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# Oversight, Transparency & Administration Subcommittee

February 23, 2017  
9:30 AM -12:00 Noon  
Morris Hall

## Action Packet

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Oversight, Transparency & Administration Subcommittee

**Start Date and Time:** Thursday, February 23, 2017 09:30 am  
**End Date and Time:** Thursday, February 23, 2017 12:00 pm  
**Location:** Morris Hall (17 HOB)  
**Duration:** 2.50 hrs

**Consideration of the following bill(s):**

HJR 321 Percentage of Elector Votes Required to Approve Constitutional Amendment or Revision by Roth  
HB 397 Pub. Rec./Victim of Alleged Sexual Harassment/Identifying Information by Raschein  
HB 479 Government Accountability by Metz

**Consideration of the following proposed committee bill(s):**

PCB OTA 17-01 -- OGSR/Department of Citrus  
PCB OTA 17-02 -- OGSR/Peer Review Panels  
PCB OTA 17-03 -- OGSR/Unclaimed Property

**NOTICE FINALIZED on 02/16/2017 4:08PM by Larson.Lisa**

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**2/23/2017 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**Summary:**

**Oversight, Transparency & Administration Subcommittee**

*Thursday February 23, 2017 09:30 am*

HJR 321	Favorable	Yeas: 14	Nays: 0
HB 397	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 420233 Adopted Without Objection		
HB 479	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 939693 Adopted Without Objection		
PCB OTA 17-01	Favorable	Yeas: 13	Nays: 1
PCB OTA 17-02	Favorable	Yeas: 14	Nays: 0
PCB OTA 17-03	Favorable	Yeas: 14	Nays: 0

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**2/23/2017 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Neil Combee (Chair)	X		
Daisy Baez	X		
Kimberly Daniels	X		
Tracie Davis	X		
Brad Drake	X		
Katie Edwards	X		
Eric Eisnaugle	X		
Patrick Henry	X		
Blaise Ingoglia	X		
Bobby Payne	X		
Cary Pigman	X		
Daniel Raulerson			X
Bob Rommel	X		
Rick Roth	X		
Clay Yarborough	X		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>1</b>

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

2/23/2017 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HJR 321 : Percentage of Elector Votes Required to Approve Constitutional Amendment or Revision**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daisy Baez	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards	X				
Eric Eisnaugle	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Bobby Payne	X				
Cary Pigman	X				
Daniel Raulerson			X		
Bob Rommel	X				
Rick Roth	X				
Clay Yarborough	X				
Neil Combee (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**Appearances:**

Pitts, Brian - Information Only

Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Perry, Gail Marie (General Public) - Opponent

Communications Workers of America Council of Florida  
 Chair  
 PO Box 1766  
 Pompano Beach FL 33061  
 Phone: 954-850-4055

Quintero, Kelly (Lobbyist) - Opponent

League of Women Voters of Florida  
 Legislative Advocate  
 540 Beverly Court  
 Tallahassee FL 32312  
 Phone: (772) 204-1792

Villar, Melissa (General Public) - Opponent

The Holistic Cannabis Community  
 President  
 169 Sinclair Road  
 Tallahassee FL  
 Phone: 850-284-2090

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**2/23/2017 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 397 : Pub. Rec./Victim of Alleged Sexual Harassment/Identifying Information**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daisy Baez	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards	X				
Eric Eisnaugle	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Bobby Payne	X				
Cary Pigman	X				
Daniel Raulerson			X		
Bob Rommel	X				
Rick Roth	X				
Clay Yarborough	X				
Neil Combee (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**HB 397 Amendments**

**Amendment 420233**

*Adopted Without Objection*

**Appearances:**

Pitts, Brian - Information Only  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Ferrin, Samantha (Lobbyist) (State Employee) - Waive In Support  
 Department of Management Services  
 Deputy Legislative Affairs Director  
 4050 Esplanade Way  
 Tallahassee FL 32399-70  
 Phone: (850) 410-0804

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>X</u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
 2 Administration Subcommittee

3 Representative Raschein offered the following:

4  
 5 **Amendment (with title amendment)**  
 6 Remove lines 18-31 and insert:  
 7 (m) Personal identifying information of the alleged victim  
 8 in an allegation of sexual harassment is confidential and exempt  
 9 from s. 119.07(1) and s. 24(a), Art. I of the State  
 10 Constitution. This paragraph is subject to the Open Government  
 11 Sunset Review Act in accordance with s. 119.15 and shall stand  
 12 repealed on October 2, 2022, unless reviewed and saved from  
 13 repeal through reenactment by the Legislature.

14 Section 2. The Legislature finds that it is a public  
 15 necessity that personal identifying information of the alleged



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16 victim in an allegation of sexual harassment be made  
17 confidential and exempt from s. 119.07(1),

18  
19 -----

20 **T I T L E A M E N D M E N T**

21 Remove lines 4-6 and insert:  
22 records requirements for personal identifying information of the  
23 alleged victim in an allegation of sexual harassment; providing  
24 for



**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

2/23/2017 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 479 : Government Accountability**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daisy Baez	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards	X				
Eric Eisnaugle	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Bobby Payne	X				
Cary Pigman	X				
Daniel Raulerson			X		
Bob Rommel	X				
Rick Roth	X				
Clay Yarborough	X				
Neil Combee (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**HB 479 Amendments**

**Amendment 939693**

Adopted Without Objection

**Appearances:**

Wilcox, Benjamin (Lobbyist) - Waive In Support  
 Common Cause FL  
 1719 Old Fort Dr  
 Tallahassee FL 32301  
 Phone: (850) 544-4448

Pitts, Brian - Proponent  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
 2 Administration Subcommittee  
 3 Representative Metz offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (2) of section 11.40, Florida

Statutes, is amended to read:

11.40 Legislative Auditing Committee.—

(2) Following notification by the Auditor General, the  
 Department of Financial Services, or the Division of Bond  
 Finance of the State Board of Administration, the Governor or  
 his or her designee, or the Commissioner of Education or his or  
 her designee of the failure of a local governmental entity,  
 district school board, charter school, or charter technical  
 career center to comply with the applicable provisions within s.

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17 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the  
18 Legislative Auditing Committee may schedule a hearing to  
19 determine if the entity should be subject to further state  
20 action. If the committee determines that the entity should be  
21 subject to further state action, the committee shall:

22 (a) In the case of a local governmental entity or district  
23 school board, direct the Department of Revenue and the  
24 Department of Financial Services to withhold any funds not  
25 pledged for bond debt service satisfaction which are payable to  
26 such entity until the entity complies with the law. The  
27 committee shall specify the date that such action must shall  
28 begin, and the directive must be received by the Department of  
29 Revenue and the Department of Financial Services 30 days before  
30 the date of the distribution mandated by law. The Department of  
31 Revenue and the Department of Financial Services may implement  
32 ~~the provisions of~~ this paragraph.

33 (b) In the case of a special district created by:

34 1. A special act, notify the President of the Senate, the  
35 Speaker of the House of Representatives, the standing committees  
36 of the Senate and the House of Representatives charged with  
37 special district oversight as determined by the presiding  
38 officers of each respective chamber, the legislators who  
39 represent a portion of the geographical jurisdiction of the  
40 special district, and the Department of Economic Opportunity  
41 that the special district has failed to comply with the law.



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42 Upon receipt of notification, the Department of Economic  
43 Opportunity shall proceed pursuant to s. 189.062 or s. 189.067.  
44 If the special district remains in noncompliance after the  
45 process set forth in s. 189.0651, or if a public hearing is not  
46 held, the Legislative Auditing Committee may request the  
47 department to proceed pursuant to s. 189.067(3).

