, M.	Perez	Sullivan
Clemons	Gregory	Pigman	Thompson
Cortes, J.	Grieco	Plakon	Toledo
Cummings	Hage	Plasencia	Tomkow
Daley	Hart	Polo	Trumbull
Davis	Hattersley	Polsky	Valdés
Diamond	Hill	Ponder	Watson, B.
DiCeglie	Hogan Johnson	Pritchett	Watson, C.
Donalds	Ingoglia	Raschein	Webb
Drake	Jacquet	Renner	Willhite
Driskell	Jenne	Roach	Williamson
DuBose	Killebrew	Robinson	Yarborough
Duggan	La Rosa	Rodrigues, R.	Zika
Duran	LaMarca	Rodriguez, A.	

Nays—None

Votes after roll call:

Yeas—Casello, Jacobs, Mercado

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 977, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/CS/HB 977—A bill to be entitled An act relating to motor vehicle dealers; providing legislative findings; amending s. 324.021, F.S.; revising the definition of the term "rental company" to exclude certain motor vehicle dealers, for the purpose of determining minimum insurance coverage requirements; providing that specified motor vehicle dealers and their affiliates are immune to causes of action and not vicariously or directly liable for harm to persons or property under certain circumstances; providing that specified motor vehicle dealers and their affiliates are not adjudged liable in civil proceedings or guilty in criminal proceedings under certain circumstances; providing exceptions; providing an effective date.

(Amendment Bar Code: 717452)

Senate Amendment 1 (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. The Legislature finds that, absent negligence or criminal conduct by a motor vehicle dealer, or its leasing or rental affiliates, subjecting motor vehicle dealers and their leasing and rental affiliates to vicarious liability under the dangerous instrumentality doctrine when a temporary replacement vehicle is provided to a consumer is both unfair and economically disadvantageous in that it causes dealers and their affiliates to suffer higher insurance costs, which are then passed on to consumers. Additionally, application of the vicarious liability doctrine in such cases often serves to relieve the actual tortfeasor from liability.

Section 2. Paragraph (c) of subsection (9) of section 324.021, Florida Statutes, is amended to read:

324.021 Definitions; minimum insurance required.—The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(9) OWNER; OWNER/LESSOR.—

(c) *Application.*—

1. The limits on liability in subparagraphs (b)2. and 3. do not apply to an owner of motor vehicles that are used for commercial activity in the owner's ordinary course of business, other than a rental company that rents or leases motor vehicles. For purposes of this paragraph, the term "rental company" includes only an entity that is engaged in the business of renting or leasing motor vehicles to the general public and that rents or leases a majority of its motor vehicles to persons with no direct or indirect affiliation with the rental company. ~~The term also includes a motor vehicle dealer that provides temporary replacement vehicles to its customers for up to 10 days.~~ The term "rental company" also includes:

a. A related rental or leasing company that is a subsidiary of the same parent company as that of the renting or leasing company that rented or leased the vehicle.

b. The holder of a motor vehicle title or an equity interest in a motor vehicle title if the title or equity interest is held pursuant to or to facilitate an asset-backed securitization of a fleet of motor vehicles used solely in the business of renting or leasing motor vehicles to the general public and under the dominion and control of a rental company, as described in this subparagraph, in the operation of such rental company's business.

2. Furthermore, with respect to commercial motor vehicles as defined in s. 627.732, the limits on liability in subparagraphs (b)2. and 3. do not apply if, at the time of the incident, the commercial motor vehicle is being used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended,

49 U.S.C. ss. 5101 et seq., and that is required pursuant to such act to carry placards warning others of the hazardous cargo, unless at the time of lease or rental either:

a. The lessee indicates in writing that the vehicle will not be used to transport materials found to be hazardous for the purposes of the Hazardous Materials Transportation Authorization Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

b. The lessee or other operator of the commercial motor vehicle has in effect insurance with limits of at least \$5,000,000 combined property damage and bodily injury liability.

3.a. A motor vehicle dealer, or a motor vehicle dealer's leasing or rental affiliate, that provides a temporary replacement vehicle at no charge or at a reasonable daily charge to a service customer whose vehicle is being held for repair, service, or adjustment by the motor vehicle dealer is immune from any cause of action and is not liable, vicariously or directly, under general law solely by reason of being the owner of the temporary replacement vehicle for harm to persons or property that arises out of the use, or operation, of the temporary replacement vehicle by any person during the period the temporary replacement vehicle has been entrusted to the motor vehicle dealer's service customer if there is no negligence or criminal wrongdoing on the part of the motor vehicle owner, or its leasing or rental affiliate.

b. For purposes of this section, and notwithstanding any other provision of general law, a motor vehicle dealer, or a motor vehicle dealer's leasing or rental affiliate, that gives possession, control, or use of a temporary replacement vehicle to a motor vehicle dealer's service customer may not be adjudged liable in a civil proceeding absent negligence or criminal wrongdoing on the part of the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, if the motor vehicle dealer or the motor vehicle dealer's leasing or rental affiliate executes a written rental or use agreement and obtains from the person receiving the temporary replacement vehicle a copy of the person's driver license and insurance information reflecting at least the minimum motor vehicle insurance coverage required in the state. Any subsequent determination that the driver license or insurance information provided to the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, was in any way false, fraudulent, misleading, nonexistent, canceled, not in effect, or invalid does not alter or diminish the protections provided by this section, unless the motor vehicle dealer, or the motor vehicle dealer's leasing or rental affiliate, had actual knowledge thereof at the time possession of the temporary replacement vehicle was provided.

c. For purposes of this subparagraph, the term "service customer" does not include an agent or a principal of a motor vehicle dealer or a motor vehicle dealer's leasing or rental affiliate, and does not include an employee of a motor vehicle dealer or a motor vehicle dealer's leasing or rental affiliate unless the employee was provided a temporary replacement vehicle:

(I) While the employee's personal vehicle was being held for repair, service, or adjustment by the motor vehicle dealer;

(II) In the same manner as other customers who are provided a temporary replacement vehicle while the customer's vehicle is being held for repair, service, or adjustment; and

(III) The employee was not acting within the course and scope of their employment.

Section 3. This act shall take effect July 1, 2020.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to motor vehicle dealers; providing legislative findings; amending s. 324.021, F.S.; revising the definition of the term "rental company" to exclude certain motor vehicle dealers, for the purpose of determining minimum insurance coverage requirements; providing that specified motor vehicle dealers and their affiliates are immune to causes of action and not vicariously or directly liable for harm to persons or property under certain circumstances; providing that specified motor vehicle dealers and their affiliates are not adjudged liable in civil proceedings under certain circumstances; providing applicability; providing an effective date.

On motion by Rep. Rommel, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **CS/CS/HB 977**. The vote was:

Session Vote Sequence: 762

Speaker Oliva in the Chair.

Yeas—111

Alexander	Eagle	Latvala	Rommel
Aloupis	Eskamani	Leek	Roth
Altman	Fernández	Magar	Sabatini
Andrade	Fernandez-Barquin	Maggard	Santiago
Antone	Fetterhoff	Mariano	Shoaf
Ausley	Fine	Massullo	Silvers
Avila	Fischer	McClain	Sirois
Bell	Fitzenhagen	McClure	Slosberg
Beltran	Geller	McGhee	Smith, C.
Brannan	Goff-Marcil	Newton	Smith, D.
Brown	Good	Oliva	Sprowls
Buchanan	Gottlieb	Omphroy	Stark
Burton	Grall	Overdorf	Stevenson
Byrd	Grant, J.	Payne	Stone
Caruso	Grant, M.	Perez	Sullivan
Clemons	Gregory	Pigman	Thompson
Cortes, J.	Grieco	Plakon	Toledo
Cummings	Hage	Plasencia	Tomkow
Daley	Hart	Polo	Trumbull
Davis	Hattersley	Polsky	Valdés
Diamond	Hill	Ponder	Watson, B.
DiCeglie	Hogan Johnson	Pritchett	Watson, C.
Donalds	Ingolia	Raschein	Webb
Drake	Jacquet	Renner	Willhite
Driskell	Jenne	Roach	Williamson
DuBose	Killebrew	Robinson	Yarborough
Duggan	La Rosa	Rodriguez, A.	Zika
Duran	LaMarca	Rodriguez, A. M.	

Nays—None

Votes after roll call:

Yeas—Casello, Jacobs, Mercado

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has refused to concur in House Amendment 1 (370715) to CS for CS for SB 646 and requests the House to recede.

Debbie Brown, Secretary

By the Committees on Innovation, Industry, and Technology; and Education; and Senator Mayfield—

CS for CS for SB 646—A bill to be entitled An act relating to intercollegiate athlete compensation and rights; creating s. 1006.74, F.S.; providing legislative findings; defining terms; authorizing certain intercollegiate athletes to earn compensation for the use of their names, images, or likenesses; providing requirements for such compensation; prohibiting postsecondary educational institutions from adopting or maintaining contracts, rules, regulations, standards, or other requirements that prevent or unduly restrict intercollegiate athletes from earning specified compensation; providing that certain compensation does not affect certain intercollegiate athlete eligibilities; prohibiting a postsecondary educational institution and other entities, institutions, and their employees from compensating intercollegiate athletes or prospective intercollegiate athletes for the use of their names, images, or likenesses; prohibiting a postsecondary educational institution from preventing or unduly restricting intercollegiate athletes from obtaining specified representation; requiring athlete agents and

attorneys to meet specified requirements; providing that specified aid for intercollegiate athletes is not compensation; prohibiting the revocation or reduction of certain aid as a result of intercollegiate athletes earning certain compensation or obtaining specified representation; providing approval requirements for certain contracts for compensation for intercollegiate athletes who are minors; providing contract requirements; prohibiting intercollegiate athletes from entering into contracts for specified compensation that conflict with terms of her or his team contract; providing intercollegiate athlete contract disclosure requirements; prohibiting an intercollegiate athlete contract from extending beyond a specified timeframe; requiring each postsecondary institution to conduct a financial literacy and life skills workshop for intercollegiate athletes; requiring the Board of Governors and the State Board of Education to adopt regulations and rules, respectively; amending s. 468.453, F.S.; providing requirements for certain athlete agents; providing an effective date.

Representative LaMarca offered the following:

(Amendment Bar Code: 370715)

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

Section 1. This act may be cited as the "Intercollegiate Athlete Bill of Rights."

Section 2. Section 1006.74, Florida Statutes, is created to read:

1006.74 Intercollegiate athlete compensation and rights.—

The Legislature finds that intercollegiate athletics provide intercollegiate athletes with significant educational opportunities. However, participation in intercollegiate athletics should not infringe upon an intercollegiate athlete's ability to earn compensation for her or his name, image, likeness, or persona. An intercollegiate athlete must have an equal opportunity to control and profit from the commercial use of her or his name, image, likeness, and persona and be protected from unauthorized appropriation and commercial exploitation of her or his right to publicity, including her or his name, image, likeness, and persona. Moreover, an intercollegiate athlete's inability to participate in intercollegiate athletics due to an injury should not impair her or his future health or academic success.

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

(a) "Athletic program" means an intercollegiate athletic program at a postsecondary educational institution.

(b) "Disability insurance" means insurance covering disability compensation benefits for an intercollegiate athlete participating in an athletic program.

(c) "Health insurance" means primary health insurance covering injuries resulting from the intercollegiate athlete's participation in an athletic program that provides for all medically necessary treatment and care until the intercollegiate athlete is restored to her or his condition before the injury.

(d) "Injury" means an injury sustained by an intercollegiate athlete while participating in an athletic program's activities.

(e) "Insurance" means health insurance and disability insurance.

(f) "Intercollegiate athlete" means a student who participates in an athletic program. The term includes a former intercollegiate athlete who suffered an injury.

(g) "Partial disability" means the intercollegiate athlete's incapacity because of the injury to earn full-time wages.

(h) "Physician" means a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a podiatric physician licensed under chapter 461, or an optometrist licensed under chapter 463.

(i) "Postsecondary educational institution" means a state university, a Florida College System institution, or a private college or university receiving aid under chapter 1009.

(j) "Total disability" means an intercollegiate athlete's inability to earn wages because of an injury.

(2) INTERCOLLEGIATE ATHLETES' COMPENSATION AND RIGHTS AND POSTSECONDARY EDUCATIONAL INSTITUTIONS RESPONSIBILITIES.—Effective July 1, 2021:

(a) An intercollegiate athlete at a postsecondary educational institution may earn compensation for her or his name, image, likeness, or persona. Such compensation must be commensurate with the market value of the services provided. To preserve the integrity, quality, character, and amateur nature of intercollegiate athletics and to maintain a clear separation between amateur intercollegiate athletics and professional sports, such compensation may not be provided in exchange for athletic performance or attendance at a particular institution.

(b) A postsecondary educational institution may not adopt or maintain a contract, rule, regulation, standard, or other requirement that prevents or unduly restricts an intercollegiate athlete from earning compensation for the use of her or his name, image, likeness, or persona. Earning such compensation may not affect the intercollegiate athlete's grant-in-aid or athletic eligibility.

(c) A postsecondary educational institution, an entity whose purpose includes supporting or benefitting the institution or its athletic programs, or an officer, director, or employee of such institution or entity may not compensate or cause compensation to be directed to a current or prospective intercollegiate athlete for her or his name, image, likeness, or persona.

(d) A postsecondary educational institution may not prevent or unduly restrict an intercollegiate athlete from obtaining professional representation by an athlete agent or attorney engaged for the purpose of securing compensation for her or his name, image, likeness, or persona. Pursuant to s. 468.453(8), an athlete agent representing an intercollegiate athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be licensed under part IX of chapter 468. An attorney representing an intercollegiate athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be a member in good standing of The Florida Bar.

(e) Grant-in-aid, including cost of attendance, awarded to an intercollegiate athlete by a postsecondary educational institution is not compensation for the purposes of this subsection, and may not be revoked or reduced as a result of an intercollegiate athlete earning compensation or obtaining professional representation under this subsection.

(f) An intercollegiate athlete under the age of 18 years must have any contract for compensation for her or his name, image, likeness, or persona approved under ss. 743.08 and 743.09.

(g) An intercollegiate athlete's contract for compensation for her or his name, image, likeness, or persona may not violate this subsection.

(h) An intercollegiate athlete may not enter into a contract for compensation for her or his name, image, likeness, or persona if a term of the contract materially conflicts with a term of the intercollegiate athlete's team contract. A postsecondary educational institution asserting a conflict under this paragraph must disclose each relevant contract term that conflicts with the team contract to the intercollegiate athlete or her or his representative.

(i) An intercollegiate athlete who enters into a contract for compensation for her or his name, image, likeness, or persona shall disclose the contract to the postsecondary educational institution at which she or he is enrolled, in a manner designated by the institution.

(j) The duration of a contract for representation of an intercollegiate athlete or compensation of an intercollegiate athlete's name, image, likeness, or persona may not extend beyond her or his participation in an athletic program at a postsecondary educational institution.

(3) POSTSECONDARY EDUCATIONAL INSTITUTION HEALTH AND DISABILITY INSURANCE REQUIREMENTS.—Each postsecondary educational institution shall:

(a)1. Maintain for each intercollegiate athlete health insurance and disability insurance that meets the requirements of subparagraphs 3. and 4., respectively, by:

a. Verifying that the intercollegiate athlete is provided the benefits required by this section by her or his own insurance or insurance provided by an immediate family member;

b. Providing insurance covering the intercollegiate athlete;

c. Participating in an insurance program, which provides at least the benefits required by this section, offered by an intercollegiate athletics sanctioning body or intercollegiate athletics association of which the postsecondary educational institution is a member; or

d. Any combination of sub-subparagraphs a.-c.

2. If the intercollegiate athlete's insurance under sub-subparagraph 1.a. lapses or does not provide the required medical benefits, the postsecondary educational institution must provide coverage under sub-subparagraph 1.b. or sub-subparagraph 1.c., or a combination thereof, beginning with the first dollar of a claim. If coverage is secured under sub-subparagraph 1.a., any deductible, copay, or coinsurance amounts must be paid by the postsecondary educational institution or an intercollegiate athletics association, conference, or organization of which the postsecondary educational institution is a member. If coverage is secured under sub-subparagraph 1.b. or sub-subparagraph 1.c., or a combination thereof, the entire premium and any deductible, copay, or coinsurance amounts must be paid by the postsecondary educational institution or an intercollegiate athletics association, conference, or organization of which the postsecondary educational institution is a member.

3. Health insurance under subparagraph 1. must include dental benefits for dental conditions related to the injury, medically necessary emergency and nonemergency medical transportation, professional and nonprofessional attendant care, prosthetics, orthotics, durable medical equipment, and medically necessary physical rehabilitation and vocational rehabilitation benefits.

4. Disability insurance under subparagraph 1. must provide at least \$400 per month for the first 12 months of total disability and \$2,700 per month for each month of total disability beyond the first 12 months of total disability; at least \$270 per month for the first 12 months of partial disability and \$1,800 per month for each month of partial disability beyond the first 12 months of partial disability; and a death benefit of at least \$25,000.

(b) Provide an intercollegiate athlete who was receiving athletic related grant-in-aid and is in good standing, an equivalent grant-in-aid for:

1. Up to one academic year or until the intercollegiate athlete completes her or his primary undergraduate degree, whichever is shorter, if the intercollegiate athlete has exhausted athletic eligibility.

2. Up to five academic years or until the intercollegiate athlete completes her or his primary undergraduate degree, whichever is shorter, if the intercollegiate athlete suffered an injury, and an independent physician with a specialty appropriate to each applicable injury determines that she or he is medically ineligible to participate in intercollegiate athletics.

(c) Conduct a financial literacy and life skills workshop for a minimum of 5 hours at the beginning of the intercollegiate athlete's first and third academic years. The workshop shall, at a minimum, include information concerning financial aid, debt management, and a recommended budget for full and partial grant-in-aid intercollegiate athletes based on the current academic year's cost of attendance. The workshop shall also include information on time management skills necessary for success as an intercollegiate athlete and available academic resources. The workshop may not include any marketing, advertising, referral, or solicitation by providers of financial products or services.

(4) LIMITATIONS.—

(a) This section does not require the medical treatment of a preexisting medical condition except to the extent that the preexisting medical condition is aggravated by the injury or treatment of the preexisting medical condition is medically necessary to the treatment of the injury.

(b) State funds may not be used to comply with the requirements of this section.

(c) An injury must be reported by the earlier of the 30th day after occurrence of the injury, the 30th day after the intercollegiate athlete knew or should have known that an injury existed, or 2 years after the intercollegiate athlete separates from the postsecondary educational institution.

(d) An intercollegiate athlete's claim for benefits related to an injury is barred after 2 years after the report of injury or 2 years after provision of compensable medical treatment, whichever is later.

(e) For a former intercollegiate athlete receiving disability compensation benefits under this section who is earning wages while receiving such benefits or is determined by a functional capacity expert to be capable of earning wages, beginning 12 months after the date of the injury, the benefit shall be reduced by an amount equal to one half of the former intercollegiate athlete's after tax earnings in excess of the base amount. The base amount shall be \$1,000 for the first 12 months the reduction provided by this paragraph is

applied and shall increase by 2.5 percent annually thereafter. If the former intercollegiate athlete is determined by a functional capacity expert to have a wage earning capacity, but is not earning wages, the disability compensation benefit shall be reduced by one-half for any period more than 12 months after the date of the injury that the former intercollegiate athlete is not earning wages, unless the former intercollegiate athlete documents her or his employment search, which must include at least four employment applications submitted monthly.

(5) REGULATIONS AND RULES.—The Board of Governors and the State Board of Education shall adopt regulations and rules, respectively, to implement this section.

Section 3. Subsections (8) and (9) are added to section 468.453, Florida Statutes, to read:

468.453 Licensure required; qualifications; license nontransferable; service of process; temporary license; license or application from another state.—

(8) Notwithstanding subsection (3), a person must hold a valid license as an athlete agent to act as an athlete agent representing an intercollegiate athlete for purposes of contracts authorized under s. 1006.74.

(9) Notwithstanding athletic conference or collegiate athletic association rules, bylaws, regulations, and policies to the contrary, an athlete agent may represent an intercollegiate athlete in securing compensation for use of her or his name, image, likeness, and persona under s. 1006.74. An athlete agent is not subject to discipline under s. 468.456(1)(k) for representing an intercollegiate athlete under s. 1006.74.

Section 4. This act shall take effect July 1, 2020.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to intercollegiate athlete compensation and rights; providing a short title; creating s. 1006.74, F.S.; providing legislative findings; providing definitions; authorizing certain intercollegiate athletes to earn compensation for their names, images, likenesses, and personas beginning on a date certain; providing requirements for such compensation; prohibiting postsecondary educational institutions from adopting or maintaining rules, regulations, standards, or other requirements that prevents or unduly restricts intercollegiate athletes from earning specified compensation; providing that certain compensation does not affect certain intercollegiate athlete eligibilities; prohibiting a postsecondary educational institution, certain entities, and specified individuals from compensating or causing compensation to be directed to intercollegiate athletes or prospective intercollegiate athletes for their names, images, likenesses, or personas; prohibiting a postsecondary educational institution from preventing or unduly restricting intercollegiate athletes from obtaining specified representation; requiring athlete agents and attorneys to meet specified requirements; providing that specified aid for intercollegiate athletes is not considered compensation; prohibiting the revocation or reduction of certain aid as a result of intercollegiate athletes earning certain compensation or obtaining specified representation; providing approval requirements for certain contracts for compensation for intercollegiate athletes who are minors; providing contract requirements; prohibiting intercollegiate athletes from entering into contracts for specified compensation that materially conflict with terms of her or his team contract; providing intercollegiate athlete contract disclosure requirements; requiring postsecondary educational institutions to maintain certain insurance for intercollegiate athletes; providing requirements for such insurance; requiring postsecondary educational institutions to provide specified grant-in-aid to intercollegiate athletes under certain circumstances and provide a specified workshop; providing requirements for such grant-in-aid and workshop; providing applicability; prohibiting the use of state funds for specified purposes; providing requirements for reporting certain injuries and claims for benefits related to certain injuries; providing requirements for certain disability compensation benefits; requiring the Board of Governors and the State Board of Education to adopt regulations and rules, respectively; amending s. 468.453, F.S.;

providing requirements for certain athlete agents; providing an exemption from specified disciplinary actions; providing an effective date.

On motion by Rep. LaMarca, the House receded from **House Amendment 1 (370715)**.

