



APPROPRIATIONS COMMITTEE

Tuesday, April 7, 2015
1:30 PM – 3:30 PM
212 Knott Building

Action Packet

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

Summary:

Appropriations Committee

Tuesday April 07, 2015 01:30 pm

CS/HB 695	Favorable With Committee Substitute	Yeas: 18	Nays: 9
Amendment 282033	Adopted Without Objection		
Amendment 399833	Adopted as Amended		
Amendment 451357	Withdrawn		
Amendment 520263	Adopted Without Objection		
Amendment 550329	Adopted		
Amendment 620731	Withdrawn		
Amendment 687467	Adopted Without Objection		
Amendment 887519	Adopted		
Amendment 926381	Failed to Adopt		
CS/HB 1063	Favorable With Committee Substitute	Yeas: 25	Nays: 0
Amendment 529593	Withdrawn		
Amendment 657885	Adopted as Amended		
Amendment 900973	Adopted Without Objection		
CS/HB 1127	Favorable With Committee Substitute	Yeas: 26	Nays: 0
Amendment 345013	Adopted Without Objection		
HB 1247	Favorable With Committee Substitute	Yeas: 25	Nays: 1
Amendment 558365	Adopted Without Objection		
HB 7115	Favorable With Committee Substitute	Yeas: 17	Nays: 10
Amendment 390197	Adopted		
HB 7135	Favorable With Committee Substitute	Yeas: 24	Nays: 1
Amendment 127029	Not Considered		
Amendment 162397	Adopted Without Objection		
Amendment 243371	Adopted Without Objection		
Amendment 501125	Adopted Without Objection		
Amendment 757079	Adopted Without Objection		
Amendment 854537	Adopted Without Objection		
Amendment 969191	Adopted Without Objection		

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Richard Corcoran (Chair)	X		
Ben Albritton	X		
Jim Boyd	X		
Matt Caldwell	X		
Gwyndolen Clarke-Reed	X		
Janet Cruz	X		
Jose Diaz	X		
Erik Fresen	X		
Matt Hudson	X		
Clay Ingram	X		
Mia Jones	X		
Charles McBurney	X		
Larry Metz	X		
Jeanette Nuñez	X		
Jose Oliva	X		
H. Marlene O'Toole	X		
Mark Pafford	X		
Elizabeth Porter	X		
Kevin Rader	X		
Holly Raschein	X		
David Richardson	X		
Kenneth Roberson	X		
Darryl Rouson	X		
Cynthia Stafford	X		
W. Gregory Steube	X		
Alan Williams	X		
John Wood	X		
Dana Young	X		
Totals:	28	0	0

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COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 695 : Ad Valorem Taxation

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Matt Caldwell	X				
Gwyndolen Clarke-Reed		X			
Janet Cruz		X			
Jose Diaz	X				
Erik Fresen	X				
Matt Hudson	X				
Clay Ingram	X				
Mia Jones		X			
Charles McBurney	X				
Larry Metz	X				
Jeanette Nuñez	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Mark Pafford		X			
Elizabeth Porter	X				
Kevin Rader		X			
Holly Raschein	X				
David Richardson		X			
Kenneth Roberson	X				
Darryl Rouson		X			
Cynthia Stafford		X			
W. Gregory Steube	X				
Alan Williams		X			
John Wood	X				
Dana Young	X				
Richard Corcoran (Chair)				X	
Total Yeas: 18		Total Nays: 9			

CS/HB 695 Amendments

Amendment 282033

Adopted Without Objection

Amendment 399833

Adopted as Amended

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COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 695 : Ad Valorem Taxation (continued)

CS/HB 695 Amendments (continued)

Amendment 451357

Withdrawn

Amendment 520263

Adopted Without Objection

Amendment 550329

Adopted

Amendment 620731

Withdrawn

Amendment 687467

Adopted Without Objection

Amendment 887519

Adopted

Amendment 926381

Failed to Adopt

Appearances:

Baker, Carey (General Public) - Proponent
Florida Association of Property Appraisers
Lake County Property Appraiser
2302 Sandridge Circle
Tavares FL
Phone: (352) 253-2149

Mendez-Cartaya, Iraida (Lobbyist) - Proponent
Miami-Dade County Public Schools
Associate Superintendent
1450 NE Second Ave #931
Miami FL 33132
Phone: (305) 995-1497

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COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 695 : Ad Valorem Taxation (continued)

Appearances: (continued)

Bailey, Mario J. (Lobbyist) - Waive In Support
Miami-Dade County Public Schools
Government Relations Consultant
2700 N. Miami Avenue Apt 211
Miami FL 33127
Phone: (305) 246-3932

Cerra, Thomas (Lobbyist) - Waive In Support
Greater Florida Consortium of School Boards
Executive Director
1450 NE 2nd Ave Ste 912
Doral FL 33178
Phone: (305)513-9995

Price, Trey (Lobbyist) - Proponent
Florida Realtors
Public Policy Representative
200 S. Monroe Street
Tallahassee Florida 32301
Phone: 850-224-1400

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

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Avila offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Effective October 1, 2015, paragraph (b) of
7 subsection (3) of section 129.03, Florida Statutes, is amended
8 to read:

9 129.03 Preparation and adoption of budget.—

10 (3) The county budget officer, after tentatively
11 ascertaining the proposed fiscal policies of the board for the
12 next fiscal year, shall prepare and present to the board a
13 tentative budget for the next fiscal year for each of the funds
14 provided in this chapter, including all estimated receipts,
15 taxes to be levied, and balances expected to be brought forward

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16 and all estimated expenditures, reserves, and balances to be
17 carried over at the end of the year.

18 (b) Upon receipt of the tentative budgets and completion
19 of any revisions, the board shall prepare a statement
20 summarizing all of the adopted tentative budgets. The summary
21 statement must show, for each budget and the total of all
22 budgets, the proposed tax millages, balances, reserves, and the
23 total of each major classification of receipts and expenditures,
24 classified according to the uniform classification of accounts
25 adopted by the appropriate state agency. The board shall specify
26 the proportionate amount of the proposed county tax millage and
27 the proportionate amount of gross ad valorem taxes attributable
28 to the budgets of the sheriff, the property appraiser, the clerk
29 of the circuit court and county comptroller, the tax collector,
30 and the supervisor of elections, respectively. The board shall
31 cause this summary statement to be advertised one time in a
32 newspaper of general circulation published in the county, or by
33 posting at the courthouse door if there is no such newspaper,
34 and the advertisement must appear adjacent to the advertisement
35 required pursuant to s. 200.065.

36 Section 2. Paragraph (f) of subsection (2) of section
37 192.0105, Florida Statutes, is amended to read:

38 192.0105 Taxpayer rights.—There is created a Florida
39 Taxpayer's Bill of Rights for property taxes and assessments to
40 guarantee that the rights, privacy, and property of the
41 taxpayers of this state are adequately safeguarded and protected

COMMITTEE/SUBCOMMITTEE AMENDMENT

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42 during tax levy, assessment, collection, and enforcement
43 processes administered under the revenue laws of this state. The
44 Taxpayer's Bill of Rights compiles, in one document, brief but
45 comprehensive statements that summarize the rights and
46 obligations of the property appraisers, tax collectors, clerks
47 of the court, local governing boards, the Department of Revenue,
48 and taxpayers. Additional rights afforded to payors of taxes and
49 assessments imposed under the revenue laws of this state are
50 provided in s. 213.015. The rights afforded taxpayers to assure
51 that their privacy and property are safeguarded and protected
52 during tax levy, assessment, and collection are available only
53 insofar as they are implemented in other parts of the Florida
54 Statutes or rules of the Department of Revenue. The rights so
55 guaranteed to state taxpayers in the Florida Statutes and the
56 departmental rules include:

57 (2) THE RIGHT TO DUE PROCESS.—

58 (f) The right, in value adjustment board proceedings, to
59 have all evidence presented and considered at a public hearing
60 at the scheduled time, to be represented by a person specified
61 in s. 194.034(1)(a) an attorney or agent, to have witnesses
62 sworn and cross-examined, and to examine property appraisers or
63 evaluators employed by the board who present testimony (see ss.
64 194.034(1)(a) and (c) and (4), and 194.035(2)).

65 Section 3. Paragraph (d) is added to subsection (2) of
66 section 193.0235, Florida Statutes, to read:

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67 193.0235 Ad valorem taxes and non-ad valorem assessments
68 against subdivision property.—

69 (2) As used in this section, the term "common element"
70 includes:

71 (d) Property located within the same county as the
72 subdivision and used for at least 10 years exclusively for the
73 benefit of lot owners within the subdivision.