48 2. A local ordinance, notify the chair or equivalent of  
49 the local general-purpose government pursuant to s. 189.0652 and  
50 the Department of Economic Opportunity that the special district  
51 has failed to comply with the law. Upon receipt of notification,  
52 the department shall proceed pursuant to s. 189.062 or s.  
53 189.067. If the special district remains in noncompliance after  
54 the process set forth in s. 189.0652, or if a public hearing is  
55 not held, the Legislative Auditing Committee may request the  
56 department to proceed pursuant to s. 189.067(3).

57 3. Any manner other than a special act or local ordinance,  
58 notify the Department of Economic Opportunity that the special  
59 district has failed to comply with the law. Upon receipt of  
60 notification, the department shall proceed pursuant to s.  
61 189.062 or s. 189.067(3).

62 (c) In the case of a charter school or charter technical  
63 career center, notify the appropriate sponsoring entity, which  
64 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

65 Section 2. Subsection (1), paragraph (j) of subsection  
66 (2), paragraph (u) of subsection (3), and paragraph (i) of

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67 subsection (7) of section 11.45, Florida Statutes, are amended,  
68 and paragraph (x) is added to subsection (3) of that section to  
69 read:

70 11.45 Definitions; duties; authorities; reports; rules.—

71 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

72 (a) "Abuse" means behavior that is deficient or improper  
73 when compared with behavior that a prudent person would consider  
74 a reasonable and necessary operational practice given the facts  
75 and circumstances. The term includes the misuse of authority or  
76 position for personal gain.

77 (b)(a) "Audit" means a financial audit, operational audit,  
78 or performance audit.

79 (c)(b) "County agency" means a board of county  
80 commissioners or other legislative and governing body of a  
81 county, however styled, including that of a consolidated or  
82 metropolitan government, a clerk of the circuit court, a  
83 separate or ex officio clerk of the county court, a sheriff, a  
84 property appraiser, a tax collector, a supervisor of elections,  
85 or any other officer in whom any portion of the fiscal duties of  
86 a body or officer expressly stated in this paragraph are the  
87 above are under law separately placed by law.

88 (d)(e) "Financial audit" means an examination of financial  
89 statements in order to express an opinion on the fairness with  
90 which they are presented in conformity with generally accepted  
91 accounting principles and an examination to determine whether

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92 operations are properly conducted in accordance with legal and  
93 regulatory requirements. Financial audits must be conducted in  
94 accordance with auditing standards generally accepted in the  
95 United States and government auditing standards as adopted by  
96 the Board of Accountancy. When applicable, the scope of  
97 financial audits must ~~shall~~ encompass the additional activities  
98 necessary to establish compliance with the Single Audit Act  
99 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other  
100 applicable federal law.

101 (e) "Fraud" means obtaining something of value through  
102 willful misrepresentation, including, but not limited to, the  
103 intentional misstatements or omissions of amounts or disclosures  
104 in financial statements to deceive users of financial  
105 statements, theft of an entity's assets, bribery, or the use of  
106 one's position for personal enrichment through the deliberate  
107 misuse or misapplication of an organization's resources.

108 (f)-(d) "Governmental entity" means a state agency, a  
109 county agency, or any other entity, however styled, that  
110 independently exercises any type of state or local governmental  
111 function.

112 (g)-(e) "Local governmental entity" means a county agency,  
113 municipality, tourist development council, county tourism  
114 promotion agency, or special district as defined in s. 189.012.  
115 The term, ~~but~~ does not include any housing authority established  
116 under chapter 421.

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117        ~~(h)~~(f) "Management letter" means a statement of the  
118 auditor's comments and recommendations.

119        ~~(i)~~(g) "Operational audit" means an audit whose purpose is  
120 to evaluate management's performance in establishing and  
121 maintaining internal controls, including controls designed to  
122 prevent and detect fraud, waste, and abuse, and in administering  
123 assigned responsibilities in accordance with applicable laws,  
124 administrative rules, contracts, grant agreements, and other  
125 guidelines. Operational audits must be conducted in accordance  
126 with government auditing standards. Such audits examine internal  
127 controls that are designed and placed in operation to promote  
128 and encourage the achievement of management's control objectives  
129 in the categories of compliance, economic and efficient  
130 operations, reliability of financial records and reports, and  
131 safeguarding of assets, and identify weaknesses in those  
132 internal controls.

133        ~~(j)~~(h) "Performance audit" means an examination of a  
134 program, activity, or function of a governmental entity,  
135 conducted in accordance with applicable government auditing  
136 standards or auditing and evaluation standards of other  
137 appropriate authoritative bodies. The term includes an  
138 examination of issues related to:

- 139            1. Economy, efficiency, or effectiveness of the program.
- 140            2. Structure or design of the program to accomplish its
- 141 goals and objectives.

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142 3. Adequacy of the program to meet the needs identified by  
143 the Legislature or governing body.

144 4. Alternative methods of providing program services or  
145 products.

146 5. Goals, objectives, and performance measures used by the  
147 agency to monitor and report program accomplishments.

148 6. The accuracy or adequacy of public documents, reports,  
149 or requests prepared under the program by state agencies.

150 7. Compliance of the program with appropriate policies,  
151 rules, or laws.

152 8. Any other issues related to governmental entities as  
153 directed by the Legislative Auditing Committee.

154 ~~(k)(i)~~ "Political subdivision" means a separate agency or  
155 unit of local government created or established by law and  
156 includes, but is not limited to, the following and the officers  
157 thereof: authority, board, branch, bureau, city, commission,  
158 consolidated government, county, department, district,  
159 institution, metropolitan government, municipality, office,  
160 officer, public corporation, town, or village.

161 ~~(l)(j)~~ "State agency" means a separate agency or unit of  
162 state government created or established by law and includes, but  
163 is not limited to, the following and the officers thereof:  
164 authority, board, branch, bureau, commission, department,  
165 division, institution, office, officer, or public corporation,  
166 as the case may be, except any such agency or unit within the

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167 legislative branch of state government other than the Florida  
168 Public Service Commission.

169 (m) "Waste" means the act of using or expending resources  
170 unreasonably, carelessly, extravagantly, or for no useful  
171 purpose.

172 (2) DUTIES.—The Auditor General shall:

173 (j) Conduct audits of local governmental entities when  
174 determined to be necessary by the Auditor General, when directed  
175 by the Legislative Auditing Committee, or when otherwise  
176 required by law. No later than 18 months after the release of  
177 the audit report, the Auditor General shall perform such  
178 appropriate followup procedures as he or she deems necessary to  
179 determine the audited entity's progress in addressing the  
180 findings and recommendations contained within the Auditor  
181 General's previous report. The Auditor General shall notify each  
182 member of the audited entity's governing body and the  
183 Legislative Auditing Committee of the results of his or her  
184 determination. For purposes of this paragraph, local  
185 governmental entities do not include water management districts.

186  
187 The Auditor General shall perform his or her duties  
188 independently but under the general policies established by the  
189 Legislative Auditing Committee. This subsection does not limit  
190 the Auditor General's discretionary authority to conduct other  
191 audits or engagements of governmental entities as authorized in

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192 subsection (3).

193 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
194 Auditor General may, pursuant to his or her own authority, or at  
195 the direction of the Legislative Auditing Committee, conduct  
196 audits or other engagements as determined appropriate by the  
197 Auditor General of:

198 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

199 (x) Tourist development councils and county tourism  
200 promotion agencies.

201 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

202 (i) The Auditor General shall annually transmit by July  
203 15, to the President of the Senate, the Speaker of the House of  
204 Representatives, and the Department of Financial Services, a  
205 list of all school districts, charter schools, charter technical  
206 career centers, Florida College System institutions, state  
207 universities, and local governmental entities ~~water management~~  
208 ~~districts~~ that have failed to comply with the transparency  
209 requirements as identified in the audit reports reviewed  
210 pursuant to paragraph (b) and those conducted pursuant to  
211 subsection (2).