The question recurred on the passage of **CS for CS for SB 646**. The vote was:

Session Vote Sequence: 763

Speaker Oliva in the Chair.

Yeas—98

Alexander	Eagle	Leek	Rodriguez, A. M.
Aloupis	Eskamani	Magar	Rommel
Andrade	Fernández	Mariano	Roth
Antone	Fernandez-Barquin	Massullo	Sabatini
Ausley	Fetterhoff	McClain	Shoaf
Avila	Fischer	McClure	Silvers
Bell	Fitzenhagen	McGhee	Sirois
Beltran	Geller	Newton	Slosberg
Brannan	Goff-Marcil	Oliva	Smith, C.
Brown	Good	Omphroy	Sprowls
Buchanan	Gottlieb	Overdorf	Stark
Burton	Grant, M.	Payne	Stevenson
Caruso	Gregory	Perez	Stone
Cortes, J.	Grieco	Pigman	Sullivan
Cummings	Hage	Plakon	Thompson
Daley	Hart	Plasencia	Toledo
Davis	Hattersley	Polo	Tomkow
Diamond	Hill	Polsky	Valdés
DiCeglie	Hogan Johnson	Pritchett	Watson, B.
Donalds	Ingoglia	Raschein	Watson, C.
Drake	Jacquet	Renner	Webb
Driskell	Jenne	Roach	Willhite
DuBose	La Rosa	Robinson	Zika
Duggan	LaMarca	Rodrigues, R.	
Duran	Latvala	Rodriguez, A.	

Nays—14

Altman	Grall	Ponder	Williamson
Byrd	Grant, J.	Santiago	Yarborough
Clemons	Killebrew	Smith, D.	
Fine	Maggard	Trumbull	

Votes after roll call:

Yeas—Casello
Nays—Jacobs

So the bill passed. The action, together with the bill, was immediately certified to the Senate.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 764].

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 641, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

HB 641—A bill to be entitled An act relating to articulated acceleration mechanisms in education; amending s. 1007.27, F.S.; removing a limitation on the number of semester credit hours a student may be awarded in certain programs; amending s. 1011.62, F.S.; revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma beginning in a specified fiscal year; providing an effective date.

(Amendment Bar Code: 183008)

**Senate Substitute Amendment 2 for Senate Amendment 1 (534296)
(with title amendment)—**

Delete everything after the enacting clause and insert:

Section 1. Subsections (7) and (8) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.—

(7) The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive such credit shall be specified in the statewide articulation agreement required by s. 1007.23(1). Students enrolled pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether or not the student achieves a passing score on the examination.

(8) The Advanced International Certificate of Education Program and the International General Certificate of Secondary Education (pre-AICE) Program shall be the curricula in which eligible secondary students are enrolled in programs of study offered through the Advanced International Certificate of Education Program or the International General Certificate of Secondary Education (pre-AICE) Program administered by the University of Cambridge Local Examinations Syndicate. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and Advanced International Certificate of Education examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the cutoff scores, which changes have the effect of raising the required cutoff score or of changing the Advanced International Certification of Education examinations which will be used to grant postsecondary credit, shall apply to students taking Advanced International Certificate of Education examinations after such changes are adopted by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive such credit shall be determined by the Florida College System institution or university that accepts the student for admission. Students enrolled in either program of study pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether the student achieves a passing score on the examination.

Section 2. Paragraph (n) of subsection (1), and subsections (11) and (18) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(n) *Calculation of additional full-time equivalent membership based on college board advanced placement scores of students and earning college board advanced placement capstone diplomas.*—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. A value of 0.3 full-time equivalent student membership shall be calculated for each student who

receives a College Board Advanced Placement Capstone Diploma and meets the requirements for a standard high school diploma under s. 1003.4282. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded under this paragraph shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score.

(11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, the teacher salary increase allocation ~~best and brightest teacher and principal allocation~~, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

(18) TEACHER SALARY INCREASE ALLOCATION.—The Legislature may annually provide in the Florida Education Finance Program a teacher salary increase allocation to assist school districts in their recruitment and retention of classroom teachers and other instructional personnel. The amount of the allocation shall be specified in the General Appropriations Act.

(a) Each school district shall receive an allocation based on the school district's proportionate share of the base FEFP allocation. Each school district shall provide each charter school within its district its proportionate share calculated pursuant to s. 1002.33(17)(b).

(b) Allocation funds are restricted in use as follows:

1. Each school district and charter school shall use its share of the allocation to increase the minimum base salary for full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, to at least \$47,500, or to the maximum amount achievable based on the allocation and as specified in the General Appropriations Act. The term "minimum base salary" means the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. No full-time classroom teacher shall receive a salary less than the minimum base salary as adjusted by this subparagraph. This subparagraph does not apply to substitute teachers.

2. In addition, each school district shall use its share of the allocation to provide salary increases, as funding permits, for the following personnel:

a. Full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, who did not receive an increase or who received an increase of less than two percent under subparagraph 1. or as specified in the General Appropriations Act. This subparagraph does not apply to substitute teachers.

b. Other full-time instructional personnel as defined in s. 1012.01(2)(b)-(d).

3. A school district or charter school may use funds available after the requirements of subparagraph 1. are met to provide salary increases pursuant to subparagraph 2.

4. A school district or charter school shall maintain the minimum base salary achieved for classroom teachers provided under subparagraph 1. and may not reduce the salary increases provided under subparagraph 2. in any subsequent fiscal year, unless specifically authorized in the General Appropriations Act.

(c) Before distributing allocation funds received pursuant to paragraph (a), each school district and each charter school shall develop a salary distribution plan that clearly delineates the planned distribution of funds pursuant to paragraph (b) in accordance with modified salary schedules, as necessary, for the implementation of this subsection.

1. Each school district superintendent and each charter school administrator must submit its proposed salary distribution plan to the district school board or the charter school governing body, as appropriate, for approval.

2. Each school district shall submit the approved district salary distribution plan, along with the approved salary distribution plan for each charter school in the district, to the department by October 1 of each fiscal year.

(d) In a format specified by the department, provide as follows:

1. By December 1, each school district shall provide a preliminary report to the department that includes a detailed summary explaining the school district's planned expenditure of the entire allocation for the district received pursuant to paragraph (a), the amount of the increase to the minimum base salary for classroom teachers pursuant to paragraph (b), and the school district's salary schedule for the prior fiscal year and the fiscal year in which the base salary is increased. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district's preliminary report to the department.

2. By February 1, the department shall submit to the Governor, President of the Senate, and the Speaker of the House, a statewide report on the planned expenditure of the teacher salary increase allocation, which includes the detailed summary provided by each school district and charter school.

3. By August 1, each school district shall provide a final report to the department with the information required in subparagraph 1. for the prior fiscal year. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district's final report to the department.

(e) Although district school boards and charter school governing boards are not precluded from bargaining over wages, the teacher salary increase allocation must be used solely to comply with the requirements of this section. A district school board or charter school governing board that is unable to meet the reporting requirements specified in paragraphs (c) or (d) due to a collective bargaining impasse must provide written notification to department or district school board, as applicable, detailing the reasons for the impasse with a proposed timeline and details for a resolution.

(f) Notwithstanding any other provision of law, funds allocated under this subsection shall not be included in the calculated amount for any scholarship awarded under chapter 1002.

THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL ALLOCATION.—

(a) The Florida Best and Brightest Teacher and Principal Allocation is created to recruit, retain, and recognize classroom teachers and instructional personnel who meet the criteria established in s. 1012.731 and reward principals who meet the criteria established in s. 1012.732. Subject to annual appropriation, each school district shall receive an allocation based on the district's proportionate share of FEFP base funding. The Legislature may specify a minimum allocation for all districts in the General Appropriations Act.

(b) From the allocation, each district shall provide the following:

1. A one-time recruitment award, as provided in s. 1012.731(3)(a);

2. A retention award, as provided in s. 1012.731(3)(b); and

3. A recognition award, as provided in s. 1012.731(3)(c) from the remaining balance of the appropriation after the payment of all other awards authorized under ss. 1012.731 and 1012.732.

~~(e) From the allocation, each district shall provide eligible principals an award as provided in s. 1012.732(3).~~

~~If a district's calculated awards exceed the allocation, the district may prorate the awards.~~

~~Section 3. Section 1012.731, Florida Statutes, is repealed.~~

~~Section 4. Section 1012.732, Florida Statutes, is repealed.~~

~~Section 5. Effective upon becoming law, subsection (5) is added to section 1006.33, Florida Statutes, to read:~~

~~1006.33 Bids or proposals; advertisement and its contents.—~~

~~(5) Notwithstanding the requirements of this section and rules adopted to implement this section, for the 2020 adoption cycle, the department may establish timeframes for the advertisement and submission of bids for instructional materials. This subsection expires July 1, 2022.~~

~~Section 6. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.~~

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to funds for the operation of schools; amending s. 1007.27, F.S.; removing a limitation on the number of semester credit hours a student may be awarded in certain programs; amending s. 1011.62, F.S.; revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma beginning in a specified fiscal year; conforming provision to changes made by the act; creating the teacher salary increase allocation; providing that each school district shall receive the teacher salary allocation based on a certain calculation; providing restrictions on the use of funds from the teacher salary allocation; defining the term, "minimum base salary"; providing funding priority for certain instructional personnel; prohibiting a school district or charter school from reducing the base minimum salary; providing an exception; providing that each school district and charter school must submit a proposed salary distribution plan for approval to the district school board or charter school governing body, as applicable; providing that each school district and charter school governing body shall submit a preliminary report of the distribution plans to the Department of Education by a certain date; requiring that final reports must be filed by a certain date; providing the department must submit a report that contains specified information to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a certain date; requiring a district school board or a charter school governing board that is unable to meet reporting requirements to provide written notification to the department or a district school board, as applicable, and requiring the notification to include specified information; prohibiting funds from being included in the calculated amount for specified scholarships; deleting the Florida Best and Brightest Allocation; repealing s. 1012.731, F.S., relating to the Florida Best and Brightest Teacher Program; repealing s. 1012.732, F.S., relating to the Florida Best and Brightest Principal Program; amending s. 1006.33, F.S.; providing the department may establish timeframes for the advertisement and submission of bids for instructional materials for the 2020 adoption cycle; providing an expiration date; providing effective dates.

Rep. Plasencia moved the House concur in **Senate Substitute Amendment 2**.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the motion to concur in **Senate Substitute Amendment 2**, which was agreed to.

The question recurred on the passage of **HB 641**. The vote was:

Session Vote Sequence: 765

Representative Magar in the Chair.

Yeas—112

Alexander	Eagle	Latvala	Rodriguez, A. M.
Aloupis	Eskamani	Leek	Rommel
Altman	Fernández	Magar	Roth
Andrade	Fernandez-Barquin	Maggard	Sabatini
Antone	Fetterhoff	Mariano	Santiago
Ausley	Fine	Massullo	Shoaf
Avila	Fischer	McClain	Silvers
Bell	Fitzenhagen	McClure	Sirois
Beltran	Geller	McGhee	Slosberg
Brannan	Goff-Marcil	Newton	Smith, C.
Brown	Good	Oliva	Smith, D.
Buchanan	Gottlieb	Omphroy	Sprowls
Burton	Grall	Overdorf	Stark
Byrd	Grant, J.	Payne	Stevenson
Caruso	Grant, M.	Perez	Stone
Clemons	Gregory	Pigman	Sullivan
Cortes, J.	Grieco	Plakon	Thompson
Cummings	Hage	Plasencia	Toledo
Daley	Hart	Polo	Tomkow
Davis	Hattersley	Polsky	Trumbull
Diamond	Hill	Ponder	Valdés
DiCeglie	Hogan Johnson	Pritchett	Watson, B.
Donalds	Ingoglia	Raschein	Watson, C.
Drake	Jacquet	Renner	Webb
Driskell	Jenne	Roach	Willhite
DuBose	Killebrew	Robinson	Williamson
Duggan	La Rosa	Rodrigues, R.	Yarborough
Duran	LaMarca	Rodriguez, A.	Zika

Nays—None

Votes after roll call:

Yeas—Casello, Jacobs, Joseph, Mercado, Williams

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

Recessed

The House recessed at 10:08 p.m., to reconvene upon call of the Chair.

Reconvened

The House was called to order by the Speaker at 10:25 p.m. A quorum was present [Session Vote Sequence: 766].

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has refused to concur in House Amendment 1 (288171) to CS for CS for CS for SB 1066 and requests the House to recede.

Debbie Brown, Secretary

By the Committees on Appropriations; Finance and Tax; and Community Affairs; and Senator Gruters—

CS for CS for CS for SB 1066—A bill to be entitled An act relating to impact fees; amending s. 163.31801, F.S.; prohibiting new or increased impact fees from applying to certain applications; providing an exception; providing applicability; providing a calculation on which contributions to mitigate impacts not otherwise funded by impact fees must be based; prohibiting such contributions from being collected before the issuance of building permits; providing that impact fee credits are assignable and transferable under certain conditions; providing an effective date.

Representative DiCeglie offered the following:

(Amendment Bar Code: 288171)

Amendment 1 (with title amendment)—Remove lines 83-101 and insert: market value.

TITLE AMENDMENT

Remove lines 4-9 and insert:
applying to certain applications; providing

On motion by Rep. DiCeglie, the House insisted on **House Amendment 1 (288171)** and again requested the Senate to concur. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7065, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/HB 7065—A bill to be entitled An act relating to school safety; amending s. 943.082, F.S.; requiring the FortifyFL reporting tool to notify reporting parties that submitting false information may subject them to criminal penalties; providing that certain reports shall remain anonymous; amending s. 943.687, F.S.; revising the membership of the Marjory Stoneman Douglas High School Public Safety Commission; amending s. 985.12, F.S.; requiring law enforcement officers to have access to specified information by a certain date for specified purposes; amending s. 1001.11, F.S.; requiring the Commissioner of Education to oversee compliance with requirements relating to school safety and security; requiring the commissioner to take specified actions under certain circumstances relating to noncompliance; amending s. 1001.20, F.S.; requiring the Office of Inspector General to take specified actions for an investigation relating to noncompliance with school safety and security requirements under certain circumstances; authorizing the office to issue and serve certain subpoenas for specified purposes; authorizing the office to take specified actions relating to noncompliance with such subpoenas; amending s. 1001.212, F.S.; requiring the Office of Safe Schools to provide certain opportunities to charter school personnel; requiring such office to coordinate with specified entities to provide a specified tool for certain purposes and a model family reunification plan for certain purposes; amending s. 1002.33, F.S.; revising provisions relating to the immediate termination of a charter school's charter; amending s. 1006.07, F.S.; requiring codes of student conduct to include provisions relating to civil citation or similar prearrest diversion programs for specified purposes; requiring codes of student conduct to include provisions relating to the assignment of students to school-based intervention programs; prohibiting participation in such programs from being entered into a specified system; authorizing certain procedures to include accommodations for specified drills; requiring district school boards and charter school governing boards, in coordination with local law enforcement agencies, to adopt a family reunification plan for specified purposes; providing requirements for members of a threat assessment team; amending s. 1006.12, F.S.; revising provisions relating to the duties of school safety officers; requiring the district school superintendent or charter school administrator to provide certain notifications relating to safe-school officers; requiring safe-school officers to complete a specified training; providing requirements for such training; requiring individuals to meet certain criteria before participating in specified training; providing requirements for such training; requiring school districts to provide charter schools with specified safe-school officers under additional circumstances; amending s. 1006.13, F.S.; requiring certain agreements between district school boards and specified law enforcement to disclose procedures relating to the arrest of certain minors on school grounds; amending s. 1006.1493, F.S.; requiring the Florida Safe Schools Assessment Tool to address policies and procedures relating to certain disasters; amending

s. 1008.32, F.S.; authorizing the state board to direct a school district to suspend the salaries of specified individuals under certain circumstances relating to school safety; amending s. 1011.62, F.S.; revising the mental health assistance allocation plans to include policies and procedures relating to certain behavioral health services available to such students; requiring schools districts to use specified services from certain teams; providing requirements for referrals to certain behavioral health services; providing effective dates.

(Amendment Bar Code: 880876)

Senate Amendment 1 (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. Paragraph (k) of subsection (1) of section 30.15, Florida Statutes, is amended to read:

30.15 Powers, duties, and obligations.—

(1) Sheriffs, in their respective counties, in person or by deputy, shall:

(k) Assist district school boards and charter school governing boards in complying with s. 1006.12. A sheriff must, at a minimum, provide access to a Coach Aaron Feis Guardian Program training to aid in the prevention or abatement of active assailant incidents on school premises, as required under this paragraph. Persons certified as Feis guardian program certified school guardians or Feis guardian program certified school security guards pursuant to this paragraph do not have ~~no~~ authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

1.a. If a local school board has voted by a majority to implement a Feis guardian program, the sheriff in that county shall establish a Feis guardian program to provide training, pursuant to subparagraph 2., to school district or charter school employees directly; through a contract with an entity selected by the local sheriff, provided that the local sheriff oversees, supervises, and certifies all aspects of the contract governing the Feis guardian program for the local jurisdiction; ~~either directly or~~ through a contract with another sheriff's office that has established a Feis guardian program; or through any combination thereof.

b. A charter school governing board in a school district that has not voted, or has declined, to implement a Feis guardian program may request the sheriff in the county to establish a Feis guardian program for the purpose of training the charter school employees. If the county sheriff denies the request, the charter school governing board may contract with a sheriff that has established a Feis guardian program to provide such training. The charter school governing board must notify, in writing, the superintendent and the sheriff in the charter school's county of the contract prior to its execution.

c. The sheriff conducting the Feis guardian program training pursuant to subparagraph 2. shall not be reimbursed by the Department of Education for screening-related and training-related costs for Feis guardian program certified school guardians and Feis guardian program certified school security guards as provided in s. 1006.12(3) and (4), respectively, and for providing a one-time stipend of \$500 to each Feis guardian program certified school guardian who participates in the Feis school guardian program as an employee of a school district or charter school.

2. A sheriff who establishes a Feis guardian training program shall consult with the Department of Law Enforcement on programmatic guiding principles, practices, and resources, and shall certify, without the power of arrest, Feis guardian program certified school guardians, ~~without the power of arrest,~~ school employees, as specified in s. 1006.12(3) and Feis guardian program certified school security guards as specified in s. 1006.12(4); who:

a. Hold a valid license issued under s. 790.06, applicable to district or school employees serving as Feis guardian program certified school guardians pursuant to s. 1006.12(3); or hold a valid Class "D" and Class "G" license issued under chapter 493, applicable to individuals contracted to serve as Feis guardian program certified school security guards under s. 1006.12(4).

b. Complete a 144-hour training program, consisting of 12 hours of certified nationally recognized diversity training and 132 total hours of comprehensive firearm safety and proficiency training, conducted by

Criminal Justice Standards and Training Commission-certified instructors who hold active instructional certifications, which must include:

(I) Eighty hours of firearms instruction based on the Criminal Justice Standards and Training Commission's Law Enforcement Academy training model, which must include at least 10 percent but no more than 20 percent more rounds fired than associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training.

(II) Sixteen hours of instruction in precision pistol. Training must include night and low-light shooting conditions.

(III) Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises.

(IV) Eight hours of instruction in active shooter or assailant scenarios.

(V) Eight hours of instruction in defensive tactics.

(VI) Twelve hours of instruction in legal issues.

c. Submit to and pass a psychological evaluation administered by a licensed professional psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff's office. The sheriff's office must review and approve the results of each applicant's psychological evaluation before accepting the applicant into the Feis guardian program. The Department of Law Enforcement is authorized to provide the sheriff's office with mental health and substance abuse data for compliance with this paragraph.

d. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff's office. The sheriff's office must review and approve the results of each applicant's drug tests before accepting the applicant into the Feis guardian program.

e. Successfully complete ongoing training conducted by a Criminal Justice Standards and Training Commission-certified instructor who holds an active instructional certification, weapon inspection, and firearm qualification on at least an annual basis, as required by the sheriff's office.

The sheriff who conducts the Feis guardian program training pursuant to this paragraph shall issue a Feis school guardian program certificate to individuals who meet the requirements of this section to the satisfaction of the sheriff, and shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each Feis guardian program certified school guardian and Feis guardian program certified school security guard certified by the sheriff. An individual who is certified under this paragraph may serve as a Feis guardian program certified school guardian under s. 1006.12(3) or a Feis guardian program certified school security guard under s. 1006.12(4) only if he or she is appointed by the applicable district school superintendent school district superintendent or charter school administrator principal.

Section 2. Effective October 1, 2020, paragraph (c) is added to subsection (2) of section 943.082, Florida Statutes, to read:

943.082 School Safety Awareness Program.—

(2) The reporting tool must notify the reporting party of the following information:

(c) That, if following investigation, it is determined that a person knowingly submitted a false tip through FortifyFL, the IP address of the device on which the tip was submitted will be provided to law enforcement agencies for further investigation and the reporting party may be subject to criminal penalties under s. 837.05. In all other circumstances, unless the reporting party has chosen to disclose his or her identity, the report must remain anonymous.

Section 3. Effective upon becoming a law, paragraph (a) of subsection (2) of section 943.687, Florida Statutes, is amended to read:

943.687 Marjory Stoneman Douglas High School Public Safety Commission.—

(2)(a)1. The commission shall convene no later than June 1, 2018, and shall be composed of 16 members. Five members shall be appointed by the President of the Senate, five members shall be appointed by the Speaker of the House of Representatives, and five members shall be appointed by the Governor. From the members of the commission, the Governor shall appoint the chair. Appointments must be made by April 30, 2018. The Commissioner of the Department of Law Enforcement shall serve as a member of the commission. The Secretary of Children and Families, the Secretary of

Juvenile Justice, the Secretary of Health Care Administration, and the Commissioner of Education shall serve as ex officio, nonvoting members of the commission. Members shall serve at the pleasure of the officer who appointed the member. A vacancy on the commission shall be filled in the same manner as the original appointment.

2. In addition to the membership requirements of subparagraph 1., beginning June 1, 2020, the commission shall include five additional members. The additional members must be appointed by May 30, 2020. Three of the additional members must be selected from among the state's actively serving district school superintendents and public school principals and classroom teachers, one each by the Governor, the President of the Senate, and the Speaker of the House of Representatives. The Governor shall select the remaining two members from a list of at least five individuals recommended by the president of the NAACP Florida State Conference and the Florida Consortium of Urban League Affiliates, but the Governor may reject all of the recommended individuals for the commission and request a new list of at least five different recommended individuals who have not been previously recommended.