74 Section 4. Subsection (1) of section 193.122, Florida
75 Statutes, is amended to read:

76 193.122 Certificates of value adjustment board and
77 property appraiser; extensions on the assessment rolls.—

78 (1) The value adjustment board shall certify each
79 assessment roll upon order of the board of county commissioners
80 pursuant to s. 197.323, if applicable, and again after all
81 hearings required by s. 194.032 have been held. These
82 certificates shall be attached to each roll as required by the
83 Department of Revenue. Notwithstanding an extension of the roll
84 pursuant to s. 197.323, the value adjustment board must complete
85 all hearings required by s. 194.032 and certify the assessment
86 roll to the property appraiser by June 1 following the tax year
87 in which the assessments were made.

88 Section 5. The amendment made by this act to s. 193.122,
89 Florida Statutes, first applies beginning with the 2017 tax
90 roll.

91 Section 6. Subsections (3) and (4) of section 194.011,
92 Florida Statutes, are amended to read:

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93 194.011 Assessment notice; objections to assessments.—

94 (3) A petition to the value adjustment board must be in
95 substantially the form prescribed by the department.

96 Notwithstanding s. 195.022, a county officer may not refuse to
97 accept a form provided by the department for this purpose if the
98 taxpayer chooses to use it. A petition to the value adjustment
99 board must be signed by the taxpayer or be accompanied at the
100 time of filing by the taxpayer's written authorization for
101 representation by a person specified in s. 194.034(1)(a). A
102 written authorization is valid for 1 tax year, and a new written
103 authorization by the taxpayer shall be required for each
104 subsequent tax year. A petition shall also describe the property
105 by parcel number and shall be filed as follows:

106 (a) The property appraiser shall have available and shall
107 distribute forms prescribed by the Department of Revenue on
108 which the petition shall be made. Such petition shall be sworn
109 to by the petitioner.

110 (b) The completed petition shall be filed with the clerk
111 of the value adjustment board of the county, who shall
112 acknowledge receipt thereof and promptly furnish a copy thereof
113 to the property appraiser.

114 (c) The petition shall state the approximate time
115 anticipated by the taxpayer to present and argue his or her
116 petition before the board.

117 (d) The petition may be filed, as to valuation issues, at
118 any time during the taxable year on or before the 25th day

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119 following the mailing of notice by the property appraiser as
120 provided in subsection (1). With respect to an issue involving
121 the denial of an exemption, an agricultural or high-water
122 recharge classification application, an application for
123 classification as historic property used for commercial or
124 certain nonprofit purposes, or a deferral, the petition must be
125 filed at any time during the taxable year on or before the 30th
126 day following the mailing of the notice by the property
127 appraiser under s. 193.461, s. 193.503, s. 193.625, s. 196.173,
128 or s. 196.193 or notice by the tax collector under s. 197.2425.

129 (e) A condominium association, cooperative association, or
130 any homeowners' association as defined in s. 723.075, with
131 approval of its board of administration or directors, may file
132 with the value adjustment board a single joint petition on
133 behalf of any association members who own parcels of property
134 which the property appraiser determines are substantially
135 similar with respect to location, proximity to amenities, number
136 of rooms, living area, and condition. The condominium
137 association, cooperative association, or homeowners' association
138 as defined in s. 723.075 shall provide the unit owners with
139 notice of its intent to petition the value adjustment board and
140 shall provide at least 20 days for a unit owner to elect, in
141 writing, that his or her unit not be included in the petition.

142 (f) An owner of contiguous, undeveloped parcels may file
143 with the value adjustment board a single joint petition if the

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144 property appraiser determines such parcels are substantially
145 similar in nature.

146 (g) The individual, agent, or legal entity that signs the
147 petition becomes an agent of the taxpayer for the purpose of
148 serving process to obtain personal jurisdiction over the
149 taxpayer for the entire value adjustment board proceedings,
150 including any appeals of a board decision by the property
151 appraiser pursuant to s. 194.036.

152 (4) (a) At least 15 days before the hearing the petitioner
153 shall provide to the property appraiser a list of evidence to be
154 presented at the hearing, together with copies of all
155 documentation to be considered by the value adjustment board and
156 a summary of evidence to be presented by witnesses.

157 (b) No later than 7 days before the hearing, if the
158 petitioner has provided the information required under paragraph
159 (a), and if requested in writing by the petitioner, the property
160 appraiser shall provide to the petitioner a list of evidence to
161 be presented at the hearing, together with copies of all
162 documentation to be considered by the value adjustment board and
163 a summary of evidence to be presented by witnesses. The evidence
164 list must contain the property record card for the property that
165 is the subject of the petition as well as the property record
166 card for any comparable property listed as evidence, unless the
167 property record cards are available online from the property
168 appraiser. If the petitioner's property record card or the
169 comparable property record cards listed as evidence are

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170 available online from the property appraiser, the property
171 appraiser must notify the petitioner of the cards that are
172 available online but is not required to provide such card or
173 cards if provided by the clerk. Failure of the property
174 appraiser to timely comply with the requirements of this
175 paragraph shall result in a rescheduling of the hearing. The
176 property appraiser must redact any confidential information
177 contained on any property record card before it is submitted to
178 the petitioner.

179 (c) Notwithstanding a prior request by a property
180 appraiser for information pursuant to s. 193.011, provisions
181 related to evidence exchange contained in this section only
182 apply to value adjustment board proceedings after the petitioner
183 has served notice of intention to challenge the property
184 appraiser's assessment of value or classification of property
185 pursuant to this section.

186 (d) Evidence that is confidential under law remains
187 confidential until it is submitted to the value adjustment board
188 for consideration and admission into the record.

189 Section 7. Subsection (2) of section 194.014, Florida
190 Statutes, is amended to read:

191 194.014 Partial payment of ad valorem taxes; proceedings
192 before value adjustment board.—

193 (2) If the value adjustment board or the property
194 appraiser determines that the petitioner owes ad valorem taxes
195 in excess of the amount paid, the unpaid amount accrues interest

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196 at an annual percentage rate equal to the bank prime loan rate
197 on July 1, or the first business day thereafter if July 1 is a
198 Saturday, Sunday, or legal holiday, of the tax ~~the rate of 12~~
199 ~~percent per year, beginning on~~ from the date the taxes became
200 delinquent pursuant to s. 197.333 until the unpaid amount is
201 paid. If the value adjustment board or the property appraiser
202 determines that a refund is due, the overpaid amount accrues
203 interest at an annual percentage rate equal to the bank prime
204 loan rate on July 1, or the first business day thereafter if
205 July 1 is a Saturday, Sunday, or legal holiday, of the tax ~~the~~
206 ~~rate of 12 percent per year, beginning on~~ from the date the
207 taxes became delinquent pursuant to s. 197.333 until a refund is
208 paid. Interest does not accrue on amounts paid in excess of 100
209 percent of the current taxes due as provided on the tax notice
210 issued pursuant to s. 197.322. For purposes of this subsection,
211 the term "bank prime loan rate" means the average predominant
212 prime rate quoted by commercial banks to large businesses as
213 determined by the Board of Governors of the Federal Reserve
214 System.