212 Section 3. Paragraph (d) of subsection (2) of section  
213 28.35, Florida Statutes, is amended to read:

214 28.35 Florida Clerks of Court Operations Corporation.—

215 (2) The duties of the corporation shall include the  
216 following:



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217 (d) Developing and certifying a uniform system of workload  
218 measures and applicable workload standards for court-related  
219 functions as developed by the corporation and clerk workload  
220 performance in meeting the workload performance standards. These  
221 workload measures and workload performance standards shall be  
222 designed to facilitate an objective determination of the  
223 performance of each clerk in accordance with minimum standards  
224 for fiscal management, operational efficiency, and effective  
225 collection of fines, fees, service charges, and court costs. The  
226 corporation shall develop the workload measures and workload  
227 performance standards in consultation with the Legislature. When  
228 the corporation finds a clerk has not met the workload  
229 performance standards, the corporation shall identify the nature  
230 of each deficiency and any corrective action recommended and  
231 taken by the affected clerk of the court. For quarterly periods  
232 ending on the last day of March, June, September, and December  
233 of each year, the corporation shall notify the Legislature of  
234 any clerk not meeting workload performance standards and provide  
235 a copy of any corrective action plans. Such notifications shall  
236 be submitted no later than 45 days after the end of the  
237 preceding quarterly period. As used in this subsection, the  
238 term:

239 1. "Workload measures" means the measurement of the  
240 activities and frequency of the work required for the clerk to  
241 adequately perform the court-related duties of the office as

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242 defined by the membership of the Florida Clerks of Court  
243 Operations Corporation.

244 2. "Workload performance standards" means the standards  
245 developed to measure the timeliness and effectiveness of the  
246 activities that are accomplished by the clerk in the performance  
247 of the court-related duties of the office as defined by the  
248 membership of the Florida Clerks of Court Operations  
249 Corporation.

250 Section 4. Subsections (6) and (7) of section 43.16,  
251 Florida Statutes, are renumbered as subsections (7) and (8),  
252 respectively, and a new subsection (6) is added to that section  
253 to read:

254 43.16 Justice Administrative Commission; membership,  
255 powers and duties.—

256 (6) The commission, each state attorney, each public  
257 defender, the criminal conflict and civil regional counsel, the  
258 capital collateral regional counsel, and the Guardian Ad Litem  
259 Program shall establish and maintain internal controls designed  
260 to:

261 (a) Prevent and detect fraud, waste, and abuse as defined  
262 by s. 11.45(1).

263 (b) Promote and encourage compliance with applicable laws,  
264 rules, contracts, grant agreements, and best practices.

265 (c) Support economical and efficient operations.

266 (d) Ensure reliability of financial records and reports.

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267        (e) Safeguard assets.

268        Section 5. Subsection (6) of section 112.061, Florida  
269 Statutes, is amended to read:

270        112.061 Per diem and travel expenses of public officers,  
271 employees, and authorized persons.—

272        (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For  
273 purposes of reimbursement rates and methods of calculation, per  
274 diem and subsistence allowances are provided as follows:

275        (a) All travelers shall be allowed for subsistence when  
276 traveling to a convention or conference or when traveling within  
277 or outside the state in order to conduct bona fide state  
278 business, which convention, conference, or business serves a  
279 direct and lawful public purpose with relation to the public  
280 agency served by the person attending such meeting or conducting  
281 such business, either of the following for each day of such  
282 travel at the option of the traveler:

- 283        1. Eighty dollars per diem; or  
284        2. If actual expenses exceed \$80, the amounts permitted in  
285 paragraph (b) for subsistence, plus actual expenses for lodging  
286 at a single-occupancy rate, except as provided in paragraph (c),  
287 to be substantiated by paid bills therefor.

288  
289 When lodging or meals are provided at a state institution, the  
290 traveler shall be reimbursed only for the actual expenses of  
291 such lodging or meals, not to exceed the maximum provided for in

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292 this subsection.

293 (b) All travelers shall be allowed the following amounts  
294 for subsistence while on Class C travel on official business as  
295 provided in paragraph (5) (b):

- 296 1. Breakfast ..... \$6
- 297 2. Lunch ..... \$11
- 298 3. Dinner ..... \$19

299 (c) Actual expenses for lodging associated with the  
300 attendance of an employee of a state agency or the judicial  
301 branch at a meeting, conference, or convention organized or  
302 sponsored in whole or in part by a state agency or the judicial  
303 branch may not exceed \$150 per day. However, an employee may  
304 expend his or her own funds for any lodging expenses that exceed  
305 \$150 per day.

306 ~~(d)~~ (e) No one, whether traveling out of state or in state,  
307 shall be reimbursed for any meal or lodging included in a  
308 convention or conference registration fee paid by the state.

309 Section 6. Paragraph (c) of subsection (3) of section  
310 129.03, Florida Statutes, is amended to read:

311 129.03 Preparation and adoption of budget.—

312 (3) The county budget officer, after tentatively  
313 ascertaining the proposed fiscal policies of the board for the  
314 next fiscal year, shall prepare and present to the board a  
315 tentative budget for the next fiscal year for each of the funds  
316 provided in this chapter, including all estimated receipts,



Amendment No. 1

317 taxes to be levied, and balances expected to be brought forward  
318 and all estimated expenditures, reserves, and balances to be  
319 carried over at the end of the year.

320 (c) The board shall hold public hearings to adopt  
321 tentative and final budgets pursuant to s. 200.065. The hearings  
322 shall be primarily for the purpose of hearing requests and  
323 complaints from the public regarding the budgets and the  
324 proposed tax levies and for explaining the budget and any  
325 proposed or adopted amendments. The tentative budget must be  
326 posted on the county's official website at least 2 days before  
327 the public hearing to consider such budget and must remain on  
328 the website for at least 45 days. The final budget must be  
329 posted on the website within 30 days after adoption and must  
330 remain on the website for at least 2 years. The tentative  
331 budgets, adopted tentative budgets, and final budgets shall be  
332 filed in the office of the county auditor as a public record.  
333 Sufficient reference in words and figures to identify the  
334 particular transactions must ~~shall~~ be made in the minutes of the  
335 board to record its actions with reference to the budgets.

336 Section 7. Paragraph (f) of subsection (2) of section  
337 129.06, Florida Statutes, is amended to read:

338 129.06 Execution and amendment of budget.—

339 (2) The board at any time within a fiscal year may amend a  
340 budget for that year, and may within the first 60 days of a  
341 fiscal year amend the budget for the prior fiscal year, as

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342 follows:

343 (f) Unless otherwise prohibited by law, if an amendment to  
344 a budget is required for a purpose not specifically authorized  
345 in paragraphs (a)-(e), the amendment may be authorized by  
346 resolution or ordinance of the board of county commissioners  
347 adopted following a public hearing.

348 1. The public hearing must be advertised at least 2 days,  
349 but not more than 5 days, before the date of the hearing. The  
350 advertisement must appear in a newspaper of paid general  
351 circulation and must identify the name of the taxing authority,  
352 the date, place, and time of the hearing, and the purpose of the  
353 hearing. The advertisement must also identify each budgetary  
354 fund to be amended, the source of the funds, the use of the  
355 funds, and the total amount of each fund's appropriations.

356 2. If the board amends the budget pursuant to this  
357 paragraph, the adopted amendment must be posted on the county's  
358 official website within 5 days after adoption and must remain on  
359 the website for at least 2 years.