3. When making membership appointments to the commission, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall consider appointees who reflect Florida's racial, ethnic, and gender diversity and, to the maximum extent possible, give consideration to achieving a balance of public school, law enforcement, and health care professional representation. Efforts shall also be taken to ensure participation from all geographic areas of the state, including representation from urban and rural communities.

Section 4. Section 985.031, Florida Statutes, is created to read:

985.031 Age limitation; exception.—

(1) This section may be cited as the "Kaia Rolle Act."

(2) A child younger than 7 years of age may not be adjudicated delinquent, arrested, or charged with a violation of law or a delinquent act on the basis of acts occurring before he or she reaches 7 years of age.

(3) Notwithstanding this section, a child who commits a forcible felony as defined in s. 776.08 may be adjudicated delinquent, arrested, or charged with a violation of law or a delinquent act.

Section 5. Paragraphs (c) and (f) of subsection (2) of section 985.12, Florida Statutes, are amended to read:

985.12 Civil citation or similar prearrest diversion programs.—

(2) JUDICIAL CIRCUIT CIVIL CITATION OR SIMILAR PREARREST DIVERSION PROGRAM DEVELOPMENT, IMPLEMENTATION, AND OPERATION.—

(c) The state attorney of each circuit shall operate a civil citation or similar prearrest diversion program in each circuit. A sheriff, police department, county, municipality, locally authorized entity, or public or private educational institution may continue to operate an independent civil citation or similar prearrest diversion program that is in operation as of October 1, 2018, if the independent program is reviewed by the state attorney of the applicable circuit and he or she determines that the independent program is substantially similar to the civil citation or similar prearrest diversion program developed by the circuit. If the state attorney determines that the independent program is not substantially similar to the civil citation or similar prearrest diversion program developed by the circuit, the operator of the independent diversion program may revise the program and the state attorney may conduct an additional review of the independent program. The state attorney of each judicial circuit shall monitor and enforce compliance with school-based diversion program requirements.

(f) Each civil citation or similar prearrest diversion program shall enter the appropriate youth data into the Juvenile Justice Information System Prevention Web within 7 days after the admission of the youth into the program. Beginning in fiscal year 2021-2022, law enforcement officers must have field access to civil citation and prearrest diversion information.

Section 6. Subsection (9) of section 1001.11, Florida Statutes, is amended to read:

1001.11 Commissioner of Education; other duties.—

(9) With the intent of ensuring safe learning and teaching environments, the commissioner shall oversee compliance with education-related health, the safety, welfare, and security requirements of law the Marjory Stoneman

Douglas High School Public Safety Act, chapter 2018-3, Laws of Florida, by school districts; district school superintendents; and public schools, including charter schools. The commissioner shall ~~must~~ facilitate compliance to the maximum extent provided under law, identify incidents of material noncompliance, and impose or recommend to the State Board of Education, the Governor, or the Legislature enforcement and sanctioning actions pursuant to s. 1001.42, s. 1001.51, chapter 1002, and s. 1008.32, and other authority granted under law. For purposes of this subsection and ss. 1001.42(13)(b) and 1001.51(12)(b), the duties assigned to a district school superintendent apply to charter school administrative personnel as defined in s. 1012.01(3), and charter school governing boards shall designate at least one administrator to be responsible for such duties. The duties assigned to a district school board apply to a charter school governing board.

Section 7. Present subsections (14) and (15) of section 1001.212, Florida Statutes, are redesignated as subsections (15) and (16), respectively, a new subsection (14) is added to that section, and subsections (2), (4), (6), and (8) of that section are amended, to read:

1001.212 Office of Safe Schools.—There is created in the Department of Education the Office of Safe Schools. The office is fully accountable to the Commissioner of Education. The office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning. The office shall:

(2) Provide ongoing professional development opportunities to school district and charter school personnel.

(4) Develop and implement a School Safety Specialist Training Program for school safety specialists appointed pursuant to s. 1006.07(6). The office shall develop the training program, which shall be based on national and state best practices on school safety and security and must include active shooter training. Training must be developed in consultation with the Florida Department of Law Enforcement and include information about federal and state laws regarding education records, medical records, data privacy, and incident reporting requirements, particularly with respect to behavioral threat assessment and emergency planning and response procedures. The office shall develop training modules in traditional or online formats. A school safety specialist certificate of completion shall be awarded to a school safety specialist who satisfactorily completes the training required by rules of the office.

(6) Coordinate with the Department of Law Enforcement to provide a unified search tool, known as the Florida Schools Safety Portal, centralized integrated data repository and data analytics resources to improve access to timely, complete, and accurate information integrating data from, at a minimum, ~~but not limited to,~~ the following data sources by August 1, 2019:

- (a) Social media Internet posts;
- (b) Department of Children and Families;
- (c) Department of Law Enforcement;
- (d) Department of Juvenile Justice;
- (e) Mobile suspicious activity reporting tool known as FortifyFL;
- (f) School ~~environmental~~ safety incident reports collected under subsection (8); and
- (g) Local law enforcement.

Data that is exempt or confidential and exempt from public records requirements retains its exempt or confidential and exempt status when incorporated into the centralized integrated data repository. To maintain the confidentiality requirements attached to the information provided to the centralized integrated data repository by the various state and local agencies, data governance and security shall ensure compliance with all applicable state and federal data privacy requirements through the use of user authorization and role-based security, data anonymization and aggregation and auditing capabilities. To maintain the confidentiality requirements attached to the information provided to the centralized integrated data repository by the various state and local agencies, each source agency providing data to the repository shall be the sole custodian of the data for the purpose of any request for inspection or copies thereof under chapter 119. The department shall only allow access to data from the source agencies in accordance with rules adopted by the respective source agencies and the requirements of the

Federal Bureau of Investigation Criminal Justice Information Services security policy, where applicable.

(8) Oversee, facilitate, and coordinate district and school compliance with school safety incident reporting requirements in accordance with rules adopted by the state board enacting the school safety incident reporting requirements of this subsection, s. 1006.07(9), and other statutory safety incident reporting requirements. The office shall:

(a) Provide technical assistance to school districts and charter school governing boards and administrators for school ~~environmental~~ safety incident reporting as required under s. 1006.07(9).

(b) ~~The office shall~~ Collect data through school ~~environmental~~ safety incident reports on incidents involving any person which occur on school premises, on school transportation, and at off-campus, school-sponsored events.

(c) Review and evaluate safety incident reports of each ~~The office shall review and evaluate~~ school district and charter school and other entities, as may be required by law, reports to ensure compliance with reporting requirements. The office shall timely notify the commissioner of all incidents of material noncompliance for purposes of invoking the commissioner's responsibilities provided under s. 1001.11(9). Upon notification by the commissioner ~~department~~ that a superintendent or charter school administrator has, based on clear and convincing evidence, failed to comply with the requirements of s. 1006.07(9), the district school board or charter school governing board, as applicable, shall withhold further payment of his or her salary as authorized under s. 1001.42(13)(b) and impose other appropriate sanctions that the commissioner or state board by law may impose, pending demonstration of full compliance.

(14) Develop, in coordination with the Division of Emergency Management, other federal, state, and local law enforcement agencies, fire and rescue agencies, and first responder agencies, a model emergency event family reunification plan for use by child care facilities, public K-12 schools, and public postsecondary institutions that are closed or unexpectedly evacuated due to natural or manmade disasters or emergencies.

Section 8. Paragraph (c) of subsection (8) and paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(c) A charter may be terminated immediately if the sponsor sets forth in writing to the charter school's governing board, the charter school administrator, and the department the particular facts and circumstances demonstrating indicating that an immediate and serious danger to the health, safety, or welfare of the charter school's students exists and the immediate and serious danger is likely to continue. The sponsor's determination is subject to the procedures set forth in paragraph (b), except that the hearing may take place after the charter has been terminated. The sponsor shall notify in writing the charter school's governing board, the charter school administrator principal, and the department if a charter is terminated immediately. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination, if applicable when appropriate. Upon receiving written notice from the sponsor, the charter school's governing board has 10 calendar days to request a hearing. A requested hearing must be expedited and the final order must be issued within 60 days after the date of request. The sponsor shall assume operation of the charter school throughout the pendency of the hearing under paragraph (b) unless the continued operation of the charter school would materially threaten the health, safety, or welfare of the students. Failure by the sponsor to assume and continue operation of the charter school shall result in the awarding of reasonable costs and attorney's fees to the charter school if the charter school prevails on appeal.

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall demonstrate and certify in its contract, and if necessary through addendum to its contract, the charter school's be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
2. Chapter 119, relating to public records.

3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.

7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

8. Section 1006.12, relating to safe-school officers.

9. Section 1006.07(7), relating to threat assessment teams.

10. Section 1006.07(9), relating to school ~~Environmental~~ safety incident reporting.

11. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.

12. Section 1006.07(6)(c), relating to adopting an active assailant response plan.

13. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.

14. Section 1012.584, relating to youth mental health awareness and assistance training.

15. Section 1006.07(4), relating to emergency drills and emergency procedures.

16. Section 1006.07(2)(n)-(o), relating to student civil citation or similar prearrest diversion programs and intervention programs.

Section 9. Paragraph (r) is added to subsection (1) of section 1002.421, Florida Statutes, to read:

1002.421 State school choice scholarship program accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01(2) in this state, be registered, and be in compliance with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools, and must:

(r) Comply with s. 1006.07(2)(n).

The department shall suspend the payment of funds to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies. If a private school fails to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (q), the commissioner may determine that the private school is ineligible to participate in a scholarship program.

Section 10. Subsection (2) of section 1003.25, Florida Statutes, is amended to read:

1003.25 Procedures for maintenance and transfer of student records.—

(2) The procedure for transferring and maintaining records of students who transfer from school to school shall be prescribed by rules of the State Board of Education. The transfer of records shall occur within 5 ~~3~~ school days. The records shall include:

(a) Verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services.

(b) Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district or charter school staff, as appropriate.

Section 11. Paragraph (d) is added to subsection (2) of section 1003.5716, Florida Statutes, to read:

1003.5716 Transition to postsecondary education and career opportunities.—All students with disabilities who are 3 years of age to 21 years of age have the right to a free, appropriate public education. As used in this section, the term "IEP" means individual education plan.

(2) Beginning not later than the first IEP to be in effect when the student attains the age of 16, or younger if determined appropriate by the parent and

the IEP team, the IEP must include the following statements that must be updated annually:

(d) Beginning in the 2021-2022 school year, the transition plan must identify continuity of care and coordination of any behavioral health services the student may need.

Section 12. Paragraph (a) of subsection (4), paragraph (a) of subsection (6), paragraphs (a) and (e) of subsection (7), and subsection (9) of section 1006.07, Florida Statutes, are amended, and paragraphs (n) and (o) of subsection (2), paragraph (d) of subsection (4), and subsection (10) are added to that section, to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(2) CODE OF STUDENT CONDUCT.—Adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year. Each code shall be organized and written in language that is understandable to students and parents and shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings. Each code shall be based on the rules governing student conduct and discipline adopted by the district school board and shall be made available in the student handbook or similar publication. Each code shall include, but is not limited to:

(n) Criteria for recommending to law enforcement that a student who commits a criminal offense be allowed to participate in a civil citation or similar prearrest diversion program as an alternative to expulsion or arrest. All civil citation or similar prearrest diversion programs must comply with s. 985.12.

(o) Criteria for assigning a student who commits a petty act of misconduct, as defined by the district school board pursuant to s. 1006.13(2)(c), to a school-based intervention program. A student's participation in a school-based intervention program may not be entered into the Juvenile Justice Information System Prevention Web.

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(a) Formulate and prescribe policies and procedures, in consultation with the appropriate public safety agencies, for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, active shooter and hostage situations, and bomb threats, for all students and faculty at all public schools of the district comprised of grades K-12. Drills for active shooter and hostage situations shall be conducted in accordance with developmentally appropriate and age-appropriate procedures at least as often as other emergency drills. The department shall issue guidance to districts regarding emergency drill policies and procedures, with reference to the recommendations made by the Marjory Stoneman Douglas High School Public Safety Commission regarding emergency drills, including, but not limited to, the number and frequency of, and student exemption from, emergency drills. Law enforcement officers responsible for responding to the school in the event of an active assailant emergency, as determined necessary by the sheriff in coordination with the district's school safety specialist, must be physically present on campus and directly involved in the execution of active assailant emergency drills. District school board policies shall include commonly used alarm system responses for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes and may provide accommodations for drills conducted by ESE centers. The emergency response policy shall identify the individuals responsible for contacting the primary emergency response agency and the emergency response agency that is responsible for notifying the school district for each type of emergency.

(d) Consistent with subsection (10), as a component of emergency procedures, each district school board and charter school governing board must adopt, in coordination with local law enforcement agencies, an emergency event family reunification plan to reunite students and employees with their families in the event of a mass casualty or other emergency event situation.

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.

(a) Each district school superintendent shall designate a school safety specialist for the district. The school safety specialist must be a school administrator employed by the school district or a law enforcement officer employed by the sheriff's office located in the school district. Any school safety specialist designated from the sheriff's office must first be authorized and approved by the sheriff employing the law enforcement officer. Any school safety specialist designated from the sheriff's office remains the employee of the office for purposes of compensation, insurance, workers' compensation, and other benefits authorized by law for a law enforcement officer employed by the sheriff's office. The sheriff and the school superintendent may determine by agreement the reimbursement for such costs, or may share the costs, associated with employment of the law enforcement officer as a school safety specialist. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year after appointment and is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist shall:

1. Review school district policies and procedures for compliance with state law and rules, including the district's timely and accurate submission of school ~~environmental~~ safety incident reports to the department pursuant to s. 1001.212(8).

2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security.

3. Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

4. In collaboration with the appropriate public safety agencies, as that term is defined in s. 365.171, by October 1 of each year, conduct a school security risk assessment at each public school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493. Based on the assessment findings, the district's school safety specialist shall provide recommendations to the district school superintendent and the district school board which identify strategies and activities that the district school board should implement in order to address the findings and improve school safety and security. Each district school board must receive such findings and the school safety specialist's recommendations at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the findings and recommendations. Each school safety specialist shall report such findings and school board action to the Office of Safe Schools within 30 days after the district school board meeting.

(7) THREAT ASSESSMENT TEAMS.—Each district school board shall adopt policies for the establishment of threat assessment teams at each school whose duties include the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Office of Safe Schools. Such policies must include procedures for referrals to mental health services identified by the school district pursuant to s. 1012.584(4), when appropriate, and procedures for behavioral threat assessments in compliance with the instrument developed pursuant to s. 1001.212(12).

(a) A threat assessment team shall include a sworn law enforcement officer who has undergone threat assessment training identified by the Office of Safe Schools pursuant to s. 1001.212, and persons with expertise in counseling, instruction, and school administration, and law enforcement. All required members of the threat assessment team must be involved in the threat assessment process, from start to finish, including the determination of the final disposition decision. The threat assessment teams shall identify members of the school community to whom threatening behavior should be

reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self. Upon the availability of the behavioral threat assessment instrument developed pursuant to s. 1001.212(12), the threat assessment team shall use that instrument.

(e) If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary followup actions.

1. Upon the student's transfer to a different school within the district, the threat assessment team or school administration shall verify that the receiving school has received the student's records identifying the intervention services the student received. The receiving school must provide similar intervention services to the student within its programs and practices, as applicable, until the threat assessment team of the receiving school independently determines the need for and composition of intervention services.

2. Upon the student's transfer to another school district within the state, the threat assessment team or school administration shall verify the receipt of records by the receiving school. The receiving school must provide similar intervention services to the student within its programs and practices, as applicable, until the threat assessment team shall verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for and composition of intervention services.

(9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each district school board shall adopt policies to ensure the accurate and timely reporting of incidents related to school safety and discipline. For purposes of s. 1001.212(8) and this subsection, incidents related to school safety and discipline include incidents reported pursuant to ss. 1006.09, 1006.13, 1006.135, 1006.147, and 1006.148. The district school superintendent is responsible for school ~~environmental~~ safety incident reporting. A district school superintendent who fails to comply with this subsection is subject to the penalties specified in law, including, but not limited to, s. 1001.42(13)(b) or s. 1001.51(12)(b), as applicable. The State Board of Education shall adopt rules establishing the requirements for the school ~~environmental~~ safety incident reporting report.

(10) EMERGENCY EVENT FAMILY REUNIFICATION POLICIES AND PLANS.—By August 1, 2021, each district school board shall adopt a school district emergency event family reunification policy establishing elements and requirements for a school district emergency event family reunification plan and individual school-based emergency event family reunification plans for the purpose of reuniting students and employees with their families in the event of a mass casualty or other emergency event situation.

(a) School district policies and plans must be coordinated with the county sheriff and local law enforcement. School-based plans must be consistent with school board policy and the school district plan. The school board is encouraged to apply model mass casualty death notification and reunification policies and practices referenced in reports published pursuant to s. 943.687 and as developed by the Office of Safe Schools.

(b) Minimally, plans must identify potential reunification sites and ensure a unified command at each site, identify equipment needs, provide multiple methods of communication with family members of students and staff, address training for employees, and provide multiple methods to aid law enforcement in identification of students and staff, including written backup documents.

Section 13. Subsection (6) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety.—

(6) Each school principal must ensure that standardized forms prescribed by rule of the State Board of Education are used to report data concerning school safety and discipline to the department through the School Environmental Safety Incident Reporting (SESIR) System. The school principal must develop a plan to verify the accuracy of reported incidents.

Section 14. Section 1006.12, Florida Statutes, is amended to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and ~~district school district~~ superintendent shall partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement one or more any combination of the options specified in subsections (1)-(4) to best meet the needs of the school district and charter schools.

(1) SWORN LAW ENFORCEMENT SCHOOL RESOURCE OFFICER.—A school district may establish school resource officer programs through a cooperative agreement with law enforcement agencies.

(a) Sworn law enforcement school resource officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee's tenure as a sworn law enforcement school resource officer.

(b) Sworn law enforcement school resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the sworn law enforcement school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

(c) Sworn law enforcement school resource officers shall complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(2) SWORN LAW ENFORCEMENT SCHOOL SAFETY OFFICER.—A school district may commission one or more sworn law enforcement school safety officers for the protection and safety of school personnel, property, and students within the school district. The district school superintendent may recommend, and the district school board may appoint, one or more sworn law enforcement school safety officers.

(a) Sworn law enforcement school safety officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be law enforcement officers, as defined in s. 943.10(1), certified under ~~the provisions of~~ chapter 943 and employed by either a law enforcement agency or by the district school board. If the officer is employed by the district school board, the district school board is the employing agency for purposes of chapter 943, and must comply with ~~the provisions of~~ that chapter.

(b) A sworn law enforcement school safety officer has and shall exercise the power to make arrests for violations of law on district school board property or on property owned or leased by a charter school under the charter contract, as applicable, and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A sworn law enforcement school safety officer has the authority to carry weapons when performing his or her official duties.

(c) A district school board may enter into mutual aid agreements with one or more law enforcement agencies as provided in chapter 23. A sworn law enforcement school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed to.

(d) Sworn law enforcement school safety officers shall complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training

must improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(3) FEIS GUARDIAN PROGRAM CERTIFIED SCHOOL GUARDIAN.—At the school district's or the charter school governing board's discretion, as applicable, pursuant to s. 30.15, a school district or charter school governing board may participate in the Coach Aaron Feis Guardian Program to meet the requirement of establishing a safe-school officer. The following individuals may serve as a Feis guardian program certified school guardian, in support of school-sanctioned activities for purposes of s. 790.115, upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff:

(a) A school district employee or personnel, as defined under s. 1012.01, or a charter school employee, as provided under s. 1002.33(12)(a), who volunteers to serve as a Feis guardian program certified school guardian in addition to his or her official job duties; or

(b) An employee of a school district or a charter school who is hired for the specific purpose of serving as a Feis guardian program certified school guardian.

(4) FEIS GUARDIAN PROGRAM CERTIFIED SCHOOL SECURITY GUARD.—A school district or charter school governing board may contract with a security agency as defined in s. 493.6101(18) to employ as a Feis guardian program certified school security guard an individual who holds a Class "D" and Class "G" license pursuant to chapter 493, provided the following training and contractual conditions are met:

(a) An individual who serves as a Feis guardian program certified school security guard, for purposes of satisfying the requirements of this section, must:

1. Demonstrate satisfactory completion of all training program requirements of the Coach Aaron Feis Guardian Program, as provided and certified by a county sheriff, 144 hours of required training pursuant to s. 30.15(1)(k)2.

2. Submit to and pass a psychological evaluation administered by a licensed professional psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff's office, school district, or charter school governing board, as applicable. The sheriff's office must review and approve the results of each applicant's psychological evaluation before accepting the applicant into the Feis guardian program. The Department of Law Enforcement is authorized to provide the sheriff's office, ~~school district, or charter school governing board~~ with mental health and substance abuse data for compliance with this paragraph.

3. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff's office, school district, or charter school governing board, as applicable. The sheriff's office must review and approve the results of each applicant's drug tests before accepting the applicant into the Feis guardian program.

4. Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis, as required by the sheriff's office and provide documentation to the sheriff's office, school district, or charter school governing board, as applicable.

(b) The contract between a security agency and a school district or a charter school governing board regarding requirements applicable to Feis guardian program certified school security guards serving in the capacity of a safe-school officer for purposes of satisfying the requirements of this section shall define the county sheriff or sheriffs entity or entities responsible for Feis guardian program training and the responsibilities for maintaining records relating to training, inspection, and firearm qualification; and define conditions, requirements, costs, and responsibilities necessary to satisfy the background screening requirements of paragraph (d).

(c) Feis guardian program certified school security guards serving in the capacity of a safe-school officer pursuant to this subsection are in support of school-sanctioned activities for purposes of s. 790.115, and must aid in the prevention or abatement of active assailant incidents on school premises.

(d) A Feis guardian program certified school security guard serving in the capacity of a safe-school officer pursuant to this subsection is considered to be a "noninstructional contractor" subject to the background screening

requirements of s. 1012.465, as they apply to each applicable school district or charter school, and these requirements must be satisfied before the Feis guardian program certified school security guard is given access to school grounds.

(5) NOTIFICATION.—The school district superintendent or charter school administrator shall notify the county sheriff and the Office of Safe Schools immediately after, but no later than 72 hours after:

(a) A safe-school officer is dismissed for misconduct or is otherwise disciplined.

(b) A safe-school officer discharges his or her firearm in the exercise of the safe-school officer's duties, other than for training purposes.