215 Section 8. Effective July 1, 2016, section 194.015,
216 Florida Statutes, is amended to read:

217 194.015 Value adjustment board.—There is hereby created a
218 value adjustment board for each county, which shall consist of
219 five citizen members appointed by the legislative delegation of
220 state representatives and state senators who represent the
221 county. One member must be an owner of homestead property in the

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222 county, one member must own commercial property in the county,
223 and one member must be a licensed real estate appraiser who is a
224 resident of the county. If no licensed real estate appraiser is
225 available, the legislative delegation may appoint another owner
226 of homestead or commercial property who is a resident of the
227 county. The final two members of the value adjustment board must
228 be residents of the county. Any three members shall constitute a
229 quorum of the board, and a meeting shall not take place unless a
230 quorum is present. One member shall serve as chairman of the
231 board as elected by the five members. The Department of Business
232 and Professional Regulation must provide continuing education
233 credits to appraiser members of value adjustment boards ~~two~~
234 ~~members of the governing body of the county as elected from the~~
235 ~~membership of the board of said governing body, one of whom~~
236 ~~shall be elected chairperson, and one member of the school board~~
237 ~~as elected from the membership of the school board, and two~~
238 ~~citizen members, one of whom shall be appointed by the governing~~
239 ~~body of the county and must own homestead property within the~~
240 ~~county and one of whom must be appointed by the school board and~~
241 ~~must own a business occupying commercial space located within~~
242 ~~the school district. A citizen member may not be a member or an~~
243 ~~employee of any taxing authority, and may not be a person who~~
244 ~~represents property owners in any administrative or judicial~~
245 ~~review of property taxes. The members of the board may be~~
246 ~~temporarily replaced by other members of the respective boards~~
247 ~~on appointment by their respective chairpersons. Any three~~

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248 ~~members shall constitute a quorum of the board, except that each~~
249 ~~quorum must include at least one member of said governing board,~~
250 ~~at least one member of the school board, and at least one~~
251 ~~citizen member and no meeting of the board shall take place~~
252 ~~unless a quorum is present.~~ Members of the board may receive
253 such per diem compensation as is allowed by law for state
254 employees ~~if both bodies elect to allow such compensation.~~ The
255 clerk of the governing body of the county shall be the clerk of
256 the value adjustment board. The board shall appoint private
257 counsel who has practiced law for over 5 years and who shall
258 receive such compensation as may be established by the board.
259 The private counsel may not represent the property appraiser,
260 the tax collector, any taxing authority, or any property owner
261 in any administrative or judicial review of property taxes. No
262 meeting of the board shall take place unless counsel to the
263 board is present. Two-fifths of the expenses of the board shall
264 be borne by the district school board and three-fifths by the
265 district county commission. The district school board and
266 district county commission may audit the expenses related to the
267 value adjustment board process.

268 Section 9. Paragraph (a) of subsection (2) of section
269 194.032, Florida Statutes, is amended, and subsection (4) is
270 added to that section, to read:

271 194.032 Hearing purposes; timetable.-

272 (2) (a) The clerk of the governing body of the county shall
273 prepare a schedule of appearances before the board based on

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Bill No. CS/HB 695 (2015)

Amendment No. 1

274 petitions timely filed with him or her. The clerk shall notify
275 each petitioner of the scheduled time of his or her appearance
276 at least 25 calendar days before the day of the scheduled
277 appearance. The notice must indicate whether the petition has
278 been scheduled to be heard at a particular time or during a
279 block of time. If the petition has been scheduled to be heard
280 within a block of time, the beginning and ending of that block
281 of time must be indicated on the notice; however, as provided in
282 paragraph (b), a petitioner may not be required to wait for more
283 than a reasonable time, not to exceed 2 hours, after the
284 beginning of the block of time. ~~If the petitioner checked the~~
285 ~~appropriate box on the petition form to request a copy of the~~
286 ~~property record card containing relevant information used in~~
287 ~~computing the current assessment, the~~ The property appraiser
288 must provide a the copy of the property record card containing
289 information relevant to the computation of the current
290 assessment, with confidential information redacted, to the
291 petitioner upon receipt of the petition from the clerk
292 regardless of whether the petitioner initiates evidence
293 exchange, unless the property record card is available online
294 from the property appraiser, in which case the property
295 appraiser must notify the petitioner that the property record
296 card is available online. Upon receipt of the notice, the
297 petitioner or the property appraiser, for good cause, may
298 reschedule the hearing a single time by submitting to the clerk
299 a written request to reschedule, at least 5 calendar days before

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300 the day of the originally scheduled hearing. If the hearing is
301 rescheduled by the petitioner or the property appraiser, the
302 clerk shall notify the petitioner of the rescheduled time of his
303 or her appearance at least 15 calendar days before the day of
304 the rescheduled appearance.

305 (4) The board must hear all petitions, complaints,
306 appeals, and disputes and must submit the certified assessment
307 roll as required under s. 193.122 to the property appraiser each
308 year by June 1 of the tax year following the assessment date.

309 Section 10. Paragraph (a) of subsection (1) and subsection
310 (2) of section 194.034, Florida Statutes, are amended to read:

311 194.034 Hearing procedures; rules.—

312 (1) (a) Petitioners before the board may be represented by
313 a corporate representative of the taxpayer, an attorney who is a
314 member of The Florida Bar, an individual with power of attorney
315 to act on the behalf of the taxpayer pursuant to part II of
316 chapter 709, a licensed real estate appraiser, a licensed real
317 estate broker, or a certified public accountant retained by the
318 taxpayer ~~an attorney or agent~~ and may present testimony and
319 other evidence. The property appraiser or his or her authorized
320 representatives may be represented by an attorney in defending
321 the property appraiser's assessment or opposing an exemption and
322 may present testimony and other evidence. The property
323 appraiser, each petitioner, and all witnesses shall be required,
324 upon the request of either party, to testify under oath as
325 administered by the chairperson of the board. Hearings shall be

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326 conducted in the manner prescribed by rules of the department,
327 which rules shall include the right of cross-examination of any
328 witness.

329 (2) In each case, except if the complaint is withdrawn by
330 the petitioner or if the complaint is acknowledged as correct by
331 the property appraiser, the value adjustment board shall render
332 a written decision. All such decisions shall be issued within 20
333 calendar days after the last day the board is in session under
334 s. 194.032. The decision of the board must contain findings of
335 fact and conclusions of law and must include reasons for
336 upholding or overturning the determination of the property
337 appraiser. Findings of fact must be based on admitted evidence
338 or a lack thereof. Conclusions of law must be logically
339 connected to the findings of fact and must be stated in
340 statutory terms. If a special magistrate has been appointed, the
341 recommendations of the special magistrate shall be considered by
342 the board. The clerk, upon issuance of a decision, shall, on a
343 form provided by the Department of Revenue, notify each taxpayer
344 and the property appraiser of the decision of the board. This
345 notification shall be by first-class mail or by electronic means
346 if selected by the taxpayer on the originally filed petition. If
347 requested by the Department of Revenue, the clerk shall provide
348 to the department a copy of the decision or information relating
349 to the tax impact of the findings and results of the board as
350 described in s. 194.037 in the manner and form requested.

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351 Section 11. Subsection (1) of section 194.035, Florida
352 Statutes, is amended to read:
353 194.035 Special magistrates; property evaluators.—
354 (1) In counties having a population of more than 75,000,
355 the board shall appoint special magistrates for the purpose of
356 taking testimony and making recommendations to the board, which
357 recommendations the board may act upon without further hearing.
358 These special magistrates may not be elected or appointed
359 officials or employees of the county but shall be selected from
360 a list of those qualified individuals who are willing to serve
361 as special magistrates. Employees and elected or appointed
362 officials of a taxing jurisdiction or of the state may not serve
363 as special magistrates. The clerk of the board shall annually
364 notify such individuals or their professional associations to
365 make known to them that opportunities to serve as special
366 magistrates exist. The Department of Revenue shall provide a
367 list of qualified special magistrates to any county with a
368 population of 75,000 or less. Subject to appropriation, the
369 department shall reimburse counties with a population of 75,000
370 or less for payments made to special magistrates appointed for
371 the purpose of taking testimony and making recommendations to
372 the value adjustment board pursuant to this section. The
373 department shall establish a reasonable range for payments per
374 case to special magistrates based on such payments in other
375 counties. Requests for reimbursement of payments outside this
376 range shall be justified by the county. If the total of all

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

377 requests for reimbursement in any year exceeds the amount
378 available pursuant to this section, payments to all counties
379 shall be prorated accordingly. If a county having a population
380 less than 75,000 does not appoint a special magistrate to hear
381 each petition, the person or persons designated to hear
382 petitions before the value adjustment board or the attorney
383 appointed to advise the value adjustment board shall attend the
384 training provided pursuant to subsection (3), regardless of
385 whether the person would otherwise be required to attend, but
386 shall not be required to pay the tuition fee specified in
387 subsection (3). A special magistrate appointed to hear issues of
388 exemptions and classifications shall be a member of The Florida
389 Bar with no less than 5 years' experience in the area of ad
390 valorem taxation. A special magistrate appointed to hear issues
391 regarding the valuation of real estate shall be a state
392 certified real estate appraiser with not less than 5 years'
393 experience in real property valuation. A special magistrate
394 appointed to hear issues regarding the valuation of tangible
395 personal property shall be a designated member of a nationally
396 recognized appraiser's organization with not less than 5 years'
397 experience in tangible personal property valuation. A special
398 magistrate need not be a resident of the county in which he or
399 she serves. A special magistrate may not represent a person
400 before the board in any tax year during which he or she has
401 served that board as a special magistrate. Before appointing a
402 special magistrate, a value adjustment board shall verify the

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

403 special magistrate's qualifications. The value adjustment board
404 shall ensure that the selection of special magistrates is based
405 solely upon the experience and qualifications of the special
406 magistrate and is not influenced by the property appraiser. The
407 special magistrate shall accurately and completely preserve all
408 testimony and, in making recommendations to the value adjustment
409 board, shall include proposed findings of fact, conclusions of
410 law, and reasons for upholding or overturning the determination
411 of the property appraiser. The expense of hearings before
412 magistrates and any compensation of special magistrates shall be
413 borne three-fifths by the board of county commissioners and two-
414 fifths by the school board. When appointing special magistrates
415 or scheduling special magistrates for specific hearings, the
416 board, board attorney, and board clerk may not consider the
417 dollar amount or percentage amount of any assessment reductions
418 recommended by any special magistrate either in the current year
419 or in any previous year.