360 Section 8. Subsections (3) and (5) of section 166.241,  
361 Florida Statutes, are amended to read:

362 166.241 Fiscal years, budgets, and budget amendments.—

363 (3) The tentative budget must be posted on the  
364 municipality's official website at least 2 days before the  
365 budget hearing, held pursuant to s. 200.065 or other law, to  
366 consider such budget and must remain on the website for at least





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367 45 days. The final adopted budget must be posted on the  
368 municipality's official website within 30 days after adoption  
369 and must remain on the website for at least 2 years. If the  
370 municipality does not operate an official website, the  
371 municipality must, within a reasonable period of time as  
372 established by the county or counties in which the municipality  
373 is located, transmit the tentative budget and final budget to  
374 the manager or administrator of such county or counties who  
375 shall post the budgets on the county's website.

376 (5) If the governing body of a municipality amends the  
377 budget pursuant to paragraph (4)(c), the adopted amendment must  
378 be posted on the official website of the municipality within 5  
379 days after adoption and must remain on the website for at least  
380 2 years. If the municipality does not operate an official  
381 website, the municipality must, within a reasonable period of  
382 time as established by the county or counties in which the  
383 municipality is located, transmit the adopted amendment to the  
384 manager or administrator of such county or counties who shall  
385 post the adopted amendment on the county's website.

386 Section 9. Section 215.86, Florida Statutes, is amended to  
387 read:

388 215.86 Management systems and controls.—Each state agency  
389 and the judicial branch as defined in s. 216.011 shall establish  
390 and maintain management systems and internal controls designed  
391 to:

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392 (1) Prevent and detect fraud, waste, and abuse as defined  
393 by s. 11.45(1). ~~that~~

394 (2) Promote and encourage compliance with applicable laws,  
395 rules, contracts, and grant agreements.

396 (3) Support economical and economic, efficient, and  
397 effective operations.

398 (4) Ensure reliability of financial records and reports.

399 (5) Safeguard and safeguarding of assets. Accounting  
400 ~~systems and procedures shall be designed to fulfill the~~  
401 ~~requirements of generally accepted accounting principles.~~

402 Section 10. Paragraph (a) of subsection (2) of section  
403 215.97, Florida Statutes, is amended to read:

404 215.97 Florida Single Audit Act.—

405 (2) As used in this section, the term:

406 (a) "Audit threshold" means the threshold amount used to  
407 determine when a state single audit or project-specific audit of  
408 a nonstate entity shall be conducted in accordance with this  
409 section. Each nonstate entity that expends a total amount of  
410 state financial assistance equal to or in excess of \$750,000 in  
411 any fiscal year of such nonstate entity shall be required to  
412 have a state single audit, or a project-specific audit, for such  
413 fiscal year in accordance with the requirements of this section.  
414 ~~Every 2 years the Auditor General,~~ After consulting with the  
415 Executive Office of the Governor, the Department of Financial  
416 Services, and all state awarding agencies, the Auditor General

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417 shall periodically review the threshold amount for requiring  
418 audits under this section and may recommend any appropriate  
419 statutory change to revise the threshold amount in the annual  
420 report submitted pursuant to s. 11.45(7)(h) to the Legislature  
421 ~~adjust such threshold amount consistent with the purposes of~~  
422 ~~this section.~~

423 Section 11. Subsection (11) of section 215.985, Florida  
424 Statutes, is amended to read:

425 215.985 Transparency in government spending.—

426 (11) Each water management district shall provide a  
427 monthly financial statement in the form and manner prescribed by  
428 the Department of Financial Services to the district's its  
429 governing board and make such monthly financial statement  
430 available for public access on its website.

431 Section 12. Paragraph (d) of subsection (1) and subsection  
432 (2) of section 218.32, Florida Statutes, are amended to read:

433 218.32 Annual financial reports; local governmental  
434 entities.—

435 (1)

436 (d) Each local governmental entity that is required to  
437 provide for an audit under s. 218.39(1) must submit a copy of  
438 the audit report and annual financial report to the department  
439 within 45 days after the completion of the audit report but no  
440 later than 9 months after the end of the fiscal year. In  
441 conducting an audit of a local governmental entity pursuant to



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442 s. 218.39, an independent certified public accountant shall  
443 determine whether the entity's annual financial report is in  
444 agreement with the audited financial statements. If the audited  
445 financial statements are not in agreement with the annual  
446 financial report, the accountant shall specify and explain the  
447 significant differences that exist between the audited financial  
448 statements and the annual financial report.

449 (2) The department shall annually by December 1 file a  
450 verified report with the Governor, the Legislature, the Auditor  
451 General, and the Special District Accountability Program of the  
452 Department of Economic Opportunity showing the revenues, both  
453 locally derived and derived from intergovernmental transfers,  
454 and the expenditures of each local governmental entity, regional  
455 planning council, local government finance commission, and  
456 municipal power corporation that is required to submit an annual  
457 financial report. In preparing the verified report, the  
458 department may request additional information from the local  
459 governmental entity. The information requested must be provided  
460 to the department within 45 days after the request. If the local  
461 governmental entity does not comply with the request, the  
462 department shall notify the Legislative Auditing Committee,  
463 which may take action pursuant to s. 11.40(2). The report must  
464 include, but is not limited to:

465 (a) The total revenues and expenditures of each local  
466 governmental entity that is a component unit included in the



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467 annual financial report of the reporting entity.

468 (b) The amount of outstanding long-term debt by each local  
469 governmental entity. For purposes of this paragraph, the term  
470 "long-term debt" means any agreement or series of agreements to  
471 pay money, which, at inception, contemplate terms of payment  
472 exceeding 1 year in duration.

473 Section 13. Subsection (3) of section 218.33, Florida  
474 Statutes, is renumbered as subsection (4), and a new subsection  
475 (3) is added to that section to read:

476 218.33 Local governmental entities; establishment of  
477 uniform fiscal years and accounting practices and procedures.—

478 (3) Each local governmental entity shall establish and  
479 maintain internal controls designed to:

480 (a) Prevent and detect fraud, waste, and abuse as defined  
481 by s. 11.45(1).

482 (b) Promote and encourage compliance with applicable laws,  
483 rules, contracts, grant agreements, and best practices.

484 (c) Support economical and efficient operations.

485 (d) Ensure reliability of financial records and reports.

486 (e) Safeguard assets.

487 Section 14. Subsections (8) through (12) of section  
488 218.39, Florida Statutes, are renumbered as subsections (9)  
489 through (13), respectively, and a new subsection (8) is added to  
490 that section to read:

491 218.39 Annual financial audit reports.—

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492       (8) If the audit report includes a recommendation that was  
493 included in the preceding financial audit report but remains  
494 unaddressed, the governing body of the audited entity, within 60  
495 days after the delivery of the audit report to the governing  
496 body, shall indicate during a regularly scheduled public meeting  
497 whether it intends to take corrective action, the intended  
498 corrective action, and the timeframe for the corrective action.  
499 If the governing body indicates that it does not intend to take  
500 corrective action, it must explain its decision at the public  
501 meeting.

502       Section 15. Subsection (2) of section 218.391, Florida  
503 Statutes, is amended to read:

504       218.391 Auditor selection procedures.—

505       (2) The governing body of a ~~charter~~ county, municipality,  
506 special district, district school board, charter school, or  
507 charter technical career center shall establish an audit  
508 committee.

509       (a) The audit committee for a county ~~Each noncharter~~  
510 ~~county shall establish an audit committee that,~~ at a minimum,  
511 shall consist of each of the county officers elected pursuant to  
512 the county charter or s. 1(d), Art. VIII of the State  
513 Constitution, or their respective designees ~~a designee,~~ and one  
514 member of the board of county commissioners or its designee.