(6) EXEMPTION.—Any information that would identify whether a particular individual has been appointed as a safe-school officer pursuant to this section held by a law enforcement agency, school district, or charter school is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.

If a district school board, through its adopted policies, procedures, or actions, denies a charter school access to any safe-school officer options pursuant to this section, the school district must assign a sworn law enforcement school resource officer or sworn law enforcement school safety officer to the charter school. Under such circumstances, the charter school's share of the costs of the sworn law enforcement school resource officer or sworn law enforcement school safety officer may not exceed the safe school allocation funds provided to the charter school pursuant to s. 1011.62(15) and shall be retained by the school district. Nothing in this provision shall operate to require a charter school to contract with the school district for the provision of a sworn law enforcement school resource officer or a sworn law enforcement school safety officer. At the election of the charter school, the charter school may waive the school district's obligation to assign a sworn law enforcement school resource officer or sworn law enforcement school safety officer, and the charter school may retain its safe school allocation funds.

Section 15. Paragraph (d) is added to subsection (4) of section 1006.13, Florida Statutes, to read:

1006.13 Policy of zero tolerance for crime and victimization.—

(4)

(d)1. This paragraph may be cited as the "Kaia Rolle Act."

2. The agreements must also disclose the procedures adopted by the sheriff and local police department that must be used by law enforcement officers before arresting any student 10 years of age or younger on school grounds.

Section 16. Paragraph (a) of subsection (2) of section 1006.1493, Florida Statutes, is amended to read:

1006.1493 Florida Safe Schools Assessment Tool.—

(2) The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise, pursuant to the security risk assessment requirements of s. 1006.07(6).

(a) At a minimum, the FSSAT must address all of the following components:

1. School emergency and crisis preparedness planning;
2. Security, crime, and violence prevention policies and procedures;
3. Physical security measures;
4. Professional development training needs;
5. An examination of support service roles in school safety, security, and emergency planning;
6. School security and school police staffing, operational practices, and related services;
7. School and community collaboration on school safety; ~~and~~
8. A return on investment analysis of the recommended physical security controls ~~and~~;

9. Policies and procedures to prepare for and respond to natural or manmade disasters or emergencies, including plans to reunite students and employees with families after a school is closed or unexpectedly evacuated due to such disasters or emergencies.

Section 17. Subsection (16) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide funding to assist school districts in establishing or expanding school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds shall be allocated annually in the General Appropriations Act or other law to each eligible school district. Each school district shall receive a minimum of \$100,000, with the remaining balance allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. Charter schools that submit a plan separate from the school district are entitled to a proportionate share of district funding. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses. School districts are encouraged to maximize third-party health insurance benefits and Medicaid claiming for services, where appropriate.

(a) Before the distribution of the allocation:

1. The school district ~~shall~~ ~~must~~ develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval. ~~The This plan, which must include input from school and community stakeholders, applies to~~ all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district pursuant to subparagraph 2.

2. A charter school may develop and submit a detailed plan outlining the local program and planned expenditures to its governing body for approval. After the plan is approved by the governing body, it must be provided to the charter school's sponsor.

(b) The plans required under paragraph (a) must be focused on a multitiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student's primary mental health care provider and with other mental health providers involved in the student's care. At a minimum, the plans must include the following elements:

1. Direct employment of school-based mental health services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order to better align with nationally recommended ratio models. These providers include, but are not limited to, certified school counselors, school psychologists, school social workers, and other licensed mental health professionals. The plan also must ~~establish~~ ~~identify~~ strategies to increase the amount of time that school-based student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.

2. Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, trauma-informed care, mobile crisis services, and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth.

3. Policies and procedures, including contracts with service providers, which will ensure that ~~students~~:

a. A parent of a student is provided information about behavioral health services available through the student's school or local community-based behavioral health services providers, including, but not limited to, the community action treatment team established in s. 394.495 serving the student's area. A school may meet this requirement by providing information

about and Internet addresses for web-based directories or guides for local behavioral health services. Such directories or guides must be easily navigated and understood by individuals unfamiliar with behavioral health delivery systems or services and include specific contact information for local behavioral health providers.

b. Each school district uses the services of the community action treatment team established in s. 394.495 to the extent that such services are available.

c. Students who are referred to a school-based or community-based mental health service provider for mental health screening for the identification of mental health concerns and ensure that the assessment of students at risk for mental health disorders occurs within 15 days of referral. School-based mental health services must be initiated within 15 days after identification and assessment, and support by community-based mental health service providers for students who are referred for community-based mental health services must be initiated within 30 days after the school or district makes a referral.

d. Referrals may be made available for behavioral health services through other delivery systems or payors for which a student or individuals living in the household of a student receiving services under this subsection may qualify, if such services appear to be needed or enhancements in those individuals' behavioral health would contribute to the improved well-being of the student.

4. Mental health policies and procedures that implement and support all of the following elements:

a. Universal supports to promote psychological well-being and safe and supportive environments.

b. Evidence-based strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems, depression, anxiety disorders, suicidal tendencies, or substance use disorders.

~~c.5-~~ Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders; to enhance improve the provision of early intervention services; and to assist students in dealing with trauma and violence.

d. Methods for responding to a student with suicidal ideation, including training in suicide risk assessment and the use of suicide awareness, prevention, and screening instruments developed under s. 1012.583; adoption of guidelines for informing parents of suicide risk; and implementation of board policies for initiating involuntary examination of students at risk of suicide.

e. A school crisis response plan that includes strategies for the prevention of, preparation for, response to, and recovery from a range of school crises. The plan must establish or coordinate the implementation of district-level and school-level crisis response teams whose membership includes, but is not limited to, representatives of school administration and school-based mental health service providers.

(c) School districts shall submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.

(d) ~~By September 30 of each year Beginning September 30, 2019, and annually by September 30 thereafter,~~ each school district shall submit its district report to the department. By November 1 of each year, the department shall submit a state summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on Department of Education a report on its program outcomes and expenditures for the previous fiscal year, including multiple-year trend data, when available, that, at a minimum, must include information for each of the number of each of the following indicators:

1. The number of students who receive screenings or assessments.

2. The number of students who are referred to either school-based or community-based providers for services or assistance.

3. The number of students who receive either school-based or community-based interventions, services, or assistance.

4. The number of school-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.

5. The number and ratio to students of school social workers, school psychologists, and certified school counselors employed by the district or

charter school and the total number of licensed mental health professionals directly employed by the district or charter school.

6. Contract-based collaborative efforts or partnerships with community mental health programs, agencies, or providers.

Section 18. Except as expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to implementation of the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission; amending s. 30.15, F.S.; authorizing a sheriff to contract for services to provide training under the Coach Aaron Feis Guardian Program; requiring sheriffs conducting Feis guardian program training to be reimbursed for certain costs; revising certification requirements for school guardians certified by the program; revising training and evaluation requirements for school guardians; expanding the program to include the training and certification of school security guards; requiring sheriff's offices to review and approve certain evaluations and test results; amending s. 943.082, F.S.; adding criminal penalties for persons who knowingly submit false information to a law enforcement agency; requiring that the reporting party remain anonymous; amending s. 943.687, F.S.; requiring the addition of five members to the Marjory Stoneman Douglas High School Public Safety Commission as of a certain date; requiring consideration of balanced representation; creating s. 985.031, F.S.; providing a short title; prohibiting a child younger than a certain age from being adjudicated delinquent, arrested, or charged with a violation of law or a delinquent act; providing an exception; amending s. 985.12, F.S.; requiring state attorneys to monitor and enforce school-based diversion programs; requiring that law enforcement officers have access to certain information; amending s. 1001.11, F.S.; assigning the Commissioner of Education specified duties regarding education-related school safety requirements; providing that the duties assigned to a district school superintendent apply to charter school administrative personnel; requiring charter school governing boards to designate at least one administrator responsible for such duties; providing that the duties assigned to a district school board apply to a charter school governing board; amending s. 1001.212, F.S.; revising the training, consultation, and coordination responsibilities of the Office of Safe Schools; conforming and requiring evaluation and coordination of incident reporting requirements; requiring the office to timely notify the commissioner of all incidents of material noncompliance; requiring the office to develop a model emergency event family reunification plan for use in certain disasters or emergencies; amending s. 1002.33, F.S.; revising provisions relating to the immediate termination of a charter school's charter; conforming safety requirements to changes made by the act; amending s. 1002.421, F.S.; requiring private schools to comply with a certain statutory provision related to criteria for assigning a student to a civil citation or similar prearrest diversion program; amending s. 1003.25, F.S.; revising the timeframe for the transfer of student records under certain circumstances; amending s. 1003.5716, F.S.; revising individual education plan requirements for certain students to include a statement of expectations for the transition of behavioral health services needed after high school graduation, beginning in a specified school year; requiring parent, student, and agency roles and responsibilities to be specified in a course of action transition plan, as applicable; amending s. 1006.07, F.S.; requiring code of student conduct policies to contain prearrest diversion program and intervention program criteria; requiring the Department of Education to issue guidance to school districts regarding emergency drills; requiring such guidance to reference recommendations of the Marjory Stoneman Douglas High School Public Safety Commission; specifying requirements applicable to emergency drill policies and procedures; requiring an emergency event family reunification plan to be included as a component of emergency procedures adopted by school boards and charter school governing boards; revising threat assessment team membership, training, and procedural

requirements; modifying the process for continuation of threat assessment intervention services for transferring students; incorporating additional discipline and behavioral incident reports within school safety incident reporting requirements; requiring district school boards to adopt emergency event family reunification policies and plans by a specified date; requiring school-based emergency event family reunification plans to be consistent with school board policy and the school district plan; requiring plans to address specified requirements within the framework of model policies and plans identified by the office; amending s. 1006.09, F.S.; requiring school principals to use a specified system to report school safety incidents; amending s. 1006.12, F.S.; requiring school safety officers to complete specified training to improve knowledge and skills as first responders to certain incidents; providing requirements for such training; requiring certain school security guards to meet district background screening requirements and qualification requirements; clarifying requirements for the assignment of safe school officers at charter schools; amending s. 1006.13, F.S.; requiring agreements to disclose procedures adopted by the sheriff and local police department that must be used by police officers before arresting any student 10 years of age or younger on school grounds; amending s. 1006.1493, F.S.; revising components that must be assessed by the Florida Safe Schools Assessment Tool to include policies and procedures to prepare for and respond to natural or manmade disasters or emergencies, including plans to reunite students and employees with families after a school closure or evacuation due to such disasters or emergencies; amending s. 1011.62, F.S.; revising requirements that must be met before the distribution of the Florida Education Finance Program mental health assistance allocation; requiring plans contain mental health policies and procedures that implement certain elements; requiring each school district submit a report to the Department of Education by a certain date; requiring the department submit a state summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a certain date; requiring the report to contain certain specified data; providing effective dates.

On motion by Rep. Massullo, the House refused to concur in **Senate Amendment 1** and requested the Senate to recede therefrom. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

Recessed

The House recessed at 10:46 p.m., to reconvene upon call of the Chair.

Reconvened

The House was called to order by the Speaker at 11:01 p.m. A quorum was present [Session Vote Sequence: 767].

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7097, with 1 unengrossed amendment, by the required Constitutional two-thirds vote of all members elected to the Senate, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/HB 7097—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; authorizing the use of tourist development taxes for certain water quality improvement projects and parks or trails; increasing population thresholds for counties to use tourist development taxes for certain purposes; revising authorized uses of tourist development taxes for specified counties; providing that existing contracts or debt service shall not be impaired; amending s. 192.001, F.S.; revising the definition of the term “inventory” for property tax purposes; revising the definition of the term “tangible personal property” to specify the conditions under which certain construction work constructed or installed by certain electric utilities is deemed substantially completed; providing applicability; providing for retroactive operation; creating s. 193.1557, F.S.; extending the time period within which certain

changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; amending s. 194.011, F.S.; authorizing certain associations to represent, prosecute, or defend specified association members in front of the value adjustment board proceedings and subsequent proceedings; providing applicability; amending s. 194.035, F.S.; specifying the circumstances under which a special magistrate's appraisal may not be submitted as evidence to a value adjustment board; amending s. 194.181, F.S.; providing and revising the parties considered as the defendants in tax suits; requiring certain notice to be provided to unit owners in a specified way; providing unit owners options for defending a tax suit; imposing certain actions for unit owners who fail to respond to a specified notice; amending s. 195.073, F.S.; revising the property classifications for certain multifamily housing and commercial and industrial properties; amending s. 195.096, F.S.; removing the requirement for the Department of Revenue to review tangible personal property rolls of each county; revising required computations regarding classifications of property; specifying that properties with more than nine units are commercial property for certain assessment roll purposes; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; providing applicability; amending s. 196.197, F.S.; providing criteria to be used in determining the value of tax exemptions for charitable use of certain hospitals; defining terms; providing application requirements for tax exemptions for certain properties; amending s. 196.198, F.S.; exempting land, buildings, and real property improvements used exclusively for educational purposes from ad valorem taxes if certain criteria are met; providing that the educational institution shall receive the full benefit of the exemption; requiring the property owner to make certain disclosures to the educational institution; amending s. 200.065, F.S.; providing alternative methods of notice related to the truth in millage process for counties for which a declared state of emergency exists; extending deadlines for notice during a declared state of emergency; revising publication and hearing requirements; providing for automatic extensions of certain deadlines in the event of a declared state of emergency; amending s. 200.069, F.S.; specifying information which property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 202.12, F.S.; reducing the tax rates applied to the sale of communications services and the retail sale of direct-to-home satellite services after a certain date; amending ss. 202.12001 and 203.001, F.S.; conforming provisions to changes made by the act; amending ss. 206.05 and 206.90, F.S.; revising the maximum bond amount for licensed terminal suppliers; amending s. 206.8741, F.S.; reducing the penalty imposed for failure to conform to notice requirements related to dyed diesel fuel; amending s. 206.9826, F.S.; increasing the refund available to certain air carriers on the purchase of aviation fuel; amending s. 212.0305, F.S.; revising uses and distribution of the charter county convention development tax for specified counties; providing restrictions on the use of funds; providing that no existing contract or debt service shall be affected; amending s. 212.0306, F.S.; providing a name for the local option food and beverage tax in a certain county; revising approved uses of the proceeds of the tax; prohibiting interlocal agreements and contracts with certain convention and visitors bureaus from being renewed or extended; providing that no existing contract shall be affected; amending s. 212.031, F.S.; reducing the tax levied on rental or license fees charged for the use of real property; amending s. 212.05, F.S.; extending the period in which a dealer and nonresident purchaser must provide the state with documentation that a boat or aircraft purchased without the imposition of Florida sales tax will not be used in the state; amending s. 212.055, F.S.; providing an expiration date for the charter county and regional transportation system surtax for a certain county; requiring a resolution to levy the surtax after a certain date; requiring any new levy of the charter county and regional transportation system surtax to expire after 20 years; requiring the resolution to include a statement containing certain information; requiring the resolution to approve a school capital outlay surtax to include specified information; requiring revenues shared with charter schools to be expended by the charter schools in a certain manner; requiring revenues and expenditures to be accounted for in specified charter school financial reports; providing applicability; amending s. 212.134, F.S.;

requiring specified entities that must file a return under section 6050W of the Internal Revenue Code to provide copies to the department; specifying procedures for submitting the information; providing penalties; creating s. 212.181, F.S.; providing procedures for jurisdictions to notify the department regarding changes to their business boundaries for certain purposes; providing guidelines for correction of misallocated funds; providing procedures for correcting misallocated funds; providing deadlines for notifying the department of changes to business boundaries; providing rulemaking authority; amending ss. 212.20, 212.205, 218.64, and 288.0001, F.S.; conforming provisions to changes made by the act; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing definitions; amending s. 213.21, F.S.; tolling the period for filing a claim for refund for certain transactions during certain audit periods; amending s. 220.1105, F.S.; revising the definition of the term "final tax liability" for certain purposes; providing for retroactive application; amending s. 220.1845, F.S.; increasing, for a specified fiscal year, the total amount of contaminated site rehabilitation tax credits; creating s. 220.197, F.S.; defining the term "NAICS" for purposes of a certain tax credit; providing a credit against the corporate income tax in a specified amount and taxable year for certain taxpayers in car rental or leasing industries; providing for retroactive operation; repealing s. 288.11625, F.S., relating to the Sports Development Program; amending s. 376.30781, F.S.; increasing, for a specified fiscal year, the total amount of tax credits for the rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; amending s. 413.4021, F.S.; increasing the percent of revenues collected from the tax collection enforcement diversion program for specified purposes; amending s. 443.163, F.S.; providing that corrections to electronically filed reemployment tax reports must also be filed electronically; revising penalties; removing the requirement for certain parties to file electronically; removing the requirement that requests for waivers from statutory requirements be in writing; amending s. 626.932, F.S.; revising downward the surplus lines tax rate; revising the operation of the surplus lines tax for policies covering risks outside the state; amending s. 718.111, F.S.; providing that a condominium association may take certain actions relating to a challenge to ad valorem taxes in its own name or on behalf of unit owners; providing applicability; providing sales tax exemptions for certain clothing, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; authorizing the department to adopt emergency rules; creating ss. 211.0252, 212.1833, 561.1212, and 624.51056, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; amending s. 220.02, F.S.; revising legislative intent; amending ss. 220.13 and 220.186, F.S.; conforming cross-references to changes made by the act; creating s. 220.1876, F.S.; authorizing a tax credit for certain contributions made to an eligible charitable organization with certain restrictions; providing requirements for applying a credit when the taxpayer requests an extension; creating s. 402.62, F.S.; creating the Children's Promise Tax Credit; providing definitions; providing requirements for designation as an eligible charitable organization; specifying certain organizations that may not be designated as an eligible charitable organization; providing responsibilities of eligible charitable organizations that receive contributions under the tax credit; providing responsibilities of the department related to the tax credit; providing guidelines for the application of, limitations to, and transfers of the tax credit; providing for the preservation of the tax credit under certain circumstances; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to develop a cooperative agreement to administer the tax credit; authorizing the Department of Revenue, the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and the Department of Children and Families to

adopt rules; authorizing the Department of Revenue and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to share certain information as needed to administer the tax credit; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; requiring the Florida Institute for Child Welfare to analyze the use of funding provided by the tax credit and submit a report to the Governor and Legislature by a specified date; amending s. 212.07, F.S.; authorizing dealers, subject to certain conditions, to advertise or hold out to the public that they will pay sales tax on behalf of the purchaser; amending s. 212.15, F.S.; conforming a provision to changes made by the act; providing appropriations; providing a directive to the Division of Law Revision; authorizing the Department of Revenue to adopt emergency rules for certain purposes; providing effective dates.

(Amendment Bar Code: 204786)

Unengrossed Senate Substitute Amendment 3 for Senate Amendment 1 (882296) (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (5) of section 125.0104, Florida Statutes, is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(b) Tax revenues received pursuant to this section by a county of less than ~~950,000~~ ~~750,000~~ population imposing a tourist development tax may only be used by that county for the following purposes in addition to those purposes allowed pursuant to paragraph (a): to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more zoological parks, fishing piers or nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. All population figures relating to this subsection shall be based on the most recent population estimates prepared pursuant to the provisions of s. 186.901. These population estimates shall be those in effect on July 1 of each year.

Section 2. Effective January 1, 2022, section 193.019, Florida Statutes, is created to read:

193.019 Hospitals; community benefit reporting.—

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

(a) "Applicant" means the owner of property for which an exemption is being sought under ss. 196.196 and 196.197 for hospital property.

(b) "County net community benefit expense" is that portion of the net community benefit expense reported by an applicant on its most recently filed Internal Revenue Service Form 990, Schedule H:

1. Attributable to those services and activities provided or performed in a county; and

2. Attributed to the county from another county. An applicant may attribute up to 100 percent of its net community benefit expense to any county or counties in this state. The county net community benefit expense of a county must be reduced by any net community benefit expense that is attributed to another county.

(c) "Department" means the Department of Revenue.

(d) "Hospital" has the same meaning as in s. 196.012(8).

(2) By January 15 of each year, a county property appraiser shall calculate and submit to the department the tax reduction resulting from the property exemption for the prior year granted pursuant to ss. 196.196 and 196.197 for each property owned by an applicant.

(3) By January 15 of each year, an applicant shall submit to the department:

(a) A copy of the applicant's most recently filed Internal Revenue Service Form 990, Schedule H.

(b) A schedule displaying:

1. The county net community benefit expense attributed to each county in this state in which properties are located pursuant to subparagraph (1)(b)1.;

2. The county net community benefit expense attributed to each county in this state in which properties are located pursuant to subparagraph (1)(b)2.;

3. The portion of net community benefit expense reported by the applicant on its most recently filed Internal Revenue Service Form 990, Schedule H, attributable to those services and activities provided or performed outside of this state; and

4. The sum of amounts provided under subparagraphs 1., 2., and 3., which must equal the total net community benefit expense reported by the applicant on its most recently filed Internal Revenue Service Form 990, Schedule H.

(c) A statement signed by the applicant's chief executive officer and an independent certified public accountant that, upon each person's reasonable knowledge and belief, the statement of the county net community benefit expense is true and correct.

(4) The department must determine whether the county net community benefit expense attributed to an applicant's property located in a county equals or exceeds the tax reductions resulting from the exemptions described in subsection (2) for that county.

(5) In any second consecutive year the department determines that an applicant's county net community benefit expense does not equal or exceed the tax reductions resulting from the exemptions described in subsection (2), the department shall notify the respective property appraiser by March 15 to limit the exemption under ss. 196.196 and 196.197 for the current year in the property appraiser's county by multiplying it by the ratio of the net community benefit expense to the tax reductions resulting from the exemptions described in subsection (2).

(6) The department shall publish the data collected pursuant to this section for each applicant from a county property appraiser, including the net community benefit expense reported in the Internal Revenue Service Form 990, Schedule H.

(7) The department may adopt rules to administer this section, including the adoption of necessary forms.

Section 3. Section 193.1557, Florida Statutes, is created to read:

193.1557 Assessment of certain property damaged or destroyed by Hurricane Michael.—For property damaged or destroyed by Hurricane Michael in 2018, s. 193.155(4)(b), s. 193.1554(6)(b), or s. 193.1555(6)(b) applies to changes, additions, or improvements commenced within 5 years after January 1, 2019. This section applies to the 2019-2023 tax rolls and shall stand repealed on December 31, 2023.