420 Section 12. Section 196.141, Florida Statutes, is amended
421 to read:

422 196.141 Homestead exemptions; duty of property appraiser.-

423 (1) The property appraiser shall examine each claim for
424 exemption filed with or referred to him or her and shall allow
425 the exemption same, if found to be in accordance with law, by
426 marking the exemption same approved and by making the proper
427 deductions on the assessment rolls ~~tax books~~.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

428 (2) The property appraiser may contract for services to
429 examine or audit homestead tax exemptions claimed on assessment
430 rolls. Agreements for such contracted services shall, at a
431 minimum, provide that:

432 (a) The contractor may contact the person claiming a
433 homestead exemption only with the approval of the property
434 appraiser and for the exclusive purpose of examining or auditing
435 the homestead exemption.

436 (b) If the contractor's examination or audit reveals that
437 the person was not entitled to the homestead exemption, the
438 contractor must disclose the matter to the property appraiser
439 for proceedings pursuant ss. 196.151 and 196.161.

440 (c) The contractor is solely liable for any claims arising
441 from the contractor's performance.

442 (d) The contractor's compensation will consist solely of a
443 portion, as specified in the agreement, of the penalties imposed
444 pursuant to this chapter and collected on the assessments
445 resulting from the contractor's examination or audit and the
446 removal of homestead exemptions from previous and current year
447 tax rolls.

448
449 A property appraiser contracting for such services may receive
450 the interest imposed pursuant to this chapter and collected on
451 the taxes owed on previous and current year assessment rolls.
452 After distributing the compensation for such contracted services
453 and the interest that the property appraiser retains, the tax

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Bill No. CS/HB 695 (2015)

Amendment No. 1

454 collector shall distribute any back taxes collected under
455 chapter 197.

456 Section 13. Paragraph (b) of subsection (1) and
457 subsections (2) and (3) of section 196.161, Florida Statutes,
458 are amended to read:

459 196.161 Homestead exemptions; lien imposed on property of
460 person claiming exemption although not a permanent resident.—

461 (1)

462 (b) In addition, upon determination by the property
463 appraiser that for any year or years within the prior 10 years a
464 person who was not entitled to a homestead exemption was granted
465 a homestead exemption from ad valorem taxes, ~~it shall be the~~
466 ~~duty of~~ the property appraiser making such determination shall
467 ~~to~~ serve upon the owner a notice of intent to record in the
468 public records of the county a notice of tax lien against any
469 property owned by that person in the county, and such property
470 shall be identified in the notice of tax lien. Such property
471 which is situated in this state shall be subject to the taxes
472 exempted thereby, plus a penalty of 50 percent of the unpaid
473 taxes for each year and 15 percent interest per annum. However,
474 if a homestead exemption is improperly granted as a result of a
475 clerical mistake or an omission by the property appraiser, the
476 person improperly receiving the exemption shall not be assessed
477 penalty and interest. Before ~~any~~ such lien may be filed, the
478 owner so notified must be given 30 days to pay the taxes,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

479 penalties, and interest. The tax lien shall be filed for the
480 taxes, penalties, and interest that remain unpaid 30 days after
481 the notice is sent. Such tax lien shall remain on the property
482 until the taxes, penalties, and interest are paid in full.

483 (2) Except when a homestead exemption is improperly
484 granted as the result of a clerical error by the property
485 appraiser, taxes, penalties, and interest assessed pursuant to
486 this section that are not paid in full shall be included in the
487 next tax notice and shall be collected in the same manner as,
488 and in addition to, the current ad valorem taxes under chapter
489 197, including the annual tax certificate sale when appropriate.
490 ~~The collection of the taxes provided in this section shall be in~~
491 ~~the same manner as existing ad valorem taxes, and the above~~
492 ~~procedure of recapturing such taxes shall be supplemental to any~~
493 ~~existing provision under the laws of this state.~~

494 (3) The lien under subsection (1) constitutes a first lien
495 as set forth in s. 197.122 herein provided shall not attach to
496 the property until the notice of tax lien is filed among the
497 public records of the county where the property is located.
498 ~~Prior to the filing of such notice of lien, any purchaser for~~
499 ~~value of the subject property shall take free and clear of such~~
500 ~~lien. Such lien when filed shall attach to any property which is~~
501 ~~identified in the notice of lien and is owned by the person who~~
502 ~~illegally or improperly received the homestead exemption. Should~~
503 ~~such person no longer own property in the county, but own~~
504 ~~property in some other county or counties in the state, it shall~~

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

505 ~~be the duty of the property appraiser to record a notice of tax~~
506 ~~lien in such other county or counties, identifying the property~~
507 ~~owned by such person in such county or counties, and it shall~~
508 ~~become a lien against such property in such county or counties.~~

509 Section 14. Effective October 1, 2015, subsection (3) and
510 paragraph (a) of subsection (4) of section 200.069, Florida
511 Statutes, are amended to read:

512 200.069 Notice of proposed property taxes and non-ad
513 valorem assessments.—Pursuant to s. 200.065(2)(b), the property
514 appraiser, in the name of the taxing authorities and local
515 governing boards levying non-ad valorem assessments within his
516 or her jurisdiction and at the expense of the county, shall
517 prepare and deliver by first-class mail to each taxpayer to be
518 listed on the current year's assessment roll a notice of
519 proposed property taxes, which notice shall contain the elements
520 and use the format provided in the following form.

521 Notwithstanding the provisions of s. 195.022, no county officer
522 shall use a form other than that provided herein. The Department
523 of Revenue may adjust the spacing and placement on the form of
524 the elements listed in this section as it considers necessary
525 based on changes in conditions necessitated by various taxing
526 authorities. If the elements are in the order listed, the
527 placement of the listed columns may be varied at the discretion
528 and expense of the property appraiser, and the property
529 appraiser may use printing technology and devices to complete
530 the form, the spacing, and the placement of the information in

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

531 the columns. A county officer may use a form other than that
532 provided by the department for purposes of this part, but only
533 if his or her office pays the related expenses and he or she
534 obtains prior written permission from the executive director of
535 the department; however, a county officer may not use a form the
536 substantive content of which is at variance with the form
537 prescribed by the department. The county officer may continue to
538 use such an approved form until the law that specifies the form
539 is amended or repealed or until the officer receives written
540 disapproval from the executive director.

541 (3) There shall be under each column heading an entry for
542 the county, with subheading entries for the proportionate amount
543 of gross ad valorem tax or millage attributable to the budget of
544 the sheriff, the property appraiser, the clerk of the circuit
545 court and county comptroller, the tax collector, and the
546 supervisor of elections; the school district levy required
547 pursuant to s. 1011.60(6); other operating school levies; the
548 municipality or municipal service taxing unit or units in which
549 the parcel lies, if any; the water management district levying
550 pursuant to s. 373.503; the independent special districts in
551 which the parcel lies, if any; and for all voted levies for debt
552 service applicable to the parcel, if any.

553 (4) For each entry listed in subsection (3), there shall
554 appear on the notice the following:

555 (a) In the first column, a brief, commonly used name for
556 the taxing authority or its governing body. The heading for the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

557 county must have subheadings for the sheriff, the property
558 appraiser, the clerk of the circuit court and county
559 comptroller, the tax collector, and the supervisor of elections.

560 The entry in the first column for the levy required pursuant to
561 s. 1011.60(6) shall be "By State Law." The entry for other
562 operating school district levies shall be "By Local Board." Both
563 school levy entries shall be indented and preceded by the
564 notation "Public Schools:". For each voted levy for debt
565 service, the entry shall be "Voter Approved Debt Payments."