515       (b) The audit committee for a municipality, special  
516 district, district school board, charter school, or charter



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517 technical career center shall consist of at least three members.  
518 One member of the audit committee must be a member of the  
519 governing body of an entity specified in this paragraph, who  
520 shall also serve as the chair of the committee.

521 (c) An employee, chief executive officer, or chief  
522 financial officer of the county, municipality, special district,  
523 district school board, charter school, or charter technical  
524 career center may not serve as a member of an audit committee  
525 established under this subsection.

526 (d) The primary purpose of the audit committee is to  
527 assist the governing body in selecting an auditor to conduct the  
528 annual financial audit required in s. 218.39; however, the audit  
529 committee may serve other audit oversight purposes as determined  
530 by the entity's governing body. The public ~~may~~ shall not be  
531 excluded from the proceedings under this section.

532 Section 16. Subsection (2) of section 286.0114, Florida  
533 Statutes, is amended to read:

534 286.0114 Public meetings; reasonable opportunity to be  
535 heard; attorney fees.—

536 (2) Members of the public shall be given a reasonable  
537 opportunity to be heard on a proposition before a board or  
538 commission. The opportunity to be heard need not occur at the  
539 same meeting at which the board or commission takes official  
540 action on the proposition if the opportunity occurs at a meeting  
541 that is during the decisionmaking process and is within



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542 reasonable proximity in time before the meeting at which the  
543 board or commission takes the official action. A board or  
544 commission may not require a member of the public to provide an  
545 advance written copy of his or her testimony or comments as a  
546 condition of being given the opportunity to be heard at a  
547 meeting. This section does not prohibit a board or commission  
548 from maintaining orderly conduct or proper decorum in a public  
549 meeting. The opportunity to be heard is subject to rules or  
550 policies adopted by the board or commission, as provided in  
551 subsection (4).

552 Section 17. Paragraph (e) of subsection (4), paragraph (d)  
553 of subsection (5), and paragraph (d) of subsection (6) of  
554 section 373.536, Florida Statutes, are amended to read:

555 373.536 District budget and hearing thereon.—

556 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

557 (e) ~~By September 1, 2012,~~ Each district shall provide a  
558 monthly financial statement in the form and manner prescribed by  
559 the Department of Financial Services to the district's governing  
560 board and make such monthly financial statement available for  
561 public access on its website.

562 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
563 APPROVAL.—

564 (d) Each district shall, by August 1 of each year, submit  
565 for review a tentative budget and a description of any  
566 significant changes from the preliminary budget submitted to the





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567 Legislature pursuant to s. 373.535 to the Governor, the  
568 President of the Senate, the Speaker of the House of  
569 Representatives, the chairs of all legislative committees and  
570 subcommittees having substantive or fiscal jurisdiction over  
571 water management districts, as determined by the President of  
572 the Senate or the Speaker of the House of Representatives, as  
573 applicable, the secretary of the department, and the governing  
574 body of each county in which the district has jurisdiction or  
575 derives any funds for the operations of the district. The  
576 tentative budget must be posted on the district's official  
577 website at least 2 days before budget hearings held pursuant to  
578 s. 200.065 or other law and must remain on the website for at  
579 least 45 days.

580 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
581 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

582 (d) The final adopted budget must be posted on the water  
583 management district's official website within 30 days after  
584 adoption and must remain on the website for at least 2 years.

585 Section 18. Paragraph (1) of subsection (12) of section  
586 1001.42, Florida Statutes, is amended to read:

587 1001.42 Powers and duties of district school board.—The  
588 district school board, acting as a board, shall exercise all  
589 powers and perform all duties listed below:



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590 (12) FINANCE.—Take steps to assure students adequate  
591 educational facilities through the financial procedure  
592 authorized in chapters 1010 and 1011 and as prescribed below:

593 (1) *Internal auditor.*—May employ an internal auditor to  
594 perform ongoing financial verification of the financial records  
595 of the school district and such other audits and reviews as the  
596 district school board directs for the purpose of determining:

597 1. The adequacy of internal controls designed to prevent  
598 and detect fraud, waste, and abuse as defined by s. 11.45(1).

599 2. Compliance with applicable laws, rules, contracts,  
600 grant agreements, district school board-approved policies, and  
601 best practices.

602 3. The efficiency of operations.

603 4. The reliability of financial records and reports.

604 5. The safeguarding of assets.

605

606 The internal auditor shall report directly to the district  
607 school board or its designee.

608 Section 19. Paragraph (j) of subsection (9) of section  
609 1002.33, Florida Statutes, is amended to read:

610 1002.33 Charter schools.—

611 (9) CHARTER SCHOOL REQUIREMENTS.—

612 (j) The governing body of the charter school shall be  
613 responsible for:

614 1. Establishing and maintaining internal controls designed

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615 to:616 a. Prevent and detect fraud, waste, and abuse as defined  
617 by s. 11.45(1).618 b. Promote and encourage compliance with applicable laws,  
619 rules, contracts, grant agreements, and best practices.620 c. Support economical and efficient operations.621 d. Ensure reliability of financial records and reports.622 e. Safeguard assets.623 ~~2.1-~~ Ensuring that the charter school has retained the  
624 services of a certified public accountant or auditor for the  
625 annual financial audit, pursuant to s. 1002.345(2), who shall  
626 submit the report to the governing body.627 ~~3.2-~~ Reviewing and approving the audit report, including  
628 audit findings and recommendations for the financial recovery  
629 plan.630 ~~4.a.3.a-~~ Performing the duties in s. 1002.345, including  
631 monitoring a corrective action plan.632 b. Monitoring a financial recovery plan in order to ensure  
633 compliance.634 ~~5.4-~~ Participating in governance training approved by the  
635 department which must include government in the sunshine,  
636 conflicts of interest, ethics, and financial responsibility.637 Section 20. Subsections (6) through (10) of section  
638 1002.37, Florida Statutes, are renumbered as subsections (7)  
639 through (11), respectively, a new subsection (6) is added to

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640 that section, and present subsections (6) and (11) of that  
641 section are amended, to read:

642 1002.37 The Florida Virtual School.—

643 (6) The Florida Virtual School shall have an annual  
644 financial audit of its accounts and records conducted by an  
645 independent auditor who is a certified public accountant  
646 licensed under chapter 473. The independent auditor shall  
647 conduct the audit in accordance with rules adopted by the  
648 Auditor General pursuant to s. 11.45 and, upon completion of the  
649 audit, shall prepare an audit report in accordance with such  
650 rules. The audit report must include a written statement by the  
651 board of trustees describing corrective action to be taken in  
652 response to each of the recommendations of the independent  
653 auditor included in the audit report. The independent auditor  
654 shall submit the audit report to the board of trustees and the  
655 Auditor General no later than 9 months after the end of the  
656 preceding fiscal year.

657 ~~(7)~~ (6) The board of trustees shall annually submit to the  
658 Governor, the Legislature, the Commissioner of Education, and  
659 the State Board of Education the audit report prepared pursuant  
660 to subsection (6) and a complete and detailed report setting  
661 forth:

662 (a) The operations and accomplishments of the Florida  
663 Virtual School within the state and those occurring outside the  
664 state as Florida Virtual School Global.

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665 (b) The marketing and operational plan for the Florida  
666 Virtual School and Florida Virtual School Global, including  
667 recommendations regarding methods for improving the delivery of  
668 education through the Internet and other distance learning  
669 technology.

670 (c) The assets and liabilities of the Florida Virtual  
671 School and Florida Virtual School Global at the end of the  
672 fiscal year.