Section 4. Subsection (1) of section 194.035, Florida Statutes, is amended to read:

194.035 Special magistrates; property evaluators.—

(1) In counties having a population of more than 75,000, the board shall appoint special magistrates for the purpose of taking testimony and making recommendations to the board, which recommendations the board may act upon without further hearing. These special magistrates may not be elected or appointed officials or employees of the county but shall be selected from a list of those qualified individuals who are willing to serve as special magistrates. Employees and elected or appointed officials of a taxing jurisdiction or of the state may not serve as special magistrates. The clerk of the board shall annually notify such individuals or their professional associations to make known to them that opportunities to serve as special magistrates exist. The Department of Revenue shall provide a list of qualified special magistrates to any county with a population of 75,000 or less. Subject to appropriation, the department shall reimburse counties with a population of 75,000 or less for payments made to special magistrates appointed for the purpose of taking testimony and making recommendations to the value adjustment board pursuant to this section. The department shall establish a reasonable range for payments per case to special magistrates based on such payments in other counties. Requests for reimbursement of payments outside this range shall be justified by the county. If the total of all requests for reimbursement in any year exceeds the amount available pursuant to this section, payments to all counties shall be prorated accordingly. If a county having a population less than 75,000 does not appoint a special magistrate to hear each petition, the person or persons designated to hear petitions before the value adjustment board or the attorney appointed to advise the value adjustment board shall attend the training provided pursuant to subsection (3), regardless of whether the person would otherwise be required to attend, but shall not be required to pay the tuition fee specified in subsection (3). A special magistrate appointed to hear issues of exemptions, classifications, and determinations that a change of

ownership, a change of ownership or control, or a qualifying improvement has occurred shall be a member of The Florida Bar with no less than 5 years' experience in the area of ad valorem taxation. A special magistrate appointed to hear issues regarding the valuation of real estate shall be a state certified real estate appraiser with not less than 5 years' experience in real property valuation. A special magistrate appointed to hear issues regarding the valuation of tangible personal property shall be a designated member of a nationally recognized appraiser's organization with not less than 5 years' experience in tangible personal property valuation. A special magistrate need not be a resident of the county in which he or she serves. A special magistrate may not represent a person before the board in any tax year during which he or she has served that board as a special magistrate. An appraisal may not be submitted as evidence to a value adjustment board in any year that the person who performed the appraisal serves as a special magistrate to that value adjustment board. Before appointing a special magistrate, a value adjustment board shall verify the special magistrate's qualifications. The value adjustment board shall ensure that the selection of special magistrates is based solely upon the experience and qualifications of the special magistrate and is not influenced by the property appraiser. The special magistrate shall accurately and completely preserve all testimony and, in making recommendations to the value adjustment board, shall include proposed findings of fact, conclusions of law, and reasons for upholding or overturning the determination of the property appraiser. The expense of hearings before magistrates and any compensation of special magistrates shall be borne three-fifths by the board of county commissioners and two-fifths by the school board. When appointing special magistrates or when scheduling special magistrates for specific hearings, the board, the board attorney, and the board clerk may not consider the dollar amount or percentage of any assessment reductions recommended by any special magistrate in the current year or in any previous year.

Section 5. Paragraphs (a) and (b) of subsection (1) of section 195.073, Florida Statutes, are amended to read:

195.073 Classification of property.—All items required by law to be on the assessment rolls must receive a classification based upon the use of the property. The department shall promulgate uniform definitions for all classifications. The department may designate other subclassifications of property. No assessment roll may be approved by the department which does not show proper classifications.

(1) Real property must be classified according to the assessment basis of the land into the following classes:

(a) Residential, subclassified into categories, one category for homestead property and one for nonhomestead property:

1. Single family.
2. Mobile homes.
3. Multifamily, up to nine units.
4. Condominiums.
5. Cooperatives.
6. Retirement homes.

(b) Commercial and industrial, including apartments with more than nine units.

Section 6. Subsection (2) and paragraph (a) of subsection (3) of section 195.096, Florida Statutes, are amended to read:

195.096 Review of assessment rolls.—

(2) The department shall conduct, no less frequently than once every 2 years, an in-depth review of the real property assessment roll rolls of each county. The department need not individually study every use-class of property set forth in s. 195.073, but shall at a minimum study the level of assessment in relation to just value of each classification specified in subsection (3). Such in-depth review may include proceedings of the value adjustment board and the audit or review of procedures used by the counties to appraise property.

(a) The department shall, at least 30 days prior to the beginning of an in-depth review in any county, notify the property appraiser in the county of the pending review. At the request of the property appraiser, the department shall consult with the property appraiser regarding the classifications and strata to be studied, in order that the review will be useful to the property appraiser in evaluating his or her procedures.

(b) Every property appraiser whose upcoming roll is subject to an in-depth review shall, if requested by the department on or before January 1, deliver upon completion of the assessment roll a list of the parcel numbers of all parcels that did not appear on the assessment roll of the previous year, indicating the parcel number of the parent parcel from which each new parcel was created or "cut out."

(c) In conducting assessment ratio studies, the department must use all practicable steps, including stratified statistical and analytical reviews and sale-qualification studies, to maximize the representativeness or statistical reliability of samples of properties in tests of each classification, stratum, or roll made the subject of a ratio study published by it. The department shall document and retain records of the measures of representativeness of the properties studied in compliance with this section. Such documentation must include a record of findings used as the basis for the approval or disapproval of the tax roll in each county pursuant to s. 193.1142. In addition, to the greatest extent practicable, the department shall study assessment roll strata by subclassifications such as value groups and market areas for each classification or stratum to be studied, to maximize the representativeness of ratio study samples. For purposes of this section, the department shall rely primarily on an assessment-to-sales-ratio study in conducting assessment ratio studies in those classifications of property specified in subsection (3) for which there are adequate market sales. The department shall compute the median and the value-weighted mean for each classification or subclassification studied and for the roll as a whole.

(d) In the conduct of these reviews, the department shall adhere to all standards to which the property appraisers are required to adhere.

(e) The department and each property appraiser shall cooperate in the conduct of these reviews, and each shall make available to the other all matters and records bearing on the preparation and computation of the reviews. The property appraisers shall provide any and all data requested by the department in the conduct of the studies, including electronic data processing tapes. Any and all data and samples developed or obtained by the department in the conduct of the studies shall be confidential and exempt from the provisions of s. 119.07(1) until a presentation of the findings of the study is made to the property appraiser. After the presentation of the findings, the department shall provide any and all data requested by a property appraiser developed or obtained in the conduct of the studies, including tapes. Direct reimbursable costs of providing the data shall be borne by the party who requested it. Copies of existing data or records, whether maintained or required pursuant to law or rule, or data or records otherwise maintained, shall be submitted within 30 days from the date requested, in the case of written or printed information, and within 14 days from the date requested, in the case of computerized information.

(f) Within 120 days after receipt of a county assessment roll by the executive director of the department pursuant to s. 193.1142(1), or within 10 days after approval of the assessment roll, whichever is later, the department shall complete the review for that county and publish the department's findings. The findings must include ~~a statement of the confidence interval for the median and such other~~ measures as may be appropriate for each classification or subclassification studied ~~and for the roll as a whole~~, and related statistical and analytical details. The measures in the findings must be based on:

1. A 95-percent level of confidence; or

2. Ratio study standards that are generally accepted by professional appraisal organizations in developing a statistically valid sampling plan if a 95-percent level of confidence is not attainable.

(g) Notwithstanding any other provision of this chapter, in one or more assessment years following a natural disaster in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, if the department determines that the natural disaster creates difficulties in its statistical and analytical reviews of the assessment rolls in affected counties, the department shall take all practicable steps to maximize the representativeness and reliability of its statistical and analytical reviews and may use the best information available to estimate the levels of assessment. This paragraph first applies to the 2019 assessment roll and operates retroactively to January 1, 2019.

(3)(a) Upon completion of review pursuant to paragraph (2)(f), the department shall publish the results of reviews conducted under this section. The results must include all statistical and analytical measures computed under this section for the real property assessment roll ~~as a whole, the personal property assessment roll as a whole,~~ and independently for the following real property classes if the classes constituted 5 percent or more of the total assessed value of real property in a county on the previous tax roll:

1. Residential property that consists of one primary living unit, including, but not limited to, single-family residences, condominiums, cooperatives, and mobile homes.
2. Residential property that consists of two to nine ~~or more~~ primary living units.
3. Agricultural, high-water recharge, historic property used for commercial or certain nonprofit purposes, and other use-valued property.
4. Vacant lots.
5. Nonagricultural acreage and other undeveloped parcels.
6. Improved commercial and industrial property, including apartments with more than nine units.
7. Taxable institutional or governmental, utility, locally assessed railroad, oil, gas and mineral land, subsurface rights, and other real property.

If one of the above classes constituted less than 5 percent of the total assessed value of all real property in a county on the previous assessment roll, the department may combine it with one or more other classes of real property for purposes of assessment ratio studies or use the weighted average of the other classes for purposes of calculating the level of assessment for all real property in a county. The department shall also publish such results for any subclassifications of the classes or assessment rolls it may have chosen to study.

Section 7. Effective upon this act becoming a law, subsection (2) of section 196.173, Florida Statutes, is amended to read:

196.173 Exemption for deployed servicemembers.—

(2) The exemption is available to servicemembers who were deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of any of the following military operations:

- (a) Operation Joint Task Force Bravo, which began in 1995.
- (b) Operation Joint Guardian, which began on June 12, 1999.
- (c) Operation Noble Eagle, which began on September 15, 2001.
- ~~(d) Operation Enduring Freedom, which began on October 7, 2001, and ended on December 31, 2014.~~
- ~~(d)(e)~~ Operations in the Balkans, which began in 2004.
- ~~(e)(f)~~ Operation Nomad Shadow, which began in 2007.
- ~~(f)(g)~~ Operation U.S. Airstrikes Al Qaeda in Somalia, which began in January 2007.
- ~~(g)(h)~~ Operation Copper Dune, which began in 2009.
- ~~(h)(i)~~ Operation Georgia Deployment Program, which began in August 2009.
- ~~(i)(j)~~ Operation Spartan Shield, which began in June 2011.
- ~~(j)(k)~~ Operation Observant Compass, which began in October 2011.
- ~~(k)(l)~~ Operation Inherent Resolve, which began on August 8, 2014.
- ~~(l)(m)~~ Operation Atlantic Resolve, which began in April 2014.
- ~~(m)(n)~~ Operation Freedom's Sentinel, which began on January 1, 2015.
- ~~(n)(o)~~ Operation Resolute Support, which began in January 2015.
- ~~(o)~~ Operation Juniper Shield, which began in February 2007.
- ~~(p)~~ Operation Pacific Eagle, which began in September 2017.
- ~~(q)~~ Operation Martillo, which began in January 2012.

The Department of Revenue shall notify all property appraisers and tax collectors in this state of the designated military operations.

Section 8. The amendment made by this act to s. 196.173(2), Florida Statutes, first applies to the 2020 ad valorem tax roll.

Section 9. Application deadline for additional ad valorem tax exemption for specified deployments.—

(1) Notwithstanding the filing deadlines contained in s. 196.173(6), Florida Statutes, the deadline for an applicant to file an application with the

property appraiser for an additional ad valorem tax exemption under s. 196.173, Florida Statutes, for the 2020 tax roll is June 1, 2020.

(2) If an application is not timely filed under subsection (1), a property appraiser may grant the exemption if:

(a) The applicant files an application for the exemption on or before the 25th day after the property appraiser mails the notice required under s. 194.011(1), Florida Statutes;

(b) The applicant is qualified for the exemption; and

(c) The applicant produces sufficient evidence, as determined by the property appraiser, which demonstrates that the applicant was unable to apply for the exemption in a timely manner or otherwise demonstrates extenuating circumstances that warrant granting the exemption.

(3) If the property appraiser denies an application under subsection (2), the applicant may file, pursuant to s. 194.011(3), Florida Statutes, a petition with the value adjustment board which requests that the exemption be granted. Such petition must be filed on or before the 25th day after the property appraiser mails the notice required under s. 194.011(1), Florida Statutes. Notwithstanding s. 194.013, Florida Statutes, the eligible servicemember is not required to pay a filing fee for such petition. Upon reviewing the petition, the value adjustment board may grant the exemption if the applicant is qualified for the exemption and demonstrates extenuating circumstances, as determined by the board, which warrant granting the exemption.

(4) This section shall take effect upon this act becoming a law and applies to the 2020 ad valorem tax roll.

Section 10. Effective upon becoming a law and operating retroactively to January 1, 2020, subsection (1) of section 196.1978, Florida Statutes, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this ~~subsection~~ section must comply with the criteria provided under s. 196.195 for determining exempt status and applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. Units that are vacant shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

Section 11. Effective January 1, 2021, subsection (1) of section 196.1978, Florida Statutes, as amended by this act, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and applied

by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited liability company that owns the property. Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

Section 12. Effective upon this act becoming a law, paragraphs (b), (d), (e), and (f) of subsection (2) of section 200.065, Florida Statutes, are amended to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(b) Within 35 days of certification of value pursuant to subsection (1), each taxing authority shall advise the property appraiser of its proposed millage rate, of its rolled-back rate computed pursuant to subsection (1), and of the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget. The property appraiser shall utilize this information in preparing the notice of proposed property taxes pursuant to s. 200.069. The deadline for mailing the notice shall be the later of 55 days after certification of value pursuant to subsection (1) or 10 days after either the date the tax roll is approved or the interim roll procedures under s. 193.1145 are instituted. However, for counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, if mailing is not possible during the state of emergency, the property appraiser may post the notice on the county's website. If the deadline for mailing the notice of proposed property taxes is 10 days after the date the tax roll is approved or the interim roll procedures are instituted, all subsequent deadlines provided in this section shall be extended. In addition, the deadline for mailing the notice may be extended for 30 days in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252, and property appraisers may use alternate methods of distribution only when mailing the notice is not possible. In such event, however, property appraisers must work with county tax collectors to ensure the timely assessment and collection of taxes. The number of days by which the deadlines shall be extended shall equal the number of days by which the deadline for mailing the notice of proposed taxes is extended beyond 55 days after certification. If any taxing authority fails to provide the information required in this paragraph to the property appraiser in a timely fashion, the taxing authority shall be prohibited from levying a millage rate greater than the rolled-back rate computed pursuant to subsection (1) for the upcoming fiscal year, which rate shall be computed by the property appraiser and used in preparing the notice of proposed property taxes. Each multicounty taxing authority that levies taxes in any county that has extended the deadline for mailing the notice due to a declared state of emergency and that has noticed hearings in other counties must advertise the hearing at which it intends to adopt a tentative budget and millage rate in a newspaper of general paid circulation within each county not less than 2 days or more than 5 days before the hearing.

(d) Within 15 days after the meeting adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county as provided in subsection (3), its intent to finally adopt a millage rate and budget. A public hearing to finalize the budget and adopt a millage rate

shall be held not less than 2 days nor more than 5 days after the day that the advertisement is first published. In the event of a need to postpone or recess the final meeting due to a declared state of emergency, the taxing authority may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The taxing authority shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the taxing authority's website. During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget, and adopt a resolution or ordinance stating the millage rate to be levied. The resolution or ordinance shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate computed pursuant to subsection (1), which shall be characterized as the percentage increase in property taxes adopted by the governing body. The adoption of the budget and the millage-levy resolution or ordinance shall be by separate votes. For each taxing authority levying millage, the name of the taxing authority, the rolled-back rate, the percentage increase, and the millage rate to be levied shall be publicly announced before ~~prior to~~ the adoption of the millage-levy resolution or ordinance. In no event may the millage rate adopted pursuant to this paragraph exceed the millage rate tentatively adopted pursuant to paragraph (c). If the rate tentatively adopted pursuant to paragraph (c) exceeds the proposed rate provided to the property appraiser pursuant to paragraph (b), or as subsequently adjusted pursuant to subsection (11), each taxpayer within the jurisdiction of the taxing authority shall be sent notice by first-class mail of his or her taxes under the tentatively adopted millage rate and his or her taxes under the previously proposed rate. The notice must be prepared by the property appraiser, at the expense of the taxing authority, and must generally conform to the requirements of s. 200.069. If such additional notice is necessary, its mailing must precede the hearing held pursuant to this paragraph by not less than 10 days and not more than 15 days.

(e)1. In the hearings required pursuant to paragraphs (c) and (d), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions before ~~prior to~~ adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate before ~~prior to~~ adopting its tentative or final budget.

2. These hearings shall be held after 5 p.m. if scheduled on a day other than Saturday. No hearing shall be held on a Sunday. The county commission shall not schedule its hearings on days scheduled for hearings by the school board. The hearing dates scheduled by the county commission and school board shall not be utilized by any other taxing authority within the county for its public hearings. However, in counties for which a state of emergency was declared by executive order or proclamation of the Governor pursuant to chapter 252 and the rescheduling of hearings on the same day is unavoidable, the county commission and school board must conduct their hearings at different times, and other taxing authorities must schedule their hearings so as not to conflict with the times of the county commission and school board hearings. A multicounty taxing authority shall make every reasonable effort to avoid scheduling hearings on days utilized by the counties or school districts within its jurisdiction. Tax levies and budgets for dependent special taxing districts shall be adopted at the hearings for the taxing authority to which such districts are dependent, following such discussion and adoption of levies and budgets for the superior taxing authority. A taxing authority may adopt the tax levies for all of its dependent special taxing districts, and may adopt the budgets for all of its dependent special taxing districts, by a single unanimous vote. However, if a member of the general public requests that the tax levy or budget of a dependent special taxing district be separately discussed and separately adopted, the taxing authority shall discuss and adopt that tax levy or budget separately. If, due to circumstances beyond the control of the taxing authority, including a state of emergency declared by executive order or proclamation of the Governor pursuant to chapter 252, the hearing provided

for in paragraph (c) or paragraph (d) is recessed or postponed, the taxing authority shall publish a notice in a newspaper of general paid circulation in the county. The notice shall state the time and place for the continuation of the hearing and shall be published at least 2 days but not more than 5 days before prior to the date the hearing will be continued. In the event of postponement or recess due to a declared state of emergency, all subsequent dates in this section shall be extended by the number of days of the postponement or recess. Notice of the postponement or recess must be in writing by the affected taxing authority to the tax collector, the property appraiser, and the Department of Revenue within 3 calendar days after the postponement or recess. In the event of such extension, the affected taxing authority must work with the county tax collector and property appraiser to ensure timely assessment and collection of taxes.

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget in a newspaper of general circulation pursuant to subsection (3) within 29 days of certification of value pursuant to subsection (1). Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website.

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.

Section 13. Section 200.069, Florida Statutes, is amended to read:

200.069 Notice of proposed property taxes and non-ad valorem assessments.—Pursuant to s. 200.065(2)(b), the property appraiser, in the name of the taxing authorities and local governing boards levying non-ad valorem assessments within his or her jurisdiction and at the expense of the county, shall prepare and deliver by first-class mail to each taxpayer to be listed on the current year's assessment roll a notice of proposed property taxes, which notice shall contain the elements and use the format provided in the following form. Notwithstanding the provisions of s. 195.022, no county officer shall use a form other than that provided herein. The Department of Revenue may adjust the spacing and placement on the form of the elements listed in this section as it considers necessary based on changes in conditions necessitated by various taxing authorities. If the elements are in the order listed, the placement of the listed columns may be varied at the discretion and expense of the property appraiser, and the property appraiser may use printing technology and devices to complete the form, the spacing, and the placement of the information in the columns. In addition, the property appraiser may not include in the mailing of the notice of ad valorem taxes and non-ad valorem assessments additional information or items unless such information or items explain a component of the notice or provide information directly related to the assessment and taxation of the property. A county officer may use a form other than that provided by the department for purposes of this part, but only if his or her office pays the related expenses and he or she obtains prior written permission from the executive director of the department; however, a county officer may not use a form the substantive content of which is at variance with the form prescribed by the department. The county officer may continue to use such an approved form until the law that specifies the form is amended or repealed or until the officer receives written disapproval from the executive director.

(1) The first page of the notice shall read:

NOTICE OF PROPOSED PROPERTY TAXES
DO NOT PAY—THIS IS NOT A BILL

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION.

Each taxing authority may AMEND OR ALTER its proposals at the hearing.

(2)(a) The notice shall include a brief legal description of the property, the name and mailing address of the owner of record, and the tax information applicable to the specific parcel in question. The information shall be in columnar form. There shall be seven column headings which shall read: "Taxing Authority," "Your Property Taxes Last Year," "Last Year's Adjusted Tax Rate (Millage)," "Your Taxes This Year IF NO Budget Change Is Adopted," "Tax Rate This Year IF PROPOSED Budget Is Adopted (Millage)," "Your Taxes This Year IF PROPOSED Budget Change Is Adopted," and "A Public Hearing on the Proposed Taxes and Budget Will Be Held."

(b) As used in this section, the term "last year's adjusted tax rate" means the rolled-back rate calculated pursuant to s. 200.065(1).

(3) There shall be under each column heading an entry for the county; the school district levy required pursuant to s. 1011.60(6); other operating school levies; the municipality or municipal service taxing unit or units in which the parcel lies, if any; the water management district levying pursuant to s. 373.503; the independent special districts in which the parcel lies, if any; and for all voted levies for debt service applicable to the parcel, if any.

(4) For each entry listed in subsection (3), there shall appear on the notice the following:

(a) In the first column, a brief, commonly used name for the taxing authority or its governing body. The entry in the first column for the levy required pursuant to s. 1011.60(6) shall be "By State Law." The entry for other operating school district levies shall be "By Local Board." Both school levy entries shall be indented and preceded by the notation "Public Schools:". For each voted levy for debt service, the entry shall be "Voter Approved Debt Payments."

(b) In the second column, the gross amount of ad valorem taxes levied against the parcel in the previous year. If the parcel did not exist in the previous year, the second column shall be blank.

(c) In the third column, last year's adjusted tax rate or, in the case of voted levies for debt service, the tax rate previously authorized by referendum.

(d) In the fourth column, the gross amount of ad valorem taxes which will apply to the parcel in the current year if each taxing authority levies last year's adjusted tax rate or, in the case of voted levies for debt service, the amount previously authorized by referendum.

(e) In the fifth column, the tax rate that each taxing authority must levy against the parcel to fund the proposed budget or, in the case of voted levies for debt service, the tax rate previously authorized by referendum.

(f) In the sixth column, the gross amount of ad valorem taxes that must be levied in the current year if the proposed budget is adopted.