566 Section 15. Subsection (3) of section 213.30, Florida
567 Statutes, is amended to read:

568 213.30 Compensation for information relating to a
569 violation of the tax laws.-

570 (3) Notwithstanding any other provision of law, this
571 section and s. 196.141 are ~~is~~ the sole means by which a any
572 person may seek or obtain any moneys as the result of, in
573 relation to, or founded upon the failure by another person to
574 comply with the tax laws of this state. A person's use of any
575 other law to seek or obtain moneys for such failure is in
576 derogation of this section and s. 196.141 and conflicts with the
577 state's duty to administer the tax laws.

578 Section 16. The Legislature finds that this act fulfills
579 an important state interest.

580 Section 17. Except as otherwise expressly provided in this
581 act, this act shall take effect July 1, 2015.

582

Amendment No. 1

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T I T L E A M E N D M E N T
' Remove everything before the enacting clause and insert:
A bill to be entitled
An act relating to ad valorem taxation; amending s.
129.03, F.S.; revising the information required to be
included on summaries of adopted tentative budgets;
amending s. 192.0105, F.S.; conforming provisions to
changes made by the act; amending s. 193.0235, F.S.;
revising the definition of the term "common element"
for purposes of prorating ad valorem taxes for certain
properties under certain circumstances; amending s.
193.122, F.S.; establishing deadlines for value
adjustment boards to complete final assessment roll
certifications; providing applicability; amending s.
194.011, F.S.; revising the procedures for filing
petitions to the value adjustment board; revising the
procedures used during a value adjustment board
hearing; revising the documentation required to be on
evidence lists during value adjustment board hearings;
amending s. 194.014, F.S.; revising the interest rate
upon which certain unpaid and overpaid ad valorem
taxes accrue; defining the term "bank prime loan
rate"; amending s. 194.015, F.S.; revising the
membership and requirements for meetings of value
adjustment boards; authorizing the district school

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

609 board and district county commission to audit certain
610 expenses of the value adjustment board; amending s.
611 194.032, F.S.; revising requirements for the provision
612 of property record cards to a petitioner; requiring a
613 petitioner and the property appraiser to show good
614 cause to reschedule a hearing related to an
615 assessment; requiring value adjustment boards to
616 address issues concerning assessment rolls by a time
617 certain; amending s. 194.034, F.S.; revising the
618 entities that may represent a taxpayer before the
619 value adjustment board; revising provisions relating
620 to findings of fact and conclusions of law; amending
621 s. 194.035, F.S.; prohibiting consideration to be
622 given in the appointment of special magistrates to
623 assessment reductions recommended by a special
624 magistrate; amending s. 196.141, F.S.; authorizing
625 property appraisers to contract for the examination
626 and audit of homestead exemption claims; specifying
627 terms that must be included in the contract;
628 specifying payment for such contracted services;
629 authorizing the property appraiser to retain certain
630 interest earnings; amending s. 196.161, F.S.;;
631 requiring the filing of tax liens for taxes,
632 penalties, and interest that remain unpaid after a
633 specified time; requiring that certain unpaid tax
634 liens be included in the next assessment roll;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1

635 specifying that such lien is superior to all other
636 liens; deleting provisions specifying when liens
637 attach to property; amending s. 200.069, F.S.;
638 revising the information to be included on the notice
639 of proposed property taxes and non-ad valorem
640 assessments; amending s. 213.30, F.S.; specifying that
641 certain persons may seek or obtain funds because of
642 the failure of other persons to comply with the
643 state's tax laws, including homestead exemptions;
644 providing a finding of important state interest;
645 providing effective dates.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Diaz, J. offered the following:

3
4 **Amendment to Amendment (399833) by Representative Avila**
5 Remove line 87 of the amendment and insert:
6 in which the assessments were made. For years where the number
7 of petitions filed increased from the prior year, the June 1
8 requirement shall be waived.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 2a

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Diaz, J. offered the following:

3
4 **Amendment to Amendment (399833) by Representative Avila**
5 Remove line 308 of the amendment and insert:
6 year by June 1 of the tax year following the assessment date.
7 For years where the number of petitions filed increased from the
8 prior year, the June 1 requirement shall be waived.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 3a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Wood offered the following:

3
4 **Amendment to Amendment (399833) by Representative Avila**
5 **(with title amendment)**

6 Between lines 5 and 6 of the amendment, insert:

7 Section 1. Subsection (2) of section 11.45, Florida
8 Statutes, is amended, and a new paragraph (1) is added to that
9 section, to read:

10 11.45 Definitions; duties; authorities; reports; rules.—

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

12 (h) At least every 3 years, conduct a performance audit of
13 the Department of Revenue's administration of the ad valorem tax
14 laws as described in ss. 195.096 and 1011.62. The audit report
15 shall report on the activities of the ad valorem tax program of
16 the Department of Revenue related to the ad valorem tax rolls.
17 The Auditor General shall include, for at least four counties

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 3a

18 reviewed, findings as to the accuracy of assessment procedures,
19 projections, and computations made by the department, using the
20 same generally accepted appraisal standards and procedures to
21 which the department and the property appraisers are required to
22 adhere. However, the report may not include any findings or
23 statistics related to any ad valorem tax roll that is in
24 litigation between the state and county officials at the time
25 the report is issued.

26 (1) At least every 3 years, conduct a performance audit of
27 the value adjustment board process provided in Chapter 194.
28 This audit must include: a sample of the county value adjustment
29 boards; the Department of Revenue's performance of its duties
30 regarding the value adjustment board process; and the state and
31 local implementation of recent legislation and rules relating to
32 the value adjustment board process. The scope of this audit
33 will be determined by the Auditor General.

34
35 -----
36 T I T L E A M E N D M E N T

37 Remove line 588 of the amendment and insert:
38 129.03, F.S.; revising audits; amending s. 129.03, F.S.;
39 revising the information required to be

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 4a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input 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: Appropriations Committee
2 Representative Wood offered the following:

4 **Amendment to Amendment (399833) by Representative Avila**

5 Remove lines 432-440 of the amendment and insert:

6 (a) The contractor may not directly or indirectly contact
7 the person claiming a homestead exemption.

8 (b) After the contractor completes the examination or
9 audit, the contractor must disclose the results to the property
10 appraiser who will decide whether the person was entitled to the
11 homestead exemption and, if not entitled to the homestead
12 exemption, initiate proceedings pursuant ss. 196.151 and
13 196.161.

14 (c) The contractor is solely responsible to the property
15 appraiser for any claims arising

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 5a

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: Appropriations Committee
 2 Representative Wood offered the following:

3
 4 **Amendment to Amendment (399833) by Representative Avila**
 5 **(with directory amendment)**

6 Between lines 565 and 566 of the amendment, insert:

7 (7) The following statement shall appear after the values
 8 listed on the front of the second page:

9
 10 If you feel that the assessed ~~market~~ value of your property is
 11 inaccurate or ~~does not reflect fair market value, or~~ if you are
 12 entitled to an exemption or classification that is not reflected
 13 above, contact your county property appraiser at (phone number)
 14 or (location).

15 If the property appraiser's office is unable to resolve the
 16 matter as to assessed ~~market~~ value, classification, or an
 17 exemption, you may file a petition for adjustment with the Value

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 5a

18 Adjustment Board. Petition forms are available from the county
19 property appraiser and must be filed ON OR BEFORE (date).

20

21

22

D I R E C T O R Y A M E N D M E N T

23

Remove lines 509-510 of the amendment and insert:

24

Section 14. Effective October 1, 2015, subsection (3),

25

paragraph (a) of subsection (4), and subsection (7) of section

26

200.069, Florida

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 6a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input 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: Appropriations Committee
 2 Representative Wood offered the following:

3
 4 **Amendment to Amendment (399833) by Representative Avila**
 5 **(with title amendment)**

6 Remove line 297 of the amendment and insert:
 7 petitioner may

8
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T I T L E A M E N D M E N T

10
 11 Remove lines 612-615 of the amendment and insert:
 12 of property record cards to a petitioner; requiring value
 13 adjustment boards to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 7a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Diaz, J. offered the following:

3

4 **Amendment to Amendment (399833) by Representative Avila**

5 Remove line 87 of the amendment and insert:

6 in which the assessments were made. For years where the number
7 of petitions filed increased by more than ten (10) percent from
8 the prior year, the June 1 requirement shall be waived.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 695 (2015)

Amendment No. 8a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Diaz, J. offered the following:

4 **Amendment to Amendment (399833) by Representative Avila**

5 Remove line 308 of the amendment and insert:

6 year by June 1 of the tax year following the assessment date.