673 ~~(d) A copy of an annual financial audit of the accounts~~  
674 ~~and records of the Florida Virtual School and Florida Virtual~~  
675 ~~School Global, conducted by an independent certified public~~  
676 ~~accountant and performed in accordance with rules adopted by the~~  
677 ~~Auditor General.~~

678 (d)~~(e)~~ Recommendations regarding the unit cost of  
679 providing services to students through the Florida Virtual  
680 School and Florida Virtual School Global. In order to most  
681 effectively develop public policy regarding any future funding  
682 of the Florida Virtual School, it is imperative that the cost of  
683 the program is accurately identified. The identified cost of the  
684 program must be based on reliable data.

685 (e)~~(f)~~ Recommendations regarding an accountability  
686 mechanism to assess the effectiveness of the services provided  
687 by the Florida Virtual School and Florida Virtual School Global.

688 ~~(11) The Auditor General shall conduct an operational~~  
689 ~~audit of the Florida Virtual School, including Florida Virtual~~



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690 ~~School Global. The scope of the audit shall include, but not be~~  
691 ~~limited to, the administration of responsibilities relating to~~  
692 ~~personnel; procurement and contracting; revenue production;~~  
693 ~~school funds, including internal funds; student enrollment~~  
694 ~~records; franchise agreements; information technology~~  
695 ~~utilization, assets, and security; performance measures and~~  
696 ~~standards; and accountability. The final report on the audit~~  
697 ~~shall be submitted to the President of the Senate and the~~  
698 ~~Speaker of the House of Representatives no later than January~~  
699 ~~31, 2014.~~

700 Section 21. Subsection (5) is added to section 1010.01,  
701 Florida Statutes, to read:

702 1010.01 Uniform records and accounts.—

703 (5) Each school district, Florida College System  
704 institution, and state university shall establish and maintain  
705 internal controls designed to:

706 (a) Prevent and detect fraud, waste, and abuse as defined  
707 by s. 11.45(1).

708 (b) Promote and encourage compliance with applicable laws,  
709 rules, contracts, grant agreements, and best practices.

710 (c) Support economical and efficient operations.

711 (d) Ensure reliability of financial records and reports.

712 (e) Safeguard assets.

713 Section 22. Subsection (2) of section 1010.30, Florida  
714 Statutes, is amended to read:

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715 1010.30 Audits required.—  
716 (2) If a school district, Florida College System  
717 institution, or university audit report includes a  
718 recommendation that was included in the preceding financial  
719 audit report but remains unaddressed ~~an audit contains a~~  
720 ~~significant finding~~, the district school board, the Florida  
721 College System institution board of trustees, or the university  
722 board of trustees, within 60 days after the delivery of the  
723 audit report to the school district, Florida College System  
724 institution, or university, shall indicate ~~conduct an audit~~  
725 ~~overview~~ during a regularly scheduled public meeting whether it  
726 intends to take corrective action, the intended corrective  
727 action, and the timeframe for the corrective action. If the  
728 district school board, Florida College System institution board  
729 of trustees, or university board of trustees indicates that it  
730 does not intend to take corrective action, it shall explain its  
731 decision at the public meeting.

732 Section 23. Subsection (3) of section 218.503, Florida  
733 Statutes, is amended to read:

734 218.503 Determination of financial emergency.—

735 (3) Upon notification that one or more of the conditions  
736 in subsection (1) have occurred or will occur if action is not  
737 taken to assist the local governmental entity or district school  
738 board, the Governor or his or her designee shall contact the  
739 local governmental entity or the Commissioner of Education or



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740 his or her designee shall contact the district school board, as  
741 appropriate, to determine what actions have been taken by the  
742 local governmental entity or the district school board to  
743 resolve or prevent the condition. The information requested must  
744 be provided within 45 days after the date of the request. If the  
745 local governmental entity or the district school board does not  
746 comply with the request, the Governor or his or her designee or  
747 the Commissioner of Education or his or her designee shall  
748 notify ~~the members of~~ the Legislative Auditing Committee, which  
749 ~~he~~ may take action pursuant to s. 11.40(2) ~~11.40~~. The Governor  
750 or the Commissioner of Education, as appropriate, shall  
751 determine whether the local governmental entity or the district  
752 school board needs state assistance to resolve or prevent the  
753 condition. If state assistance is needed, the local governmental  
754 entity or district school board is considered to be in a state  
755 of financial emergency. The Governor or the Commissioner of  
756 Education, as appropriate, has the authority to implement  
757 measures as set forth in ss. 218.50-218.504 to assist the local  
758 governmental entity or district school board in resolving the  
759 financial emergency. Such measures may include, but are not  
760 limited to:

761 (a) Requiring approval of the local governmental entity's  
762 budget by the Governor or approval of the district school  
763 board's budget by the Commissioner of Education.

764 (b) Authorizing a state loan to a local governmental





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765 entity and providing for repayment of same.

766 (c) Prohibiting a local governmental entity or district  
767 school board from issuing bonds, notes, certificates of  
768 indebtedness, or any other form of debt until such time as it is  
769 no longer subject to this section.

770 (d) Making such inspections and reviews of records,  
771 information, reports, and assets of the local governmental  
772 entity or district school board as are needed. The appropriate  
773 local officials shall cooperate in such inspections and reviews.

774 (e) Consulting with officials and auditors of the local  
775 governmental entity or the district school board and the  
776 appropriate state officials regarding any steps necessary to  
777 bring the books of account, accounting systems, financial  
778 procedures, and reports into compliance with state requirements.

779 (f) Providing technical assistance to the local  
780 governmental entity or the district school board.

781 (g)1. Establishing a financial emergency board to oversee  
782 the activities of the local governmental entity or the district  
783 school board. If a financial emergency board is established for  
784 a local governmental entity, the Governor shall appoint board  
785 members and select a chair. If a financial emergency board is  
786 established for a district school board, the State Board of  
787 Education shall appoint board members and select a chair. The  
788 financial emergency board shall adopt such rules as are  
789 necessary for conducting board business. The board may:

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790 a. Make such reviews of records, reports, and assets of  
791 the local governmental entity or the district school board as  
792 are needed.

793 b. Consult with officials and auditors of the local  
794 governmental entity or the district school board and the  
795 appropriate state officials regarding any steps necessary to  
796 bring the books of account, accounting systems, financial  
797 procedures, and reports of the local governmental entity or the  
798 district school board into compliance with state requirements.

799 c. Review the operations, management, efficiency,  
800 productivity, and financing of functions and operations of the  
801 local governmental entity or the district school board.

802 d. Consult with other governmental entities for the  
803 consolidation of all administrative direction and support  
804 services, including, but not limited to, services for asset  
805 sales, economic and community development, building inspections,  
806 parks and recreation, facilities management, engineering and  
807 construction, insurance coverage, risk management, planning and  
808 zoning, information systems, fleet management, and purchasing.

809 2. The recommendations and reports made by the financial  
810 emergency board must be submitted to the Governor for local  
811 governmental entities or to the Commissioner of Education and  
812 the State Board of Education for district school boards for  
813 appropriate action.

814 (h) Requiring and approving a plan, to be prepared by

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815 officials of the local governmental entity or the district  
816 school board in consultation with the appropriate state  
817 officials, prescribing actions that will cause the local  
818 governmental entity or district school board to no longer be  
819 subject to this section. The plan must include, but need not be  
820 limited to:

821 1. Provision for payment in full of obligations outlined  
822 in subsection (1), designated as priority items, which are  
823 currently due or will come due.

824 2. Establishment of priority budgeting or zero-based  
825 budgeting in order to eliminate items that are not affordable.

826 3. The prohibition of a level of operations which can be  
827 sustained only with nonrecurring revenues.