(g) In the seventh column, the date, the time, and a brief description of the location of the public hearing required pursuant to s. 200.065(2)(c).

(5) Following the entries for each taxing authority, a final entry shall show: in the first column, the words "Total Property Taxes:" and in the second, fourth, and sixth columns, the sum of the entries for each of the individual taxing authorities. The second, fourth, and sixth columns shall, immediately below said entries, be labeled Column 1, Column 2, and Column 3, respectively. Below these labels shall appear, in boldfaced type, the statement: SEE REVERSE SIDE FOR EXPLANATION.

(6)(a) The second page of the notice shall state the parcel's market value and for each taxing authority that levies an ad valorem tax against the parcel:

1. The assessed value, value of exemptions, and taxable value for the previous year and the current year.

2. Each assessment reduction and exemption applicable to the property, including the value of the assessment reduction or exemption and tax levies to which they apply.

(b) The reverse side of the second page shall contain definitions and explanations for the values included on the front side.

(7) The following statement shall appear after the values listed on the front of the second page:

If you feel that the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or classification that is not reflected above, contact your county property appraiser at ...(phone number)... or ...(location)....

If the property appraiser's office is unable to resolve the matter as to market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the county property appraiser and must be filed ON OR BEFORE ...(date)....

(8) The reverse side of the first page of the form shall read:

EXPLANATION

*COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"

This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

*COLUMN 2—"YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED"

This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

*COLUMN 3—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED"

This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on the front side of this notice. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

*Note: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

(9) The bottom portion of the notice shall further read in bold, conspicuous print:

"Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district."

(10)(a) If requested by the local governing board levying non-ad valorem assessments and agreed to by the property appraiser, the notice specified in this section may contain a notice of proposed or adopted non-ad valorem assessments. If so agreed, the notice shall be titled:

NOTICE OF PROPOSED PROPERTY TAXES
AND PROPOSED OR ADOPTED
NON-AD VALOREM ASSESSMENTS
DO NOT PAY—THIS IS NOT A BILL

There must be a clear partition between the notice of proposed property taxes and the notice of proposed or adopted non-ad valorem assessments. The partition must be a bold, horizontal line approximately 1/8-inch thick. By rule, the department shall provide a format for the form of the notice of proposed or adopted non-ad valorem assessments which meets the following minimum requirements:

1. There must be subheading for columns listing the levying local governing board, with corresponding assessment rates expressed in dollars and cents per unit of assessment, and the associated assessment amount.

2. The purpose of each assessment must also be listed in the column listing the levying local governing board if the purpose is not clearly indicated by the name of the board.

3. Each non-ad valorem assessment for each levying local governing board must be listed separately.

4. If a county has too many municipal service benefit units or assessments to be listed separately, it shall combine them by function.

5. A brief statement outlining the responsibility of the tax collector and each levying local governing board as to any non-ad valorem assessment must be provided on the form, accompanied by directions as to which office to contact for particular questions or problems.

(b) If the notice includes all adopted non-ad valorem assessments, the provisions contained in subsection (9) shall not be placed on the notice.

Section 14. Subsection (1) of section 206.05, Florida Statutes, is amended to read:

206.05 Bond required of licensed terminal supplier, importer, exporter, or wholesaler.—

(1) Each terminal supplier, importer, exporter, or wholesaler, except a municipality, county, school board, state agency, federal agency, or special district which is licensed under this part, shall file with the department a bond in a penal sum of not more than ~~\$300,000~~ ~~\$100,000~~, such sum to be approximately 3 times the combined average monthly tax levied under this part and local option tax on motor fuel paid or due during the preceding 12 calendar months under the laws of this state. An exporter shall file a bond in an amount equal to 3 times the average monthly tax due on gallons acquired for export. The bond shall be in such form as may be approved by the department, executed by a surety company duly licensed to do business under the laws of the state as surety thereon, and conditioned upon the prompt filing of true reports and the payment to the department of any and all fuel taxes levied under this chapter including local option taxes which are now or which hereafter may be levied or imposed, together with any and all penalties and interest thereon, and generally upon faithful compliance with the provisions of the fuel tax and local option tax laws of the state. The licensee shall be the principal obligor, and the state shall be the obligee. An assigned time deposit or irrevocable letter of credit may be accepted in lieu of a surety bond.

Section 15. Subsection (6) of section 206.8741, Florida Statutes, is amended to read:

206.8741 Dyeing and marking; notice requirements.—

(6) Any person who fails to provide or post the required notice with respect to any dyed diesel fuel is subject to a penalty of \$2,500 for each month such failure occurs ~~the penalty imposed by s. 206.872(11).~~

Section 16. Subsection (1) section 206.90, Florida Statutes, is amended to read:

206.90 Bond required of terminal suppliers, importers, and wholesalers.—

(1) Every terminal supplier, importer, or wholesaler, except a municipality, county, state agency, federal agency, school board, or special district, shall file with the department a bond or bonds in the penal sum of not more than ~~\$300,000~~ ~~\$100,000~~. The sum of such bond shall be approximately 3 times the average monthly diesel fuels tax and local option tax on diesel fuels paid or due during the preceding 12 calendar months, with a surety approved by the department. The licensee shall be the principal obligor and the state shall be the obligee, conditioned upon the faithful compliance with the provisions of this chapter, including the local option tax laws. If the sum of 3 times a licensee's average monthly tax is less than \$50, no bond shall be required.

Section 17. Paragraph (a) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in sub-subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

(II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

b. The purchaser, within 90 ~~30~~ days from the date of departure, provides the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within 90 ~~30~~ days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The purchaser, within 30 ~~40~~ days after ~~of~~ removing the boat or aircraft from Florida, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hanging from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within 30 ~~5~~ days after ~~of~~ the date of sale, provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions of this section;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost \$425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this

subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

Section 18. Subsection (6) of section 212.055, Florida Statutes, is amended, and paragraph (f) is added to subsection (1) of that section, to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(f) Any discretionary sales surtax levied under this subsection pursuant to a referendum held on or after July 1, 2020, may not be levied for more than 30 years.

(6) SCHOOL CAPITAL OUTLAY SURTAX.—

(a) The school board in each county may levy, pursuant to resolution conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum, a discretionary sales surtax at a rate that may not exceed 0.5 percent.

(b) The resolution must include a statement that provides a brief and general description of the school capital outlay projects to be funded by the surtax. The resolution must include a statement that the revenues collected must be shared with eligible charter schools based on their proportionate share of the total school district enrollment. The statement must conform to the requirements of s. 101.161 and shall be placed on the ballot by the governing body of the county. The following question shall be placed on the ballot:

...FOR THE ...CENTS TAX
...AGAINST THE ...CENTS TAX

(c) The resolution providing for the imposition of the surtax must set forth a plan for use of the surtax proceeds for fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life expectancy of 5 or more years, and any land acquisition, land improvement, design, and engineering costs related thereto. Additionally, the plan shall include the costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the school district. Surtax revenues may be used to service for the purpose of servicing bond indebtedness to finance projects authorized by this subsection, and any interest accrued thereto may be held in trust to finance such projects. Neither the proceeds of the surtax nor any interest accrued thereto shall be used for operational expenses. Surtax revenues shared with charter schools shall be expended by the charter school in a manner consistent with the allowable uses set forth in s. 1013.62(4). All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial statement pursuant to s. 1002.33(9). The eligibility of a charter school to receive funds under this subsection shall be determined in accordance with s. 1013.62(1). If a school's charter is not renewed or is terminated and the school is dissolved under the provisions of law under which the school was organized, any unencumbered funds received under this subsection shall revert to the sponsor.

(d) Surtax revenues collected by the Department of Revenue pursuant to this subsection shall be distributed to the school board imposing the surtax in accordance with law.

Section 19. The amendment made by this act to s. 212.055(6), Florida Statutes, which amends the allowable uses of the school capital outlay surtax, applies to levies authorized by vote of the electors on or after July 1, 2020.

Section 20. Effective January 1, 2021, section 212.134, Florida Statutes, is created to read:

212.134 Information returns relating to payment-card and third-party network transactions.—

(1) For each year in which a payment settlement entity, an electronic payment facilitator, or other third party contracted with the payment settlement entity to make payments to settle reportable payment transactions on behalf of the payment settlement entity must file a return pursuant to s. 6050W of the Internal Revenue Code, the entity, the facilitator, or the third party must submit the information in the return to the department by the 30th day after filing the federal return. The format of the information returns required must be either a copy of such information returns or a copy of such information returns related to participating payees with an address in the state. For purposes of this subsection, the term "payment settlement entity" has the same meaning as provided in s. 6050W of the Internal Revenue Code.

(2) All reports submitted to the department under this section must be in an electronic format.

(3) Any payment settlement entity, facilitator, or third party failing to file the information return required, filing an incomplete information return, or not filing an information return within the time prescribed is subject to a penalty of \$1,000 for each failure, if the failure is for not more than 30 days, with an additional \$1,000 for each month or fraction of a month during which each failure continues. The total amount of penalty imposed on a reporting entity may not exceed \$10,000 annually.

(4) The executive director or his or her designee may waive the penalty if he or she determines that the failure to timely file an information return was due to reasonable cause and not due to willful negligence, willful neglect, or fraud.

Section 21. Section 212.181, Florida Statutes, is created to read:

212.181 Determination of business address situs, distributions, and adjustments.—

(1) For each certificate of registration issued pursuant to s. 212.18(3)(b), the department shall assign the place of business to a county based on the location address provided at the time of registration or at the time the dealer notifies the department of a change in a business location address.

(2)(a) Each county that furnishes to the department information needed to update the electronic database created and maintained pursuant to s. 202.22(2)(a), including addresses of new developments, changes in addresses, annexations, incorporations, reorganizations, and any other changes in jurisdictional boundaries within the county, must specify an effective date, which must be the next ensuing January 1 or July 1, and must be furnished to the department at least 120 days before the effective date. A county that provides notification to the department at least 120 days before the effective date that it has reviewed the database and has no changes for the ensuing January 1 or July 1 satisfies the requirement of this paragraph.

(b) A county that imposes a tourist development tax in a subcounty special district pursuant to s. 125.0104(3)(b) must identify the subcounty special district addresses to which the tourist development tax applies as part of the address information submission required under paragraph (a). This paragraph does not apply to counties that self-administer the tax pursuant to s. 125.0104(10).

(c) The department shall update the electronic database created and maintained under s. 202.22(2)(a) using the information furnished by local taxing jurisdictions under paragraph (a) and shall ensure each business location is correctly assigned to the applicable county pursuant to subsection (1). Each update must specify the effective date as the next ensuing January 1 or July 1 and must be posted by the department on a website not less than 90 days before the effective date.

(3)(a) For distributions made pursuant to ss. 125.0104, 212.20(6)(a), (b), and (d), misallocations occurring solely due to the assignment of an address

to an incorrect county will be corrected prospectively only from the date the department is made aware of the misallocation, subject to the following:

1. If the county that should have received the misallocated distributions followed the notification and timing provisions in subsection (2) for the affected periods, such misallocations may be adjusted by prorating current and future distributions for the period the misallocation occurred, not to exceed 36 months from the date the department is made aware of the misallocation.

2. If the county that received the misallocated distribution followed the notification and timing provisions in subsection (2) for the affected periods and the county that should have received the misallocation did not, the correction shall apply only prospectively from the date the department is made aware of the misallocation.

(b) Nothing in this subsection prevents affected counties from determining an alternative method of adjustment pursuant to an interlocal agreement. Affected counties with an interlocal agreement must provide a copy of the interlocal agreement specifying an alternative method of adjustment to the department within 90 days after the date of the department's notice of the misallocation.

(4) The department may adopt rules to administer this section, including rules establishing procedures and forms.

Section 22. Section 215.179, Florida Statutes, is created to read:

215.179 Solicitation of payment.—An owner of a public building or the owner's employee may not seek, accept, or solicit any payment or other form of consideration for providing the written allocation letter described in s. 179D(d)(4) of the Internal Revenue Code and Internal Revenue Service (IRS) Notice 2008-40. An allocation letter must be signed and returned to the architect, engineer, or contractor within 15 days after written request. The architect, engineer, or contractor shall file the allocation request with the Department of Financial Services. This section is effective until the Internal Revenue Service supersedes s. 3 of IRS Notice 2008-40 and materially modifies the allocation process therein.

Section 23. Section 213.0537, Florida Statutes, is created to read:

213.0537 Electronic notification with affirmative consent.—

(1) Notwithstanding any other provision of law, the Department of Revenue may send notices electronically, by postal mail, or both. Electronic transmission may be used only with the affirmative consent of the taxpayer or its representative. Documents sent pursuant to this section comply with the same timing and form requirements as documents sent by postal mail. If a document sent electronically is returned as undeliverable, the department must resend the document by postal mail. However, the original electronic transmission used with the affirmative consent of the taxpayer or its representative is the official mailing for purposes of this chapter.

(2) A notice sent electronically will be considered to have been received by the recipient if the transmission is addressed to the address provided by the taxpayer or its representative. A notice sent electronically will be considered received even if no individual is aware of its receipt. In addition, a notice sent electronically shall be considered received if the department does not receive notification that the document was undeliverable.

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

(a) "Affirmative consent" means that the taxpayer or its representative expressly consented to receive notices electronically either in response to a clear and conspicuous request for the taxpayer's or its representative's consent, or at the taxpayer's or its representative's own initiative.

(b) "Notice" means all communications from the department to the taxpayer or its representative, including, but not limited to, billings, notices issued during the course of an audit, proposed assessments, and final assessments authorized by this chapter and any other actions constituting final agency action within the meaning of chapter 120.

Section 24. Paragraph (b) of subsection (1) of section 213.21, Florida Statutes, is amended to read:

213.21 Informal conferences; compromises.—

(1)

(b) The statute of limitations upon the issuance of final assessments and the period for filing a claim for refund as required by s. 215.26(2) for any transactions occurring during the audit period shall be tolled during the period in which the taxpayer is engaged in a procedure under this section.

Section 25. Effective upon this act becoming a law, paragraph (a) of subsection (4) of section 220.1105, Florida Statutes, is amended to read:

220.1105 Tax imposed; automatic refunds and downward adjustments to tax rates.—

(4) For fiscal years 2018-2019 through 2020-2021, any amount by which net collections for a fiscal year exceed adjusted forecasted collections for that fiscal year shall only be used to provide refunds to corporate income tax payers as follows:

(a) For purposes of this subsection, the term:

1. "Eligible taxpayer" means:

a. For fiscal year 2018-2019, a taxpayer whose taxable year begins between April 1, 2017, and March 31, 2018, and whose final tax liability for such taxable year is greater than zero;

b. For fiscal year 2019-2020, a taxpayer whose taxable year begins between April 1, 2018, and March 31, 2019, and whose final tax liability for such taxable year is greater than zero; or

c. For fiscal year 2020-2021 a taxpayer whose taxable year begins between April 1, 2019, and March 31, 2020, and whose final tax liability for such taxable year is greater than zero.

2. "Excess collections" for a fiscal year means the amount by which net collections for a fiscal year exceeds adjusted forecasted collections for that fiscal year.

3. "Final tax liability" means the taxpayer's amount of tax due under this chapter for a taxable year, reported on a return filed with the department, plus the amount of any credit taken on such return under s. 220.1875.

4. "Total eligible tax liability" for a fiscal year means the sum of final tax liabilities of all eligible taxpayers for a fiscal year as such liabilities are shown on the latest return filed with the department as of February 1 immediately following that fiscal year.

5. "Taxpayer refund share" for a fiscal year means an eligible taxpayer's final tax liability as a percentage of the total eligible tax liability for that fiscal year.

6. "Taxpayer refund" for a fiscal year means the taxpayer refund share for a fiscal year multiplied by the excess collections for a fiscal year.

Section 26. The amendment made by this act to s. 220.1105(4)(a)3., Florida Statutes, is remedial in nature and applies retroactively.

Section 27. Subsections (1), (2), and (5) of section 443.163, Florida Statutes, are amended to read:

443.163 Electronic reporting and remitting of contributions and reimbursements.—

(1) An employer may file any report and remit any contributions or reimbursements required under this chapter by electronic means. The Department of Economic Opportunity or the state agency providing reemployment assistance tax collection services shall adopt rules prescribing the format and instructions necessary for electronically filing reports and remitting contributions and reimbursements to ensure a full collection of contributions and reimbursements due. The acceptable method of transfer, the method, form, and content of the electronic means, and the method, if any, by which the employer will be provided with an acknowledgment shall be prescribed by the department or its tax collection service provider. However, any employer who employed 10 or more employees in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports, including any corrections, for the current calendar year and remit the contributions and reimbursements due by electronic means approved by the tax collection service provider. ~~A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year must file the Employers Quarterly Reports for each calendar quarter in the current calendar year, beginning with reports due for the second calendar quarter of 2003, by electronic means approved by the tax collection service provider.~~

~~(2)(a)~~ An employer who is required by law to file an Employers Quarterly Report, including any corrections, by approved electronic means, but who files the report either directly or through an agent by a means other than approved electronic means, is liable for a penalty of ~~\$25~~ \$50 for that report and \$1 for each employee, not to exceed \$300. This penalty is in addition to any other penalty provided by this chapter. However, the penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance. An employer who fails to remit contributions or reimbursements

~~either directly or through an agent~~ by approved electronic means as required by law is liable for a penalty of ~~\$25~~ ~~\$50~~ for each remittance submitted by a means other than approved electronic means. This penalty is in addition to any other penalty provided by this chapter.

~~(b) A person who prepared and reported for 100 or more employers in any quarter during the preceding state fiscal year, but who fails to file an Employers Quarterly Report for each calendar quarter in the current calendar year by approved electronic means, is liable for a penalty of \$50 for that report and \$1 for each employee. This penalty is in addition to any other penalty provided by this chapter. However, the penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance.~~

(5) The tax collection service provider may waive the penalty imposed by this section if a ~~written~~ request for a waiver ~~is filed which~~ establishes that imposition would be inequitable. Examples of inequity include, but are not limited to, situations where the failure to electronically file was caused by one of the following factors:

(a) Death or serious illness of the person responsible for the preparation and filing of the report.

(b) Destruction of the business records by fire or other casualty.

(c) Unscheduled and unavoidable computer downtime.

Section 28. Subsections (1) and (3) of section 626.932, Florida Statutes, are amended to read:

626.932 Surplus lines tax.—

(1) The premiums charged for surplus lines coverages are subject to a premium receipts tax of ~~4.94~~ ~~5~~ percent of all gross premiums charged for such insurance. The surplus lines agent shall collect from the insured the amount of the tax at the time of the delivery of the cover note, certificate of insurance, policy, or other initial confirmation of insurance, in addition to the full amount of the gross premium charged by the insurer for the insurance. The surplus lines agent is prohibited from absorbing such tax or, as an inducement for insurance or for any other reason, rebating all or any part of such tax or of his or her commission.

(3) If a surplus lines policy covers risks or exposures only partially in this state and the state is the home state as defined in the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA), the tax payable shall be computed on the gross premium. The surplus lines policy must be taxed in accordance with subsection (1) and the agent shall report the total premium for the risk that is located in this state and the total premium for the risk that is located outside of this state to the Florida Surplus Lines Service Office in the manner and form directed by the Florida Surplus Lines Service Office. The tax must not exceed the tax rate where the risk or exposure is located.

Section 29. Paragraph (b) of subsection (6) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 to pay for any portion of the cost of any new construction of educational plant space with a total cost per student station, including change orders, which exceeds:

a. \$17,952 for an elementary school;

b. \$19,386 for a middle school; or

c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index. The department, in conjunction with the Office of Economic and Demographic Research, shall review and adjust the cost per student station limits to reflect actual construction costs by January 1, 2020,

and annually thereafter. The adjusted cost per student station shall be used by the department for computation of the statewide average costs per student station for each instructional level pursuant to paragraph (d). The department shall also collaborate with the Office of Economic and Demographic Research to select an industry-recognized construction index to replace the Consumer Price Index by January 1, 2020, adjusted annually to reflect changes in the construction index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district.

3. Except for educational facilities and sites subject to a lease-purchase agreement entered pursuant to s. 1011.71(2)(e) or funded solely through local impact fees, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. However, if a contract has been executed for architectural and design services or for construction management services before July 1, 2017, a district school board may use funds from any source for the new construction of educational plant space and such funds are exempt from the total cost per student station requirements.

4. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

Section 30. Clothing, school supplies, personal computers, and personal computer-related accessories; sales tax holiday.—

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 7, 2020, through August 9, 2020, on the retail sale of:

(a) Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$60 or less per item. As used in this paragraph, the term "clothing" means:

1. Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and

2. All footwear, excluding skis, swim fins, roller blades, and skates.

(b) School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, compasses, and calculators.

(2) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from August 7, 2020, through August 9, 2020, on the first \$1,000 of the sales price of personal computers or personal computer-related accessories purchased for noncommercial home or personal use. As used in this subsection, the term:

(a) "Personal computers" includes electronic book readers, laptops, desktops, handheld devices, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

(b) "Personal computer-related accessories" includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, or peripherals that are designed or intended primarily for recreational use. The term "monitor" does not include any device that includes a television tuner.

(3) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9),

Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(4) The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer's gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by August 1, 2020, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.

(5) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(6) For the 2019-2020 fiscal year, the sum of \$241,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2020, shall revert and be reappropriated for the same purpose in the 2020-2021 fiscal year.

(7) This section shall take effect upon this act becoming a law. Section 31. Disaster preparedness supplies; sales tax holiday.—

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from May 29, 2020, through June 4, 2020, on the sale of:

- (a) A portable self-powered light source selling for \$20 or less.
- (b) A portable self-powered radio, two-way radio, or weather-band radio selling for \$50 or less.
- (c) A tarpaulin or other flexible waterproof sheeting selling for \$50 or less.
- (d) An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit selling for \$50 or less.
- (e) A gas or diesel fuel tank selling for \$25 or less.
- (f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for \$30 or less.
- (g) A nonelectric food storage cooler selling for \$30 or less.
- (h) A portable generator used to provide light or communications or preserve food in the event of a power outage selling for \$750 or less.
- (i) Reusable ice selling for \$10 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.

(4) For the 2019-2020 fiscal year, the sum of \$70,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section.

(5) This section shall take effect upon this act becoming a law.

Section 32. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the amendments made by this act to ss. 206.05, 206.8741, 206.90, 212.05, 213.21, and 220.1105, Florida Statutes, and the creation of ss. 212.134 and 212.181, Florida Statutes, by this act. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section shall take effect upon this act becoming a law and expires July 1, 2023.