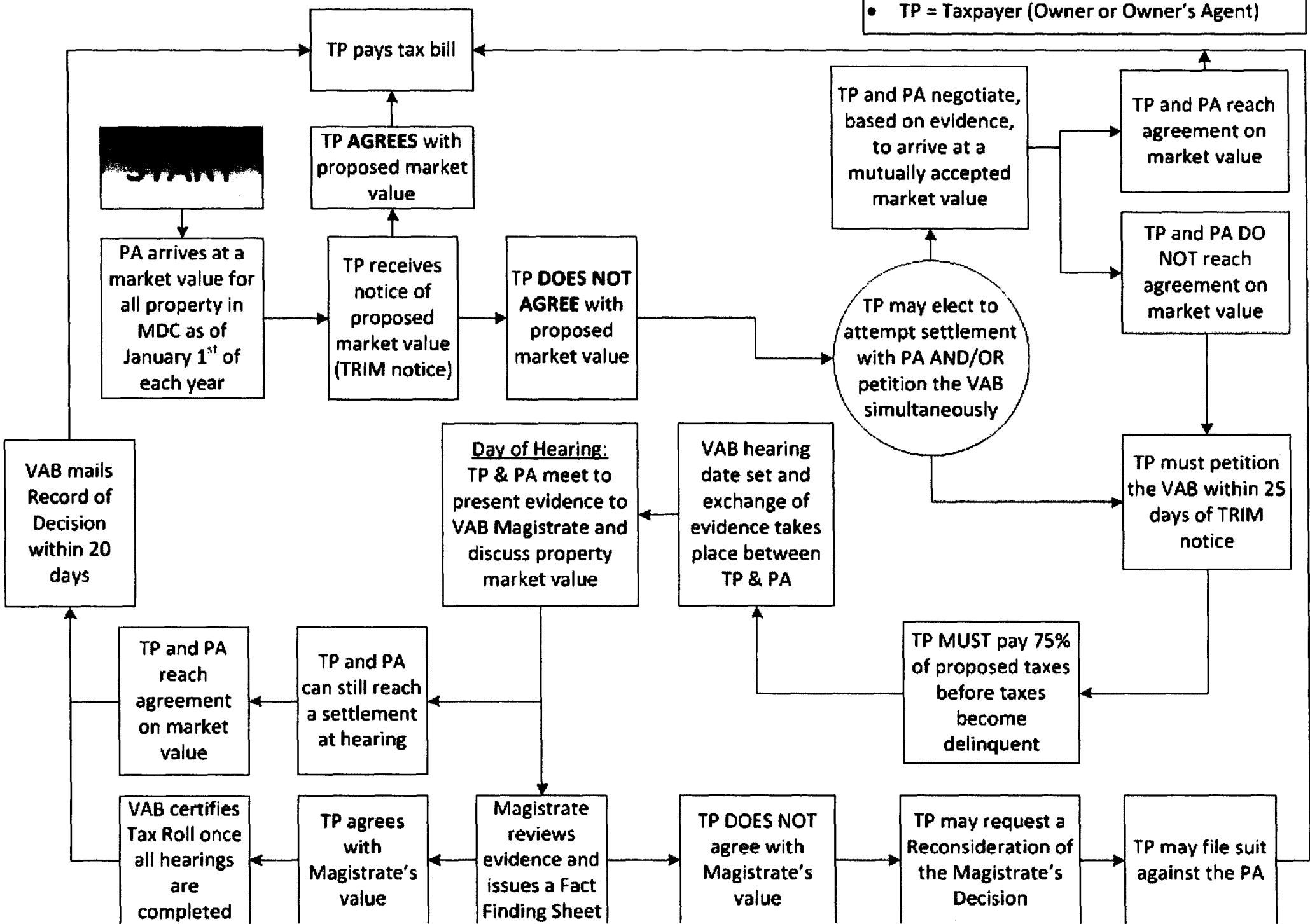
7 For years where the number of petitions filed increased by more

8 than ten (10) percent from the prior year, the June 1

9 requirement shall be waived.

The Petition Process (Detail)

- VAB = Value Adjustment Board
- PA = Property Appraiser
- TP = Taxpayer (Owner or Owner's Agent)



COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 1063 : Government Accountability

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Matt Caldwell	X				
Gwyndolen Clarke-Reed	X				
Janet Cruz	X				
Jose Diaz	X				
Erik Fresen	X				
Matt Hudson	X				
Clay Ingram	X				
Mia Jones	X				
Charles McBurney	X				
Larry Metz	X				
Jeanette Nuñez	X				
Jose Oliva			X		
H. Marlene O'Toole	X				
Mark Pafford	X				
Elizabeth Porter	X				
Kevin Rader	X				
Holly Raschein	X				
David Richardson	X				
Kenneth Roberson	X				
Darryl Rouson	X				
Cynthia Stafford	X				
W. Gregory Steube	X				
Alan Williams	X				
John Wood	X				
Dana Young			X		
Richard Corcoran (Chair)				X	
Total Yeas: 25		Total Nays: 0			

CS/HB 1063 Amendments

Amendment 529593

Withdrawn

Amendment 657885

Adopted as Amended

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 1063 : Government Accountability (continued)

CS/HB 1063 Amendments (continued)

Amendment 900973

Adopted Without Objection

Appearances:

Iarossi, Nicholas (Lobbyist) - Waive In Support
Safety Net Hospital Alliance of Florida
101 N Gadsden St Suite 502
Tallahassee FL 32301
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Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

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COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Metz offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

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

7 Statutes, is amended to read:

8 11.40 Legislative Auditing Committee.—

9 (2) Following notification by the Auditor General, the
10 Department of Financial Services, ~~or~~ the Division of Bond
11 Finance of the State Board of Administration, the Governor or
12 his or her designee, or the Commissioner of Education or his or
13 her designee of the failure of a local governmental entity,
14 district school board, charter school, or charter technical
15 career center to comply with the applicable provisions within s.
16 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the
17 Legislative Auditing Committee may schedule a hearing to

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18 determine if the entity should be subject to further state
19 action. If the committee determines that the entity should be
20 subject to further state action, the committee shall:

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

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

33 1. A special act, notify the President of the Senate, the
34 Speaker of the House of Representatives, the standing committees
35 of the Senate and the House of Representatives charged with
36 special district oversight as determined by the presiding
37 officers of each respective chamber, the legislators who
38 represent a portion of the geographical jurisdiction of the
39 special district pursuant to s. 189.034(2), and the Department
40 of Economic Opportunity that the special district has failed to
41 comply with the law. Upon receipt of notification, the
42 Department of Economic Opportunity shall proceed pursuant to s.
43 189.062 or s. 189.067. If the special district remains in

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44 noncompliance after the process set forth in s. 189.034(3), or
45 if a public hearing is not held, the Legislative Auditing
46 Committee may request the department to proceed pursuant to s.
47 189.067(3).

48 2. A local ordinance, notify the chair or equivalent of
49 the local general-purpose government pursuant to s. 189.035(2)
50 and the Department of Economic Opportunity that the special
51 district has failed to comply with the law. Upon receipt of
52 notification, the department shall proceed pursuant to s.
53 189.062 or s. 189.067. If the special district remains in
54 noncompliance after the process set forth in s. 189.034(3), or
55 if a public hearing is not held, the Legislative Auditing
56 Committee may request the department to proceed pursuant to s.
57 189.067(3).

58 3. Any manner other than a special act or local ordinance,
59 notify the Department of Economic Opportunity that the special
60 district has failed to comply with the law. Upon receipt of
61 notification, the department shall proceed pursuant to s.
62 189.062 or s. 189.067(3).

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

66 Section 2. Subsection (1), paragraph (j) of subsection
67 (2), paragraph (v) of subsection (3), and paragraph (i) of
68 subsection (7) of section 11.45, Florida Statutes, are amended,

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69 and paragraph (y) is added to subsection (3) of that section, to
70 read:

71 11.45 Definitions; duties; authorities; reports; rules.—

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

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

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

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

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
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

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95 United States and government auditing standards as adopted by
96 the Board of Accountancy. When applicable, the scope of
97 financial audits 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.

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

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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.
- 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.

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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
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.

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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
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:

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

199 (y) 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:

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

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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
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.

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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.

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

264 (c) Support economical and efficient operations.

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

266 (e) Safeguard assets.