828 4. Provisions implementing the consolidation, sourcing, or  
829 discontinuance of all administrative direction and support  
830 services, including, but not limited to, services for asset  
831 sales, economic and community development, building inspections,  
832 parks and recreation, facilities management, engineering and  
833 construction, insurance coverage, risk management, planning and  
834 zoning, information systems, fleet management, and purchasing.

835 Section 24. Subsection (2) of section 1002.455, Florida  
836 Statutes, is amended to read:

837 1002.455 Student eligibility for K-12 virtual  
838 instruction.—

839 (2) A student is eligible to participate in virtual



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840 instruction if:

841 (a) The student spent the prior school year in attendance  
842 at a public school in the state and was enrolled and reported by  
843 the school district for funding during October and February for  
844 purposes of the Florida Education Finance Program surveys;

845 (b) The student is a dependent child of a member of the  
846 United States Armed Forces who was transferred within the last  
847 12 months to this state from another state or from a foreign  
848 country pursuant to a permanent change of station order;

849 (c) The student was enrolled during the prior school year  
850 in a virtual instruction program under s. 1002.45 or a full-time  
851 Florida Virtual School program under s. 1002.37(9)(a)  
852 ~~1002.37(8)(a)~~;

853 (d) The student has a sibling who is currently enrolled in  
854 a virtual instruction program and the sibling was enrolled in  
855 that program at the end of the prior school year;

856 (e) The student is eligible to enter kindergarten or first  
857 grade; or

858 (f) The student is eligible to enter grades 2 through 5  
859 and is enrolled full-time in a school district virtual  
860 instruction program, virtual charter school, or the Florida  
861 Virtual School.

862 Section 25. The Legislature finds that a proper and  
863 legitimate state purpose is served when internal controls are  
864 established to prevent and detect fraud, waste, and abuse and to



Amendment No. 1

865 safeguard and account for government funds and property.  
866 Therefore, the Legislature determines and declares that this act  
867 fulfills an important state interest.

868 Section 26. This act shall take effect July 1, 2017.

869

870 -----

871 T I T L E A M E N D M E N T

872 Remove everything before the enacting clause and insert:  
873 An act relating to government accountability; amending s.  
874 11.40, F.S.; specifying that the Governor, the Commissioner  
875 of Education, or the designee of the Governor or of the  
876 commissioner, may notify the Legislative Auditing Committee  
877 of an entity's failure to comply with certain auditing and  
878 financial reporting requirements; amending s. 11.45, F.S.;  
879 defining the terms "abuse," "fraud," and "waste"; revising  
880 the definition of the term "local governmental entity";  
881 excluding water management districts from certain audit  
882 requirements; removing a cross-reference; authorizing the  
883 Auditor General to conduct audits of tourist development  
884 councils and county tourism promotion agencies; revising  
885 reporting requirements applicable to the Auditor General;  
886 amending s. 28.35, F.S.; revising reporting requirements  
887 applicable to the Florida Clerks of Court Operations  
888 Corporation; amending s. 43.16, F.S.; revising the  
889 responsibilities of the Justice Administrative Commission,

939693 - HB 479 strike all amendment.docx

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Amendment No. 1

890 each state attorney, each public defender, the criminal  
891 conflict and civil regional counsel, the capital collateral  
892 regional counsel, and the Guardian Ad Litem Program, to  
893 include the establishment and maintenance of certain  
894 internal controls; amending s. 112.061, F.S.; revising  
895 certain lodging rates for the purpose of reimbursement to  
896 specified employees; authorizing an employee to expend his  
897 or her funds for certain lodging expenses; amending ss.  
898 129.03, 129.06, and 166.241, F.S.; requiring counties and  
899 municipalities to maintain certain budget documents on the  
900 entities' websites for a specified period; amending s.  
901 215.86, F.S.; revising the purposes for which management  
902 systems and internal controls must be established and  
903 maintained by each state agency and the judicial branch;  
904 amending s. 215.97, F.S.; revising certain audit threshold  
905 requirements; amending s. 215.985, F.S.; revising the  
906 requirements for a monthly financial statement provided by  
907 a water management district; amending s. 218.32, F.S.;  
908 revising the requirements of the annual financial audit  
909 report of a local governmental entity; authorizing the  
910 Department of Financial Services to request additional  
911 information from a local governmental entity; requiring a  
912 local governmental entity to respond to such requests  
913 within a specified timeframe; requiring the department to  
914 notify the Legislative Auditing Committee of noncompliance;

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Amendment No. 1

915 amending s. 218.33, F.S.; requiring local governmental  
916 entities to establish and maintain internal controls to  
917 achieve specified purposes; amending s. 218.39, F.S.;  
918 requiring an audited entity to respond to audit  
919 recommendations under specified circumstances; amending s.  
920 218.391, F.S.; revising the composition of an audit  
921 committee; prohibiting an audit committee member from being  
922 an employee, a chief executive officer, or a chief  
923 financial officer of the respective governmental entity;  
924 amending s. 286.0114, F.S.; prohibiting a board or  
925 commission from requiring an advance copy of testimony or  
926 comments from a member of the public as a precondition to  
927 being given the opportunity to be heard at a public  
928 meeting; amending s. 373.536, F.S.; deleting obsolete  
929 language; requiring water management districts to maintain  
930 certain budget documents on the districts' websites for a  
931 specified period; amending s. 1001.42, F.S.; authorizing  
932 additional internal audits as directed by the district  
933 school board; amending s. 1002.33, F.S.; revising the  
934 responsibilities of the governing board of a charter school  
935 to include the establishment and maintenance of internal  
936 controls; removing obsolete provisions; amending s.  
937 1002.37, F.S.; requiring completion of an annual financial  
938 audit of the Florida Virtual School; specifying audit  
939 requirements; requiring an audit report to be submitted to

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Published On: 2/22/2017 5:20:14 PM



Amendment No. 1

940 the board of trustees of the Florida Virtual School and the  
941 Auditor General; removing obsolete provisions; amending s.  
942 1010.01, F.S.; requiring each school district, Florida  
943 College System institution, and state university to  
944 establish and maintain certain internal controls; amending  
945 s. 1010.30, F.S.; requiring a district school board,  
946 Florida College System institution board of trustees, or  
947 university board of trustees to respond to audit  
948 recommendations under certain circumstances; amending ss.  
949 218.503 and 1002.455, F.S.; conforming provisions and  
950 cross-references to changes made by the act; declaring that  
951 the act fulfills an important state interest; providing an  
952 effective date.



**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**2/23/2017 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB OTA 17-01 : OGSR/Department of Citrus**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daisy Baez	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards		X			
Eric Eisnaugle	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Bobby Payne	X				
Cary Pigman	X				
Daniel Raulerson			X		
Bob Rommel	X				
Rick Roth	X				
Clay Yarborough	X				
Neil Combee (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 1</b>			

**Appearances:**

Pitts, Brian - Information Only  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**2/23/2017 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB OTA 17-02 : OGSR/Peer Review Panels**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daisy Baez	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards	X				
Eric Eisnaugle	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Bobby Payne	X				
Cary Pigman	X				
Daniel Raulerson			X		
Bob Rommel	X				
Rick Roth	X				
Clay Yarborough	X				
Neil Combee (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**Appearances:**

Pitts, Brian - Information Only  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM

**COMMITTEE MEETING REPORT**  
**Oversight, Transparency & Administration Subcommittee**

**2/23/2017 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB OTA 17-03 : OGSR/Unclaimed Property**

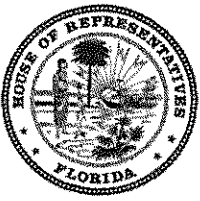
*Favorable*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daisy Baez	X				
Kimberly Daniels	X				
Tracie Davis	X				
Brad Drake	X				
Katie Edwards	X				
Eric Eisnaugle	X				
Patrick Henry	X				
Blaise Ingoglia	X				
Bobby Payne	X				
Cary Pigman	X				
Daniel Raulerson			X		
Bob Rommel	X				
Rick Roth	X				
Clay Yarborough	X				
Neil Combee (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**Appearances:**