Section 33. Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to taxation; amending s. 125.0104, F.S.; increasing a population limit on counties that may use tourist development tax revenues for certain uses; creating s. 193.019, F.S.; defining terms; requiring county property appraisers to annually calculate and submit to the Department of Revenue certain property tax reductions granted to owners of hospital property; requiring applicants for the property tax exemption for hospitals to annually submit certain information and a signed statement to the department; specifying requirements for the department in reviewing such information and in determining whether the exemption should be limited; requiring the department to publish certain data; authorizing the department to adopt rules; creating s. 193.1557, F.S.; extending the timeframe within which certain changes to property damaged or destroyed by Hurricane Michael must commence to prevent the assessed value of the property from increasing; providing applicability; providing for future repeal; amending s. 194.035, F.S.; specifying circumstances under which a special magistrate's appraisal may not be submitted as evidence to a value adjustment board; amending s. 195.073, F.S.; revising the property classifications for certain multifamily housing and commercial and industrial properties; amending s. 195.096, F.S.; revising requirements for the department's review and publication of findings of county assessment rolls; amending s. 196.173, F.S.; revising the military operations that qualify certain servicemembers for an additional ad valorem tax exemption; providing applicability; revising the deadlines for applying for additional ad valorem tax exemptions for certain servicemembers for a specified tax year; authorizing a property appraiser to grant an exemption for an untimely filed application if certain conditions are met; providing procedures for an applicant to file a petition with the value adjustment board if an application is denied; providing applicability; amending s. 196.1978, F.S.; providing applicability of the affordable housing property tax exemption to vacant units if certain conditions are met; providing retroactive operation; providing legislative intent relating to ownership of exempt property by certain limited liability companies; providing applicability of the tax exemption, under certain circumstances, to certain units occupied by natural persons or families whose income no longer meets income limits; amending s. 200.065, F.S.; authorizing a property appraiser in a county for which the Governor has declared a state of emergency to post notices of proposed property taxes on its website if mailing the notice is not possible; providing for an extension of sending the notice during such state of emergency; specifying a duty of the property appraiser; specifying hearing advertisement requirements for multicounty taxing authorities under certain circumstances; specifying procedures and requirements for taxing authorities, counties, and school districts for hearings and notices in the event of a state of emergency; amending s. 200.069, F.S.; specifying a limitation on the information that property appraisers may include in the notice of ad valorem taxes and non-ad valorem assessments; amending s. 206.05, F.S.; increasing the maximum bond the department may require from a terminal supplier, importer, exporter, or wholesaler of motor fuel; amending s. 206.8741, F.S.; revising a penalty for failure to provide or post a notice relating to dyed diesel fuel; amending s. 206.90, F.S.; increasing the maximum bond the department may require from a terminal supplier, importer, exporter, or wholesaler of diesel fuel; amending s. 212.05, F.S.; revising timeframes for certain documentation to be provided to the department for the purposes of a sales tax exemption for the sale of certain boats and aircraft; amending s. 212.055, F.S.; specifying a limitation on the duration of a charter county and regional transportation system surtax levied pursuant to a referendum held on or after a certain date; requiring that resolutions to approve a school capital outlay surtax include a statement relating to the sharing of revenues with eligible charter schools in a specified manner; specifying authorized uses of surtax revenues shared with charter schools; providing an accounting requirement for charter

schools; specifying the eligibility of charter schools; requiring that unencumbered funds revert to the sponsor under certain circumstances; providing applicability; creating s. 212.134, F.S.; specifying requirements for payment settlement entities, or their electronic payment facilitators or contracted third parties, in submitting information returns to the department; defining the term "payment settlement entity"; providing penalties; authorizing the department's executive director or his or her designee to waive penalties under certain circumstances; creating s. 212.181, F.S.; specifying requirements for counties and the department in updating certain databases and determining business addresses for sales tax purposes; specifying a requirement for certain counties imposing a tourist development tax; providing procedures and requirements for correcting certain misallocations of certain tax distributions; providing construction; authorizing the department to adopt rules; creating s. 215.179, F.S.; prohibiting an owner of a public building or the owner's employee from seeking, accepting, or soliciting consideration for providing a certain allocation letter relating to energy efficient commercial building property; specifying a requirement for signing and returning the allocation letter; requiring certain persons to file an allocation request to the Department of Financial Services; providing construction; creating s. 213.0537, F.S.; authorizing the department to provide certain official correspondence to taxpayers electronically upon the affirmative request of the taxpayer; providing construction; defining terms; amending s. 213.21, F.S.; providing that the period for filing a claim for certain refunds is tolled during a period in which a taxpayer is engaged in certain informal conference procedures; amending s. 220.1105, F.S.; revising the definition of the term "final tax liability" for certain purposes; providing for retroactive application; amending s. 443.163, F.S.; specifying that Employers Quarterly Reports filed with the Department of Economic Opportunity by certain employers must include any corrections; deleting an additional filing requirement for certain persons; revising penalties for employers failing to properly file the report or failing to properly remit contributions or reimbursements; revising criteria for requesting a waiver of a penalty with the tax collection service provider; amending s. 626.932, F.S.; decreasing the rate of the surplus lines tax; revising the applicable tax on certain surplus lines policies; requiring surplus lines agents to report certain information to the Florida Surplus Lines Service Office; amending s. 1013.64, F.S.; providing that educational facilities and sites funded solely through local impact fees are exempt from certain prohibited uses of funds; providing sales tax exemptions for certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a certain timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the exemptions, subject to certain conditions; authorizing the department to adopt emergency rules; providing an appropriation; providing sales tax exemptions for certain disaster preparedness supplies during a certain timeframe; specifying locations where the exemptions do not apply; authorizing the department to adopt emergency rules; providing an appropriation; authorizing the department to adopt emergency rules for certain purposes; providing for expiration of that authority; providing effective dates.

On motion by Rep. Avila, the House concurred in **Unengrossed Senate Substitute Amendment 3**.

(Amendment Bar Code: 577084)

Unengrossed Senate Amendment 3a to Unengrossed Senate Substitute Amendment 3 (204786) —

Delete line 72
and insert:
statement of the Florida total of the county net community benefit expense is true

On motion by Rep. Avila, the House concurred in **Unengrossed Senate Amendment 3a (577084) to Unengrossed Senate Substitute Amendment 3 (204786)**.

The question recurred on the passage of **CS/HB 7097**. The vote was:

Session Vote Sequence: 768

Representative Magar in the Chair.

Yeas—104

Alexander	Duran	Latvala	Rodriguez, A.
Aloupis	Eagle	Leek	Rodriguez, A. M.
Altman	Fernández	Magar	Rommel
Andrade	Fernandez-Barquin	Maggard	Roth
Antone	Fetterhoff	Mariano	Sabatini
Ausley	Fine	Massullo	Santiago
Avila	Fischer	McClain	Shoaf
Bell	Fitzenhagen	McClure	Silvers
Beltran	Geller	McGhee	Sirois
Brannan	Good	Newton	Smith, D.
Brown	Gottlieb	Oliva	Spowls
Buchanan	Grall	Omphroy	Stark
Burton	Grant, J.	Overdorf	Stevenson
Byrd	Grant, M.	Payne	Stone
Caruso	Gregory	Perez	Sullivan
Clemons	Grieco	Pigman	Thompson
Cortes, J.	Hage	Plakon	Toledo
Cummings	Hart	Plasencia	Tomkow
Daley	Hill	Polsky	Trumbull
Davis	Hogan Johnson	Ponder	Valdés
Diamond	Ingoglia	Pritchett	Watson, B.
DiCeglie	Jacquet	Raschein	Webb
Donalds	Jenne	Renner	Willhite
Drake	Killebrew	Roach	Williamson
DuBose	La Rosa	Robinson	Yarborough
Duggan	LaMarca	Rodrigues, R.	Zika

Nays—8

Driskell	Goff-Marcil	Polo	Smith, C.
Eskamani	Hattersley	Slosberg	Watson, C.

Votes after roll call:

Yeas—Casello, Mercado
Nays—Jacobs

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

Recessed

The House stood in informal recess at 11:19 p.m., to reconvene upon call of the Chair.

Reconvened

The House was called to order by the Speaker at 11:21 p.m.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has amended House Amendment 1 (594317) with Senate Amendment 1 (766582), Senate Amendment 2 (863082), and Senate Amendment 3 (805878), concurred in the same as amended, and passed CS for SB 72, as further amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Appropriations; and Senator Stargel—

CS for SB 72—A bill to be entitled An act relating to postsecondary education; amending s. 287.057, F.S.; authorizing state agencies to contract with independent, nonprofit colleges and universities that meet specified requirements; amending s. 1001.03, F.S.; clarifying requirements for new construction, remodeling, or renovation projects; amending s. 1001.706, F.S.; requiring that selection of a president by a university board of trustees be from among at least three candidates; amending s. 1001.7065, F.S.; requiring that certain academic and research excellence standards be reported annually in the

accountability plan prepared by the Board of Governors; revising the academic and research excellence standards established for the preeminent state research universities program; establishing criteria for identifying state universities of distinction, rather than programs of excellence, throughout the State University System; authorizing the Board of Governors to annually submit, by a specified date, the programs for funding by the Legislature; amending s. 1004.085, F.S.; requiring certain innovative pricing techniques and payment options to contain an opt-out provision for students; amending s. 1004.346, F.S.; deleting a provision related to terms of Phosphate Research and Activities Board members; creating s. 1004.6499, F.S.; creating the Florida Institute of Politics within the Florida State University College of Social Sciences and Public Policy; providing the purpose and goals of the institute; amending s. 1009.50, F.S.; revising a provision relating to the maximum annual grant amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a certain timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; requiring institutions that receive moneys through the program to submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution's eligibility or request a refund of moneys overpaid to the institution under certain circumstances; providing a timeframe for such refunds; amending s. 1009.505, F.S.; requiring that grant awards administered through the Florida Public Postsecondary Career Education Student Assistance Grant Program not exceed a certain amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; requiring institutions that receive moneys through the program to submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution's eligibility or to request a refund of moneys overpaid to the institution under certain circumstances; authorizing funds appropriated for state student assistance grants to be deposited in a specified trust fund; requiring that any balance in the trust fund at the end of a fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program remain therein, subject to certain statutory exceptions; amending s. 1009.51, F.S.; requiring that grant awards administered through the Florida Private Student Assistance Grant Program not exceed a certain annual award amount; providing that students who receive an award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring that the formula used to distribute funds for the program account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; revising a requirement for a biennial report; amending s. 1009.52, F.S.; requiring that grants administered through the Florida Postsecondary Student Assistance Grant Program not exceed a certain annual award amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount;

requiring that the formula used to distribute funds for the program account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; revising a requirement for a biennial report; amending s. 1009.893, F.S.; specifying eligibility for initial awards under the Benacquisto Scholarship Program; revising requirements for a student to receive a renewal award; providing a timeframe within which students can receive an award; providing an exception to renewal requirements; amending s. 1011.45, F.S.; revising the date by which a spending plan must be submitted to a university's board of trustees for approval; revising the date by which the Board of Governors must review and approve such spending plan; authorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; amending s. 1012.976, F.S.; deleting a provision relating to applicability; requiring the Board of Governors to adopt regulations defining university faculty and administrative personnel classifications; amending s. 1013.841, F.S.; revising the dates by which a spending plan must be submitted to a Florida College System institution's board of trustees for approval; revising the dates by which the State Board of Education shall review and publish such plan; authorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; providing an effective date.

(Amendment Bar Code: 766582)

Senate Amendment 1 to House Amendment 1 (594317) (with title amendment)—

Delete lines 47 - 111.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 1139 - 1147

and insert:

amending

On motion by Rep. R. Rodrigues, the House concurred in **Senate Amendment 1 to House Amendment 1**.

(Amendment Bar Code: 863082)

Senate Amendment 2 to House Amendment 1 (594317) (with title amendment)—

Delete lines 298 - 324

and insert:

1004.6499 Florida Institute of Politics.—

(1) The Florida Institute of Politics is established at the Florida State University within the College of Social Sciences and Public Policy. The purpose of the institute is to provide the southeastern region of the United States with a world class, bipartisan, nationally renowned institute of politics.

(2) The goals of the institute are to:

(a) Motivate students throughout the Florida State University to become aware of the significance of government and civic engagement at all levels and politics in general.

(b) Provide students with an opportunity to be politically active and civically engaged.

(c) Nurture a greater awareness and passion for public service and politics.

(d) Plan and host forums to allow students and guests to hear from and interact with experts from government, politics, policy, and journalism on a frequent basis.

(e) Become a national and state resource on polling information and survey methodology.

(f) Provide fellowships and internship opportunities to students in government, nonprofit organizations, and community organizations.

(g) Provide training sessions for newly elected state and local public officials.

(h) Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.

(i) Create and promote research and awareness regarding politics, citizen involvement, and public service.

(j) Collaborate with related policy institutes and research activities at the Florida State University and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.

Section 10. Section 1004.64991, Florida Statutes, is created to read:

1004.64991 The Adam Smith Center for the Study of Economic Freedom.—

(1) The Adam Smith Center for the Study of Economic Freedom at Florida International University, is hereby created.

(2) The goals of the center are to:

(a) Study the effect of government and free-market economies on individual freedom and human prosperity.

(b) Conduct and promote research on the effect of political and economic systems on human prosperity.

(c) Plan and host research workshops and conferences to allow, students, scholars, and guests to exchange in civil discussion of democracy and capitalism.

(d) Provide fellowship and mentoring opportunities to students engaged in scholarly studies of the effect of political and economic systems on human prosperity.

TITLE AMENDMENT

And the title is amended as follows:

Delete lines 1172 - 1176

and insert:

1004.6499, F.S.; creating the Florida Institute of Politics within Florida State University College of Social Sciences and Public Policy; providing the purpose and goals of the institute; creating s. 1004.64991, F.S.; creating the Adam Smith Center for the Study of Economic Freedom; providing a purpose and goals of the center; amending s. 1009.50, F.S.; requiring that

On motion by Rep. R. Rodrigues, the House concurred in Senate Amendment 2 to House Amendment 1.

(Amendment Bar Code: 805878)

Senate Amendment 3 to House Amendment 1 (594317) (with title amendment)—

Delete lines 1014 - 1066.

TITLE AMENDMENT

And the title is amended as follows:

Delete lines 1297 - 1303

and insert:

disclose such information; amending s. 1013.841, F.S.; revising

On motion by Rep. R. Rodrigues, the House concurred in Senate Amendment 3 to House Amendment 1.

The question recurred on the passage of CS for SB 72. The vote was:

Session Vote Sequence: 769

Representative Magar in the Chair.

Yeas—112

- Alexander, Aloupis, Altman, Andrade, Antone, Ausley, Avila, Bell, Beltran, Brannan, Brown, Buchanan, Burton, Byrd, Caruso, Clemons, Cortes, J., Cummings, Daley, Davis, Diamond, DiCeglie, Donalds, Drake, Driskell, DuBose, Duggan, Duran, Eagle, Eskamani, Fernández, Fernandez-Barquin

- Fetterhoff, Fine, Fischer, Fitzenhagen, Geller, Goff-Marcil, Good, Gottlieb, Grall, Grant, J., Grant, M., Gregory, Grieco, Hage, Hart, Hattersley, Hill, Hogan Johnson, Ingoglia, Jacquet, Jenne, Killebrew, La Rosa, LaMarca, Latvala, Leek, Magar, Maggard, Mariano, Massullo, McClain, McClure, McGhee, Newton, Oliva, Omphroy, Overdorf, Payne, Perez, Pigman, Plakon, Plasencia, Polo, Polsky, Ponder, Pritchett, Raschein, Renner, Roach, Robinson, Rodrigues, R., Rodriguez, A. M., Rodriguez, A. M., Rommel, Roth, Sabatini, Santiago, Shoaf, Silvers, Sirois, Slosberg, Smith, C., Smith, D., Sprowls, Stark, Stevenson, Stone, Sullivan, Thompson, Toledo, Tomkow, Trumbull, Valdés, Watson, B., Watson, C., Webb, Willhite, Williamson, Yarborough, Zika

Nays—None

Votes after roll call:

Yeas—Casello, Jacobs, Mercado

So the bill passed, as amended. The action, together with the bill and the amendments thereto, was immediately certified to the Senate.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1259, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

CS/CS/HB 1259—A bill to be entitled An act relating to restrictive housing for incarcerated pregnant women; amending s. 944.241, F.S.; providing definitions; prohibiting the involuntary placement of pregnant prisoners in restrictive housing under specified circumstances; providing exceptions; requiring corrections officials to write a specified report if circumstances necessitate placing a pregnant prisoner in restrictive housing; providing requirements for the report; requiring a copy of such reports to be provided to pregnant prisoners in restrictive housing; providing requirements for the treatment of pregnant prisoners placed in restrictive housing; requiring pregnant prisoners to be placed in designated medical housing unit or admitted to the infirmary under certain circumstances; providing certain rights for pregnant prisoners placed in designated medical housing unit or admitted to the infirmary; requiring the Department of Corrections and the Department of Juvenile Justice to adopt rules by a specified date; providing an effective date.

(Amendment Bar Code: 252236)

Senate Amendment 1 (with title amendment)—

Delete everything after the enacting clause and insert:

Section 1. Section 944.241, Florida Statutes, is amended to read: 944.241 Shaking of Incarcerated pregnant women.—

(1) SHORT TITLE.—This section may be cited as the "Tammy Jackson Healthy Pregnancies for Incarcerated Women Act."

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

(a) "Correctional institution" means any facility under the authority of the department or the Department of Juvenile Justice, a county or municipal detention facility, or a detention facility operated by a private entity.

(b) "Corrections official" means the official who is responsible for oversight of a correctional institution, or his or her designee.

(c) "Department" means the Department of Corrections.

(d) "Extraordinary circumstance" means a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints or

restrictive housing be used to ensure the safety and security of the prisoner, the staff of the correctional institution or medical facility, other prisoners, or the public.

(e) "Invasive body cavity search" means a search that involves a manual inspection using touch, insertion, or probing of the openings, cavities, and orifices of the human body, including, but not limited to, the genitals, buttocks, anus, or breasts that is not conducted for a medical purpose.

(f)(e) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(g)(f) "Postpartum recovery" means, as determined by her physician, the period immediately following delivery, including the recovery period when a woman is in the hospital or infirmary following birth, up to 24 hours after delivery unless the physician after consultation with the department or correctional institution recommends a longer period of time.

(h)(g) "Prisoner" means any person incarcerated or detained in any correctional institution who is accused of, convicted of, sentenced for, or adjudicated delinquent for a violation of criminal law or the terms and conditions of parole, probation, community control, pretrial release, or a diversionary program. For purposes of this section, the term includes any woman detained under the immigration laws of the United States at any correctional institution.

(i)(h) "Restraints" means any physical restraint or mechanical device used to control the movement of a prisoner's body or limbs, including, but not limited to, flex cuffs, soft restraints, hard metal handcuffs, a black box, chubb cuffs, leg irons, belly chains, a security or tether chain, or a convex shield.

(j) "Restrictive housing" means the placement of pregnant prisoners separately from the general population of a correctional institution. The term includes placing the prisoner in medical isolation, in a medical housing unit, or in the infirmary.

(3) RESTRAINT OF PRISONERS.—

(a) Except as provided in paragraph (b), restraints may not be used on a prisoner who is known to be pregnant:

1. If any doctor, nurse, or other health professional treating the prisoner in labor, in delivery, or in postpartum recovery requests that restraints not be used due to a documentable medical purpose. If the doctor, nurse, or other health professional makes such a request, the correctional officer or other law enforcement officer accompanying the prisoner must immediately remove all restraints.

2. During transport, labor, delivery, or and postpartum recovery, unless the corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance, except that:

1. The physician may request that restraints not be used for documentable medical purposes. The correctional officer, correctional institution employee, or other officer accompanying the pregnant prisoner may consult with the medical staff; however, if the corrections official officer determines there is an extraordinary public safety risk, the official may officer is authorized to apply restraints as limited by paragraph (b) subparagraph 2.

(b) A restraint may be used on a prisoner who is known to be pregnant or in postpartum recovery only if all of the following apply:

1. The corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance.

2. The restraints used are the least restrictive necessary.

3. If wrist restraints are used, the restraints are applied in the front of the prisoner so that she may protect herself in the event of a forward fall.

4.2. Under no circumstances shall Leg, ankle, or waist restraints are not be used on any pregnant prisoner who is in labor or delivery.

(b) If restraints are used on a pregnant prisoner pursuant to paragraph (a):

1. The type of restraint applied and the application of the restraint must be done in the least restrictive manner necessary; and

(c)2. The corrections official shall make written findings within 10 days after the use of restraints as to the extraordinary circumstance that dictated the use of the restraints. These findings shall be kept on file by the department or correctional institution for at least 5 years.

(d) A pregnant prisoner who is transported by a correctional institution must be transported using a restraint that is the least restrictive necessary. A

correctional institution that uses restraints on a pregnant prisoner during transport must comply with the written findings required in paragraph (c).

(e) During the third trimester of pregnancy or when requested by the physician treating a pregnant prisoner, unless there are significant documentable security reasons noted by the department or correctional institution to the contrary that would threaten the safety of the prisoner, the unborn child, or the public in general:

1. Leg, ankle, and waist restraints may not be used; and

2. If wrist restraints are used, they must be applied in the front so the pregnant prisoner is able to protect herself in the event of a forward fall.

(d) In addition to the specific requirements of paragraphs (a) (e), any restraint of a prisoner who is known to be pregnant must be done in the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences.

(4) INVASIVE BODY CAVITY SEARCHES.—

(a) Except as provided under paragraph (b), an invasive body cavity search of a pregnant prisoner may be conducted only by a medical professional.

(b) A correctional officer may conduct an invasive body cavity search of a pregnant prisoner only if the officer has a reasonable belief that the prisoner is concealing contraband. An officer who conducts an invasive body cavity search must submit a written report to the corrections official within 72 hours after the search. The report must:

1. Explain the reasons for the search; and

2. Identify any contraband recovered in the search.

(5) RESTRICTIVE HOUSING.—

(a) Except as provided in paragraph (b), a pregnant prisoner may not be involuntarily placed in restrictive housing. This subsection does not prohibit a corrections official from placing a pregnant prisoner in restrictive housing for disciplinary violations or to address security risks to the pregnant prisoner, other prisoners, or staff directly related to the pregnant prisoner provided the corrections official complies with the reporting requirements of subparagraph (b)1.