267 Section 5. Subsection (1) of section 112.31455, Florida
268 Statutes, is amended to read:

269 112.31455 Collection methods for unpaid automatic fines
270 for failure to timely file disclosure of financial interests.—

271 (1) Before referring any unpaid fine accrued pursuant to
272 s. 112.3144(5) or s. 112.3145(7) ~~s. 112.3145(6)~~ to the
273 Department of Financial Services, the commission shall attempt
274 to determine whether the individual owing such a fine is a
275 current public officer or current public employee. If so, the

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276 commission may notify the Chief Financial Officer or the
277 governing body of the appropriate county, municipality, school
278 district, or special district of the total amount of any fine
279 owed to the commission by such individual.

280 (a) After receipt and verification of the notice from the
281 commission, the Chief Financial Officer or the governing body of
282 the county, municipality, school district, or special district
283 shall begin withholding the lesser of 10 percent or the maximum
284 amount allowed under federal law from any salary-related
285 payment. The withheld payments shall be remitted to the
286 commission until the fine is satisfied.

287 (b) The Chief Financial Officer or the governing body of
288 the county, municipality, school district, or special district
289 may retain an amount of each withheld payment, as provided in s.
290 77.0305, to cover the administrative costs incurred under this
291 section.

292 Section 6. Section 112.31456, Florida Statutes, is created
293 to read:

294 112.31456 Garnishment of wages for unpaid automatic fines
295 for failure to timely file disclosure of financial interests.-

296 (1) Before referring any unpaid fine accrued pursuant to
297 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial
298 Services, the commission shall attempt to determine whether the
299 individual owing such a fine is a current public officer or
300 current public employee. If the commission determines that an
301 individual who is the subject of an unpaid fine accrued pursuant

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302 to s. 112.3144(5) or s. 112.3145(7) is no longer a public
303 officer or public employee or if the commission cannot determine
304 whether the individual is a current public officer or current
305 public employee, the commission may, 6 months after the order
306 becomes final, seek garnishment of any wages to satisfy the
307 amount of the fine, or any unpaid portion thereof, pursuant to
308 chapter 77. Upon recording the order imposing the fine with the
309 clerk of the circuit court, the order shall be deemed a judgment
310 for purposes of garnishment pursuant to chapter 77.

311 (2) The commission may refer unpaid fines to the
312 appropriate collection agency, as directed by the Chief
313 Financial Officer, to use any collection methods provided by
314 law. Except as expressly limited by this section, any other
315 collection method authorized by law is allowed.

316 (3) Action may be taken to collect any unpaid fine imposed
317 by ss. 112.3144 and 112.3145 within 20 years after the date the
318 final order is rendered.

319 Section 7. Section 112.3261, Florida Statutes, is amended
320 to read:

321 112.3261 Lobbying before governmental entities ~~water~~
322 ~~management districts~~; registration and reporting.—

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

324 (a) "Governmental entity" or "entity" "District" means a
325 water management district created in s. 373.069 and operating
326 under the authority of chapter 373, a hospital district, a
327 children's services district, an expressway authority as the

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328 term "authority" as defined in s. 348.0002, the term "port
329 authority" as defined in s. 315.02, or an independent special
330 district with annual revenues of more than \$5 million which
331 exercises ad valorem taxing authority.

332 (b) "Lobbies" means seeking, on behalf of another person,
333 to influence a governmental entity ~~district~~ with respect to a
334 decision of the entity ~~district~~ in an area of policy or
335 procurement or an attempt to obtain the goodwill of an a
336 ~~district~~ official or employee of a governmental entity. The term
337 "~~lobbies~~" shall be interpreted and applied consistently with the
338 rules of the commission implementing s. 112.3215.

339 (c) "Lobbyist" has the same meaning as provided in s.
340 112.3215.

341 (d) "Principal" has the same meaning as provided in s.
342 112.3215.

343 (2) A person may not lobby a governmental entity ~~district~~
344 until such person has registered as a lobbyist with that entity
345 ~~district~~. Such registration shall be due upon initially being
346 retained to lobby and is renewable on a calendar-year basis
347 thereafter. Upon registration, the person shall provide a
348 statement signed by the principal or principal's representative
349 stating that the registrant is authorized to represent the
350 principal. The principal shall also identify and designate its
351 main business on the statement authorizing that lobbyist
352 pursuant to a classification system approved by the governmental
353 entity ~~district~~. Any changes to the information required by this

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354 section must be disclosed within 15 days by filing a new
355 registration form. The registration form shall require each
356 lobbyist to disclose, under oath, the following:

357 (a) The lobbyist's name and business address.

358 (b) The name and business address of each principal
359 represented.

360 (c) The existence of any direct or indirect business
361 association, partnership, or financial relationship with an
362 official ~~any officer~~ or employee of a governmental entity
363 ~~district~~ with which he or she lobbies or intends to lobby.

364 (d) A governmental entity shall create a lobbyist
365 registration form modeled after the ~~In lieu of creating its own~~
366 ~~lobbyist registration forms, a district may accept a completed~~
367 legislative branch or executive branch lobbyist registration
368 form, which must be returned to the governmental entity.

369 (3) A governmental entity ~~district~~ shall make lobbyist
370 registrations available to the public. If a governmental entity
371 ~~district~~ maintains a website, a database of currently registered
372 lobbyists and principals must be available on the entity's
373 ~~district's~~ website.

374 (4) A lobbyist shall promptly send a written statement to
375 the governmental entity ~~district~~ canceling the registration for
376 a principal upon termination of the lobbyist's representation of
377 that principal. A governmental entity ~~district~~ may remove the
378 name of a lobbyist from the list of registered lobbyists if the

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379 principal notifies the entity ~~district~~ that a person is no
380 longer authorized to represent that principal.

381 (5) A governmental entity ~~district~~ may establish an annual
382 lobbyist registration fee, not to exceed \$40, for each principal
383 represented. The governmental entity ~~district~~ may use
384 registration fees only to administer this section.

385 (6) A governmental entity ~~district~~ shall be diligent to
386 ascertain whether persons required to register pursuant to this
387 section have complied. A governmental entity ~~district~~ may not
388 knowingly authorize a person who is not registered pursuant to
389 this section to lobby the entity ~~district~~.

390 (7) Upon receipt of a sworn complaint alleging that a
391 lobbyist or principal has failed to register with a governmental
392 entity ~~district~~ or has knowingly submitted false information in
393 a report or registration required under this section, the
394 commission shall investigate a lobbyist or principal pursuant to
395 the procedures established under s. 112.324. The commission
396 shall provide the Governor with a report of its findings and
397 recommendations in any investigation conducted pursuant to this
398 subsection. The Governor is authorized to enforce the
399 commission's findings and recommendations.

400 (8) A governmental entity ~~Water management districts~~ may
401 adopt rules to establish procedures to govern the registration
402 of lobbyists, including the adoption of forms and the
403 establishment of a lobbyist registration fee.

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404 Section 8. Paragraph (c) of subsection (3) of section
405 129.03, Florida Statutes, is amended to read:

406 129.03 Preparation and adoption of budget.—

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

415 (c) The board shall hold public hearings to adopt
416 tentative and final budgets pursuant to s. 200.065. The hearings
417 shall be primarily for the purpose of hearing requests and
418 complaints from the public regarding the budgets and the
419 proposed tax levies and for explaining the budget and any
420 proposed or adopted amendments. The tentative budget must be
421 posted on the county's official website at least 2 days before
422 the public hearing to consider such budget and must remain on
423 the website for at least 45 days. The final budget must be
424 posted on the website within 30 days after adoption and must
425 remain on the website for at least 2 years. The tentative
426 budgets, adopted tentative budgets, and final budgets shall be
427 filed in the office of the county auditor as a public record.
428 Sufficient reference in words and figures to identify the

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429 particular transactions shall be made in the minutes of the
430 board to record its actions with reference to the budgets.

431 Section 9. Paragraph (f) of subsection (2) of section
432 129.06, Florida Statutes, is amended to read:

433 129.06 Execution and amendment of budget.-

434 (2) The board at any time within a fiscal year may amend a
435 budget for that year, and may within the first 60 days of a
436 fiscal year amend the budget for the prior fiscal year, as
437 follows:

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

443 1. The public hearing must be advertised at least 2 days,
444 but not more than 5 days, before the date of the hearing. The
445 advertisement must appear in a newspaper of paid general
446 circulation and must identify the name of the taxing authority,
447 the date, place, and time of the hearing, and the purpose of the
448 hearing. The advertisement must also identify each budgetary
449 fund to be amended, the source of the funds, the use of the
450 funds, and the total amount of each fund's appropriations.