Pitts, Brian - Waive In Support  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Thursday, February 23, 2017 11:32:19AM



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [checked] Amendment [ ]
Bill/PCS/PCB Number: 321
Amendment Number: [ ]

Name: Kelly Quinteno

Representing: league of women voters of Florida

Title: legislative Advocate

Address: 540 Beverly Court

City: Tallahassee State/Zip: FL 32312

Phone Number: 772 204 1792 Meeting Date: 2/23

Committee/Subcommittee: Oversight, transparency

Presentation/Workshop Topic: Constitutional Amendments

Registered Lobbyist: YES [checked] NO [ ]
State Employee: YES [ ] NO [ ]

- I wish to speak [checked]
Appearing in response to an inquiry for information made by member, committee, or staff [ ]
Appearing in response to subpoena [ ]
Appearing at the written request of the chair [ ]
Judge or elected officer appearing in official capacity [ ]
Lobbyist Appearance form submitted online [ ]

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [ ] Opponent [checked] Info only [ ]
Amendment: Proponent [ ] Opponent [ ] Info only [ ]



PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COMMITTEE/SUBCOMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING

TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 321 Date 2 123/2017

Name BRIAN PITTS

Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

City SAINT PETERSBURG State/Zip FLORIDA/33705

Phone Number 727/897-9291

Representing JUSTICE-2-JESUS

Lobbyist (registered) YES  NO

State Employee YES  NO

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

		<u>Amendment</u>	<u>Bill</u>
I wish to speak	<input checked="" type="checkbox"/>	Proponent	<input type="checkbox"/> <input type="checkbox"/>
I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/> <input type="checkbox"/>
		Information	<input type="checkbox"/> <input checked="" type="checkbox"/>

Subject matter:

Committee/Subcommittee: OTA



# COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill Number (If Applicable):	<u>321</u>
PCB/PCS/Amendment #:	_____

Name: GAIL MARIE PERRY

Representing: COMMUNICATIONS WORKERS OF AMERICA

Title: CHAIR COUNCIL OF FLORIDA

Address: PO BOX 1766

Address (cont): \_\_\_\_\_

City: POMPANO BCH

State: FLORIDA

Zip Code: 33061

Phone Number: 954 850 4033

Meeting Time: \_\_\_\_\_

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist:  Yes  No

State Employee:  Yes  No

(If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.)

I Wish To Speak

Appearing in response to an inquiry for information made by member, committee or staff

Appearing in response to subpoena

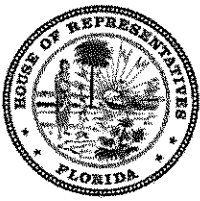
Appearing at the written request of the chair

Judge or elected officer appearing in official capacity

Lobbyist Appearance Form Submitted Online

Bill:  Proponent  Opponent  Info Only  N/A

Amendment:  Proponent  Opponent  Info Only  N/A



### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: _____	
Amendment Number: _____	

Name: Melissa Viller

Representing: The Holistic Cannabis Community

Title: President

Address: 169 Sinclair Rd

City: Tallahassee State/Zip: FL

Phone Number: (850) 284-2090 Meeting Date: 2/23/17

Committee/Subcommittee: Oversight

Presentation/Workshop Topic: HJR 321

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



WLS

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>397</u>		Amendment Number: _____	

Name: Samantha Ferrin

Representing: Department of management services

Title: Deputy legislative affairs director

Address: 4050 esplanade way

City: Tallahassee State/Zip: FL

Phone Number: (850) 410-0804 Meeting Date: 2/23/17

Committee/Subcommittee: oversight, transparency, & administration subcommittee

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

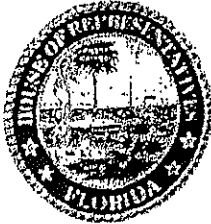
- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only





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TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 397 Date 2 123/2017

Name BRIAN PITTS

Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

City SAINT PETERSBURG State/Zip FLORIDA/33705

Phone Number 727/897-9291

Representing JUSTICE-2-JESUS

Lobbyist (registered) YES  NO

State Employee YES  NO

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

		<u>Amendment</u>	<u>Bill</u>
I wish to speak	<input checked="" type="checkbox"/>	Proponent <input type="checkbox"/>	<input type="checkbox"/>
I have been requested to speak	<input type="checkbox"/>	Opponent <input type="checkbox"/>	<input type="checkbox"/>
		Information <input type="checkbox"/>	<input checked="" type="checkbox"/>

Subject matter:

Committee/Subcommittee: OTA



### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>479</u>	
Amendment Number: _____	

Name: Brian Pitts

Representing: Justice-2-Jesus

Title: Trustee

Address: 1119 Newton Ave S

City: St. Petersburg State/Zip: FL/33705

Phone Number: 727/897-9291 Meeting Date: 2/23/2017

Committee/Subcommittee: OTA

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



WIS

### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>479</u>	
Amendment Number: _____	

Name: Ben Wilcox

Representing: Common Cause Florida

Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State/Zip: \_\_\_\_\_

Phone Number: 850-544-4448 Meeting Date: \_\_\_\_\_

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



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TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 17-01 Date 2/23/2017

Name BRIAN PITTS

Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

City SAINT PETERSBURG State/Zip FLORIDA/33705

Phone Number 727/897-9291

Representing JUSTICE-2-JESUS

Lobbyist (registered) YES [ ] NO [x]

State Employee YES [ ] NO [x]

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

			<u>Amendment</u>	<u>Bill</u>
I wish to speak	<input checked="" type="checkbox"/>	Proponent	<input type="checkbox"/>	<input type="checkbox"/>
I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/>	<input type="checkbox"/>
		Information	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Subject matter:

Committee/Subcommittee: OTA

WIS

Print Form

Reset Form



PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COMMITTEE/SUBCOMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING

TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 17-02 Date 2/23/2017
Name BRIAN PITTS
Title TRUSTEE
Address 1119 NEWTON AVENUE SOUTH
City SAINT PETERSBURG State/Zip FLORIDA/33705
Phone Number 727/897-9291
Representing JUSTICE-2-JESUS

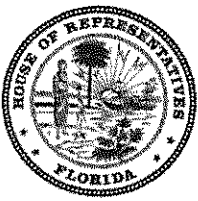
Lobbyist (registered) YES NO
State Employee YES NO

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

I wish to speak Proponent
I have been requested to speak Opponent
Information

Subject matter:

Committee/Subcommittee: OTA



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [checked] Amendment [ ]
Bill/PCS/PCB Number: 17-03
Amendment Number: [ ]

Name: BRANW PITTS

Representing: Justice-2-Jesus

Title: Trustee

Address: 1119 Newton Ave S

City: St Petersburg State/Zip: FL/33705

Phone Number: 727/897-9291 Meeting Date: 2/23/2017

Committee/Subcommittee: OTA

Presentation/Workshop Topic:

Registered Lobbyist: YES [ ] NO [checked]
State Employee: YES [ ] NO [checked]

- I wish to speak [checked]
Appearing in response to an inquiry for information made by member, committee, or staff [ ]
Appearing in response to subpoena [ ]
Appearing at the written request of the chair [ ]
Judge or elected officer appearing in official capacity [ ]
Lobbyist Appearance form submitted online [ ]

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [checked] Opponent [ ] Info only [ ]
Amendment: Proponent [ ] Opponent [ ] Info only [ ]