(b) A pregnant prisoner may be involuntarily placed in restrictive housing only if the corrections official of the correctional institution, in consultation with the medical staff overseeing prenatal care and medical treatment at the correctional institution, determines that an extraordinary circumstance exists such that restrictive housing is necessary and that there are no less restrictive means available.

1. The corrections official shall, within 12 hours of placing a prisoner in restrictive housing, write a report that states:

a. The extraordinary circumstance that is present; and

b. The reason less restrictive means are not available.

2. The corrections official shall review the report at least every 24 hours to confirm that the extraordinary circumstance cited in the report still exists. A copy of the report and each review must be provided to the pregnant prisoner.

(c) A pregnant prisoner who is placed in restrictive housing under this section shall be:

1. Seen at least every 12 hours by the medical staff overseeing prenatal care and medical treatment in the facility;

2. Housed in the least restrictive setting consistent with the health and safety of the pregnant prisoner; and

3. Given an intensive treatment plan developed and approved by the medical staff overseeing prenatal care and medical treatment at the facility.

(d) If a pregnant prisoner needs medical care, an authorized medical staff must provide an order for the pregnant prisoner to be placed in a designated medical housing unit or admitted to the infirmary. If the pregnant prisoner has passed her due date, she must be placed in a designated medical housing unit or admitted to the infirmary until labor begins or until other housing arrangements are made. A pregnant prisoner who has been placed in a designated medical housing unit or admitted to the infirmary shall be provided:

1. The same access to outdoor recreation, visitation, mail, and telephone calls as other prisoners; and

2. The ability to continue to participate in other privileges and classes granted to the general population.

(6)(4) ENFORCEMENT.—

(a) Notwithstanding any relief or claims afforded by federal or state law, any prisoner who is restrained in violation of this section may file a grievance

with the correctional institution, and be granted a 45-day extension if requested in writing pursuant to rules promulgated by the correctional institution.

(b) This section does not prevent a woman harmed through the use of restraints under this section from filing a complaint under any other relevant provision of federal or state law.

~~(7)(5)~~ NOTICE TO PRISONERS.—

(a) ~~By September 1, 2012,~~ The department and the Department of Juvenile Justice shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

(b) Each correctional institution shall inform female prisoners of the rules developed pursuant to paragraph (a) upon admission to the correctional institution, including the policies and practices in the prisoner handbook, and post the policies and practices in locations in the correctional institution where such notices are commonly posted and will be seen by female prisoners, including common housing areas and medical care facilities.

Section 2. This act shall take effect July 1, 2020.

===== T I T L E A M E N D M E N T
=====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to incarcerated pregnant women; amending s. 944.241, F.S.; amending the short title; redefining the term "extraordinary circumstance"; defining the terms "invasive body cavity search" and "restrictive housing"; revising the circumstances under which a prisoner who is known to be pregnant may not be restrained; specifying conditions under which restraints may be used; requiring that invasive body cavity searches on a pregnant prisoner be conducted by a medical professional; providing an exception; prohibiting the involuntary placement of pregnant prisoners in restrictive housing; providing exceptions; requiring corrections officials to write a specified report if an extraordinary circumstance necessitates placing a pregnant prisoner in restrictive housing; providing requirements for the report; requiring corrections officials to review such reports at specified intervals; requiring a copy of such reports and reviews to be provided to pregnant prisoners in restrictive housing; providing requirements for the treatment of pregnant prisoners placed in restrictive housing; requiring pregnant prisoners to be placed in a designated medical housing unit or admitted to the infirmary under certain circumstances; providing certain rights for pregnant prisoners placed in a designated medical housing unit or admitted to the infirmary; providing an effective date.

Representative Smith, C. offered the following:

(Amendment Bar Code: 436717)

House Amendment 1 to Senate Amendment 1 (252236) (with title amendment)—Remove lines 21-205 of the amendment and insert:

circumstance that dictates restraints be used to ensure the safety and security of the prisoner, the staff of the correctional institution or medical facility, other prisoners, or the public.

(e) "Invasive body search" means a search involving a manual inspection of the breasts or a manual inspection using touch, insertion, or probing of the cavities of the human body, including the genitals, buttocks, or anus. An invasive body search may only be conducted according to a correctional institution's written rules, policies, or procedures as required by subsection (6).

~~(f)(e)~~ "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

~~(g)(4)~~ "Postpartum recovery" means, as determined by her physician, the period immediately following delivery, including the recovery period when a woman is in the hospital or infirmary following birth, up to 24 hours after delivery unless the physician after consultation with the department or correctional institution recommends a longer period of time.

(h) "Pregnant prisoner" means any prisoner whose pregnancy is confirmed by or otherwise known to a qualified healthcare professional at the correctional institution.

~~(i)(2)~~ "Prisoner" means any person incarcerated or detained in any correctional institution who is accused of, convicted of, sentenced for, or adjudicated delinquent for a violation of criminal law or the terms and conditions of parole, probation, community control, pretrial release, or a diversionary program. For purposes of this section, the term includes any woman detained under the immigration laws of the United States at any correctional institution.

~~(j)(4)~~ "Restraints" means any physical restraint or mechanical device used to control the movement of a prisoner's body or limbs, including, but not limited to, flex cuffs, soft restraints, hard metal handcuffs, a black box, chubb cuffs, leg irons, belly chains, a security or tether chain, or a convex shield.

(k) "Restrictive housing" means housing a prisoner separately from the general population of a correctional institution and imposing restrictions on her movement, behavior, and privileges. The term includes placing a prisoner in medical isolation, in a medical housing unit, or in the infirmary.

(3) RESTRAINT OF PRISONERS.—

(a) Restraints may not be used on a pregnant prisoner ~~who is known to be pregnant~~ during labor, delivery, and postpartum recovery, unless the corrections official makes an individualized determination that the pregnant prisoner presents an extraordinary circumstance, except that:

1. The physician may request that restraints not be used for documentable medical purposes. The correctional officer, correctional institution employee, or other officer accompanying the pregnant prisoner may consult with the medical staff; however, if the officer determines there is an extraordinary public safety risk, the officer is authorized to apply restraints as limited by subparagraph 2.

2. ~~Under no circumstances shall~~ Leg, ankle, or waist restraints may not be used on any pregnant prisoner who is in labor or delivery.

(b) If restraints are used on a pregnant prisoner pursuant to paragraph (a):

1. The type of restraint applied and the application of the restraint must be done in the least restrictive manner necessary; and

2. The corrections official shall make written findings within 10 days after the use of restraints as to the extraordinary circumstance that dictated the use of the restraints. These findings shall be kept on file by the department or correctional institution for at least 5 years.

(c) During the third trimester of pregnancy or when requested by the physician treating a pregnant prisoner, unless there are significant documentable security reasons noted by the department or correctional institution to the contrary that would threaten the safety of the prisoner, the unborn child, or the public in general:

1. Leg, ankle, and waist restraints may not be used; and

2. If wrist restraints are used, they must be applied in the front so the pregnant prisoner is able to protect herself in the event of a forward fall.

(d) In addition to the specific requirements of paragraphs (a)-(c), any restraint of a pregnant prisoner ~~who is known to be pregnant~~ must be done in the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences.

(4) RESTRICTIVE HOUSING.—

(a) Except as provided in paragraph (b) or paragraph (d), a pregnant prisoner may not be involuntarily placed in restrictive housing.

(b) A pregnant prisoner may be involuntarily placed in restrictive housing if the corrections official of the correctional institution makes an individualized determination that restrictive housing is necessary to protect the health and safety of the pregnant prisoner or others or to preserve the security and order of the correctional institution and that there are no less restrictive means available. After placing a pregnant prisoner in restrictive housing under this paragraph, the corrections official must write a report stating:

1. The individualized reason restrictive housing is necessary.

2. The reason less restrictive means are not available.

3. Whether a qualified healthcare professional at the correctional institution objects to the placement.

The corrections official must provide a copy of such report to the pregnant prisoner within 12 hours after placing the prisoner in restrictive housing.

(c) A pregnant prisoner who is placed in restrictive housing under this section must be:

- 1. Seen by a qualified healthcare professional at least once every 24 hours.
2. Observed by a correctional officer at least once every hour.
3. Housed in the least restrictive setting consistent with the health and safety of the pregnant prisoner.
4. Given a medical treatment plan developed and approved by a qualified healthcare professional at the correctional institution if the pregnant prisoner does not already have such a treatment plan in place.

(d)1. If a pregnant prisoner needs medical care, a primary care nurse practitioner or obstetrician must provide an order for the pregnant prisoner to be placed in a designated medical housing unit or admitted to the infirmary.

2. If a pregnant prisoner has passed her due date, she must be placed in a designated medical housing unit or admitted to the infirmary until labor begins. A pregnant prisoner who has been placed in a designated medical housing unit or admitted to the infirmary must be provided the same access to outdoor recreation, visitation, mail, telephone calls, and other privileges and classes available to the general population unless:

a. The corrections official, after consulting with a qualified healthcare professional at the correctional institution, determines that such access poses a danger to the safety and security of the correctional institution; or

b. A qualified healthcare professional at the correctional institution determines that such access poses a danger of adverse clinical consequences for the pregnant prisoner or others and documents such determination in the pregnant prisoner's medical file.

(5)(4) ENFORCEMENT.—

(a) Notwithstanding any relief or claims afforded by federal or state law, any prisoner who is restrained or placed in restrictive housing in violation of this section may file a grievance with the correctional institution, and be granted a 45-day extension if requested in writing pursuant to rules promulgated by the correctional institution.

(b) This section does not prevent a woman harmed through the use of restraints or by placement in restrictive housing under this section from filing a complaint under any other relevant provision of federal or state law.

(6)(5) NOTICE TO PRISONERS.—

(a) By September 1, 2012, The department and the Department of Juvenile Justice shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

(b) Each correctional institution shall inform female prisoners of the rules developed pursuant to paragraph (a) upon admission to the correctional institution, including the policies and practices in the prisoner handbook, and post the policies and practices in locations in the correctional institution where such notices are commonly posted and will be seen by female prisoners, including common housing areas and medical care facilities.

(c) Each county or municipal detention facility and each detention facility operated by a private entity shall adopt written policies and procedures relating to the use of restraints and the performance of invasive body searches on pregnant prisoners.

TITLE AMENDMENT

Remove lines 214-239 of the amendment and insert: providing definitions; prohibiting the involuntary placement of pregnant prisoners in restrictive housing; providing exceptions; requiring corrections officials to write a specified report if circumstances necessitate placing a pregnant prisoner in restrictive housing; providing requirements for the report; requiring a copy of such reports to be provided to pregnant prisoners in restrictive housing; providing requirements for the treatment of pregnant prisoners placed in restrictive housing; requiring pregnant prisoners to be placed in a designated medical housing unit or admitted to the infirmary under certain circumstances; providing certain rights for pregnant prisoners placed in a designated medical housing unit or admitted to the infirmary; expanding enforcement provisions to provide for grievances for violations relating to restrictive housing of pregnant prisoners; requiring the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring

detention facilities to develop specified written policies and procedures; providing an effective date.

Rep. Smith, C. moved the adoption of House Amendment 1 to Senate Amendment 1, which was adopted.

On motion by Rep. Dubose, the House concurred in Senate Amendment 1, as amended.

The question recurred on the passage of CS/CS/HB 1259. The vote was:

Session Vote Sequence: 770

Representative Magar in the Chair.

Yeas—112

Table with 4 columns of names: Alexander, Aloupis, Altman, Andrade, Antone, Ausley, Avila, Bell, Beltran, Brannan, Brown, Buchanan, Burton, Byrd, Caruso, Clemons, Cortes, J., Cummings, Daley, Davis, Diamond, DiCeglie, Donalds, Drake, Driskell, DuBose, Duggan, Duran, Eagle, Eskamani, Fernández, Fernandez-Barquin, Fetterhoff, Fine, Fischer, Fitzenhagen, Geller, Goff-Marcil, Good, Gottlieb, Grall, Grant, J., Grant, M., Gregory, Grieco, Hage, Hart, Hattersley, Hill, Hogan Johnson, Ingoglia, Jacquet, Jenne, Killebrew, La Rosa, LaMarca, Latvala, Leek, Magar, Maggard, Mariano, Massullo, McClain, McClure, McGhee, Newton, Oliva, Omphroy, Overdorf, Payne, Perez, Pigman, Plakon, Plasencia, Polo, Polsky, Ponder, Pritchett, Raschein, Renner, Roach, Robinson, Rodrigues, R., Rodriguez, A., Rodriguez, A. M., Rommel, Roth, Sabatini, Santiago, Shoaf, Silvers, Sirois, Slosberg, Smith, C., Smith, D., Sprowls, Stark, Stevenson, Stone, Sullivan, Thompson, Toledo, Tomkow, Trumbull, Valdés, Watson, B., Watson, C., Webb, Willhite, Williamson, Yarborough, Zika

Nays—None

Votes after roll call:

Yeas—Casello, Jacobs, Mercado

So the bill passed, as amended. The action, together with the bill and the amendments thereto, was immediately certified to the Senate.

THE SPEAKER IN THE CHAIR

Motion

On motion by Rep. Sprowls, SCR 1936 was taken up.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has adopted SCR 1936 and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Benacquisto—

SCR 1936—A concurrent resolution extending the 2020 Regular Session of the Florida Legislature under the authority of Section 3(d), Article III of the State Constitution.

WHEREAS, the 60 days of the 2020 Regular Session of the Florida Legislature will expire on Friday, March 13, 2020, and the necessary tasks of the session have not been completed, NOW, THEREFORE,

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

That, the 2020 Regular Session of the Florida Legislature is extended until 11:59 p.m. on Friday, March 20, 2020, under the authority of Section 3(d), Article III of the State Constitution.

BE IT FURTHER RESOLVED that, in the regular session so extended, the Legislature shall consider only the following matters:

(1) House Bill 5001 or any Senate and House Conference Committee Report thereon.

(2) House Bill 5003 or any Senate and House Conference Committee Report thereon.

(3) House Bill 5005 or any Senate and House Conference Committee Report thereon.

BE IT FURTHER RESOLVED that all other measures in both houses are indefinitely postponed and withdrawn from consideration of the respective house as of 12:00 a.m., Saturday, March 14, 2020.

BE IT FURTHER RESOLVED that upon recess or adjournment on Friday, March 13, 2020, either house may reconvene upon the call of its presiding officer.

BE IT FURTHER RESOLVED that the Legislature shall adjourn sine die at the earlier of Friday, March 20, 2020, at 11:59 p.m. or upon concurrent motions to adjourn sine die.

—was read the first time by title. On motion by Rep. Sprowls, the concurrent resolution was read the second time by title and adopted by the required constitutional three-fifths vote of the members voting. Under Rule 11.7(i), immediately certified to the Senate.

Motion to Adjourn

Rep. Sprowls moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 59.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 89.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (888727) to Senate Amendment 1 (624474), and passed CS for CS for CS for HB 713, as amended.

Debbie Brown, Secretary

The above bill was ordered enrolled after engrossment.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1275.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7067.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (546285), and passed CS for CS for SB 78, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (657321), and passed SB 362, as amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (641173), and passed SB 400, as amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendments 1 (856967), and 2 (373229), and passed CS for CS for SB 410, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (093237), and passed CS for CS for SB 538, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (577843), and passed CS for CS for CS for SB 664, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendments 1 (653561), and 2 (086459), and passed CS for CS for CS for SB 680, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (167817), and passed CS for CS for SB 698, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (220329), and passed SB 886, as further amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendments 1 (780023), and 2 (162269), and passed CS for CS for SB 1120, as amended.

Debbie Brown, Secretary

The Honorable Jose R. Oliva, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 (541211), and passed CS for SB 7012, as amended.

Debbie Brown, Secretary

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Hogan Johnson:

Nays—March 12: 746

Rep. Jacquet:

Yeas—February 26: 488, 497, 498, 500, 504, 510, 512; March 4: 528, 529; March 9: 617; March 10: 667; March 12: 737, 738, 739, 740, 741, 745, 747, 749, 750, 752

Nays—February 26: 499, 509

Rep. Mercado:

Yeas—March 12: 737, 738, 739, 740, 741, 745, 747, 748, 749, 750

Nays—March 12: 752

Rep. Omphroy:

Yeas—March 9: 607; March 10: 643; March 11: 672, 673, 674, 675, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689; March 12: 737, 738, 739

Yeas to Nays—March 11: 688

Nays to Yeas—March 11: 688

Rep. Pritchett:

Yeas—March 5: 558

Rep. D. Smith:

Yeas to Nays—March 11: 686

Cosponsors

CS/CS/HB 61—Overdorf

HB 167—Eagle, Overdorf

HB 213—Roth

HB 273—Eagle

CS/CS/HB 573—Bush, Davis, Driskell, Polo, A. M. Rodriguez, D. Smith

HB 701—Eagle

CS/HB 707—Eagle

CS/CS/HB 1249—Overdorf

CS/HB 1265—Rommel

HB 6001—Eagle

Excused

Reps. Casello, Daniels, Jacobs, Mercado

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts: Conference Committee on HB 5001, HB 5003, and HB 5005 to serve with Rep. Cummings, Chair; Managers-At-Large: Reps. Avila, Diamond, Eagle, Fitzenhagen, Jenne, La Rosa, McGhee, R. Rodrigues, Santiago, Sprowls, Stark, Stone, and Sullivan; House Agriculture and Natural Resources/Senate Agriculture, Environment, and General Government—Rep. Raschein, Chair; Reps. Altman, Brannan, Clemons, Jacobs, McClure, Omphroy, Perez, Polsky, Roth, Sirois, and C. Watson; House Government Operations and Technology/Senate Agriculture, Environment, and General Government—Rep. Williamson, Chair; Reps. Andrade, Antone, Brown, J. Cortes, Daniels, DiCeglie, Duggan, Grall, LaMarca, Sabatini, and Toledo; House Health Care/Senate Health and Human Services—Rep. Magar, Chair; Reps. Ausley, Burton, Duran, Fischer, J. Grant, M. Grant, Grieco, S. Jones, Pigman, Roach, A. M. Rodriguez, Rommel, and Stevenson; House Higher Education/Senate Education—Rep. Fine, Chair; Reps. Alexander, Buchanan, Caruso, Driskell, Joseph, Maggard, Mariano, Newton, Overdorf, Ponder, Robinson, and C. Smith; House Justice/Senate Criminal and Civil Justice—Rep. Yarborough, Chair; Reps. Beltran, Byrd, Fernandez-Barquin, Gottlieb, Gregory, Payne, Plakon, Pritchett, Renner, Silvers, and Slosberg; House Pre K-12/Senate Education—Rep. Latvala, Chair; Reps. Aloupis, Bush, Davis, Donalds, Hage, Killebrew, Massullo, McClain, Tomkow, Valdés, Williams, and Zika; House Transportation and Tourism/Senate Transportation, Tourism and Economic Development—Rep. Trumbull, Chair; Reps. Drake, Daley, DuBose, Fetterhoff, Geller, Ingoglia, Leek, Plasencia, A. Rodriguez, D. Smith, and B. Watson.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 11:48 p.m., to reconvene upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Friday, March 13, 2020

<p>CS for SB</p>	<p>72 — 03/13/20 S Amendment(s) to House amendment(s) adopted (766582, 805878, 863082); 03/13/20 S Concurred in House amendment(s) as amended (594317); Amendment 766582 Concur; Amendment 863082 Concur; Amendment 805878 Concur; Concurred in Senate amendment(s) to House amendment(s); CS passed as amended; YEAS 112, NAYS 0</p>	<p>CS/CS/HB</p>	<p>977 — Amendment 717452 Concur; CS passed as amended; YEAS 111, NAYS 0</p>
		<p>CS for CS for CS for SB</p>	<p>1066 — 03/13/20 S Requested House to recede; Insisted on amendment 288171; Insisted on amendment, and requested the Senate to concur</p>
		<p>HB</p>	<p>1135 — Amendment 235304 Concur; Passed as amended; YEAS 112, NAYS 0</p>
<p>CS/CS/HB</p>	<p>133 — Amendment 319936 Concur; Amendment 112030 Concur; CS passed as amended; YEAS 81, NAYS 31</p>	<p>CS/CS/HB</p>	<p>1259 — Amendment 436717 adopted; Concurred in Senate amendment 252236 as amended; CS passed as amended; YEAS 112, NAYS 0; 03/13/20 S Concurred in House amendment(s) to Senate amendment(s) (436717)</p>
<p>CS/HB</p>	<p>491 — Amendment 938405 Failed; Amendment 427809 adopted; Concurred in Senate amendment 609638 as amended; CS passed as amended; YEAS 73, NAYS 37</p>	<p>CS/CS/CS/HB</p>	<p>1339 — Amendment 573190 Concur; CS passed as amended; YEAS 101, NAYS 10</p>
<p>HB</p>	<p>641 — Amendment 183008 Concur; Passed as amended; YEAS 112, NAYS 0</p>	<p>CS for SB</p>	<p>1582 — 03/13/20 S Amendment(s) to House amendment(s) adopted (845444); 03/13/20 S Concurred in House amendment(s) as amended (838709)</p>
<p>CS for CS for SB</p>	<p>646 — Amendment 370715 Recede; CS passed; YEAS 98, NAYS 14</p>	<p>CS for CS for CS for SB</p>	<p>1876 — 03/13/20 S Requested House to recede</p>
<p>CS/CS/CS/HB</p>	<p>713 — Amendment 888727 adopted; Concurred in Senate amendment 624474 as amended; Amendment 272342 Concur; Amendment 446828 Concur; CS passed as amended; YEAS 110, NAYS 0; 03/13/20 S Concurred in House amendment(s) to Senate amendment(s) (888727)</p>	<p>SCR</p>	<p>1936 — Read 1st time; Read 2nd time; Adopted</p>
		<p>CS/HB</p>	<p>7065 — Amendment 880876 Refuse to Concur; Refused to concur, requested Senate to recede; 03/13/20 S Refused to recede, requests House to concur</p>
<p>CS for SB</p>	<p>838 — Amendment 556959 Recede; Amendment 145281 Recede; CS passed; YEAS 109, NAYS 0</p>	<p>CS/HB</p>	<p>7097 — Amendment 204786 Concur; Amendment 577084 Concur; CS passed as amended; YEAS 104, NAYS 8</p>
<p>CS/CS/HB</p>	<p>921 — Amendment 158898 Concur; CS passed as amended; YEAS 111, NAYS 0</p>		

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