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

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455 Section 10. Subsections (3) and (5) of section 166.241,
456 Florida Statutes, are amended to read:

457 166.241 Fiscal years, budgets, and budget amendments.—

458 (3) The tentative budget must be posted on the
459 municipality's official website at least 2 days before the
460 budget hearing, held pursuant to s. 200.065 or other law, to
461 consider such budget and must remain on the website for at least
462 45 days. The final adopted budget must be posted on the
463 municipality's official website within 30 days after adoption
464 and must remain on the website for at least 2 years. If the
465 municipality does not operate an official website, the
466 municipality must, within a reasonable period of time as
467 established by the county or counties in which the municipality
468 is located, transmit the tentative budget and final budget to
469 the manager or administrator of such county or counties who
470 shall post the budgets on the county's website.

471 (5) If the governing body of a municipality amends the
472 budget pursuant to paragraph (4)(c), the adopted amendment must
473 be posted on the official website of the municipality within 5
474 days after adoption and must remain on the website for at least
475 2 years. If the municipality does not operate an official
476 website, the municipality must, within a reasonable period of
477 time as established by the county or counties in which the
478 municipality is located, transmit the adopted amendment to the
479 manager or administrator of such county or counties who shall
480 post the adopted amendment on the county's website.

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481 Section 11. Subsections (4) and (7) of section 189.016,
482 Florida Statutes, are amended to read:

483 189.016 Reports; budgets; audits.—

484 (4) The tentative budget must be posted on the special
485 district's official website at least 2 days before the budget
486 hearing, held pursuant to s. 200.065 or other law, to consider
487 such budget, and must remain on the website for at least 45
488 days. The final adopted budget must be posted on the special
489 district's official website within 30 days after adoption and
490 must remain on the website for at least 2 years. If the special
491 district does not operate an official website, the special
492 district must, within a reasonable period of time as established
493 by the local general-purpose government or governments in which
494 the special district is located or the local governing authority
495 to which the district is dependent, transmit the tentative
496 budget or final budget to the manager or administrator of the
497 local general-purpose government or the local governing
498 authority. The manager or administrator shall post the tentative
499 budget or final budget on the website of the local general-
500 purpose government or governing authority. This subsection and
501 subsection (3) do not apply to water management districts as
502 defined in s. 373.019.

503 (7) If the governing body of a special district amends the
504 budget pursuant to paragraph (6)(c), the adopted amendment must
505 be posted on the official website of the special district within
506 5 days after adoption and must remain on the website for at

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507 least 2 years. If the special district does not operate an
508 official website, the special district must, within a reasonable
509 period of time as established by the local general-purpose
510 government or governments in which the special district is
511 located or the local governing authority to which the district
512 is dependent, transmit the adopted amendment to the manager or
513 administrator of the local general-purpose government or
514 governing authority. The manager or administrator shall post the
515 adopted amendment on the website of the local general-purpose
516 government or governing authority.

517 Section 12. Subsections (1) through (5) of section
518 215.425, Florida Statutes, are renumbered as subsections (2)
519 through (6), respectively, present subsection (2) and paragraph
520 (a) of present subsection (4) are amended, and a new subsection
521 (1) and subsections (7) through (12) are added to that section,
522 to read:

523 215.425 Extra compensation claims prohibited; bonuses;
524 severance pay.—

525 (1) As used in this section, the term "public funds" means
526 any taxes, tuition, grants, fines, fees, or other charges or any
527 other type of revenue collected by the state or any county,
528 municipality, special district, school district, Florida College
529 System institution, state university, or other separate unit of
530 government created pursuant to law, including any office,
531 department, agency, division, subdivision, political

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532 subdivision, board, bureau, commission, authority, or
533 institution of such entities.

534 ~~(3)(2)~~ This section does not apply to:

535 ~~(a)~~ a bonus or severance pay that is paid from sources
536 other than public funds ~~wholly from nontax revenues and~~
537 ~~nonstate appropriated funds, the payment and receipt of which~~
538 ~~does not otherwise violate part III of chapter 112, and which is~~
539 ~~paid to an officer, agent, employee, or contractor of a public~~
540 ~~hospital that is operated by a county or a special district; or~~

541 ~~(b)~~ a clothing and maintenance allowance given to
542 plainclothes deputies pursuant to s. 30.49.

543 ~~(5)(a)(4)(a)~~ ~~On or after July 1, 2011,~~ A unit of
544 government that enters into a contract or employment agreement,
545 or renewal or renegotiation of an existing contract or
546 employment agreement, that contains a provision for severance
547 pay with an officer, agent, employee, or contractor must include
548 the following provisions in the contract:

549 1. A requirement that severance pay paid from public funds
550 ~~provided~~ may not exceed an amount greater than 20 weeks of
551 compensation.

552 2. A prohibition of provision of severance pay paid from
553 public funds when the officer, agent, employee, or contractor
554 has been fired for misconduct, as defined in s. 443.036(29), by
555 the unit of government.

556 ~~(7)~~ Upon discovery or notification that a unit of
557 government has provided prohibited compensation to any officer,

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558 agent, employee, or contractor in violation of this section,
559 such unit of government shall investigate and take all necessary
560 action to recover the prohibited compensation.

561 (a) If the violation was unintentional, the unit of
562 government shall recover the prohibited compensation from the
563 individual receiving the prohibited compensation through normal
564 recovery methods for overpayments.

565 (b) If the violation was willful, the unit of government
566 shall recover the prohibited compensation from either the
567 individual receiving the prohibited compensation or the
568 individual or individuals responsible for approving the
569 prohibited compensation. Each individual determined to have
570 willfully violated this section is jointly and severally liable
571 for repayment of the prohibited compensation.

572 (8) A person who willfully violates this section commits a
573 misdemeanor of the first degree, punishable as provided in s.
574 775.082 or s. 775.083.

575 (9) An officer who exercises the powers and duties of a
576 state or county officer and willfully violates this section is
577 subject to the Governor's power under s. 7(a), Art. IV of the
578 State Constitution. An officer who exercises powers and duties
579 other than those of a state or county officer and willfully
580 violates this section is subject to the suspension and removal
581 procedures under s. 112.51.

582 (10) (a) A person who reports a violation of this section
583 is eligible for a reward of at least \$500, or the lesser of 10

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584 percent of the funds recovered or \$10,000 per incident of a
585 prohibited compensation payment recovered by the unit of
586 government, depending upon the extent to which the person
587 substantially contributed to the discovery, notification, and
588 recovery of such prohibited payment.

589 (b) In the event that the recovery of the prohibited
590 compensation is based primarily on disclosures of specific
591 information, other than information provided by such person,
592 relating to allegations or transactions in a criminal, civil, or
593 administrative hearing; in a legislative, administrative,
594 inspector general, or other government report; in an auditor
595 general report, hearing, audit, or investigation; or from the
596 news media, such person is not eligible for a reward or for an
597 award of a portion of the proceeds or payment of attorney fees
598 and costs pursuant to s. 68.085.

599 (c) If it is determined that the person who reported a
600 violation of this section was involved in the authorization,
601 approval, or receipt of the prohibited compensation or is
602 convicted of criminal conduct arising from his or her role in
603 the authorization, approval, or receipt of the prohibited
604 compensation, such person is not eligible for a reward, or for
605 an award of a portion of the proceeds or payment of attorney
606 fees and costs pursuant to s. 68.085.

607 (11) An employee who is discharged, demoted, suspended,
608 threatened, harassed, or in any manner discriminated against in
609 the terms and conditions of employment by his or her employer

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610 because of lawful acts done by the employee on behalf of the
611 employee or others in furtherance of an action under this
612 section, including investigation for initiation of, testimony
613 for, or assistance in an action filed or to be filed under this
614 section, has a cause of action under s. 112.3187.

615 (12) If the unit of government fails to recover prohibited
616 compensation for a willful violation of this section upon
617 discovery and notification of such prohibited payment within 90
618 days, a cause of action may be brought to:

619 (a) Recover state funds in accordance with ss. 68.082 and
620 68.083.

621 (b) Recover other funds by the Department of Legal Affairs
622 using the procedures set forth in ss. 68.082 and 68.083, except
623 that venue shall lie in the circuit court of the county in which
624 the unit of government is located.

625 (c) Recover other funds by a person using the procedures
626 set forth in ss. 68.082 and 68.083, except that venue shall lie
627 in the circuit court of the county in which the unit of
628 government is located.

629 Section 13. Section 215.86, Florida Statutes, is amended
630 to read:

631 215.86 Management systems and controls.—Each state agency
632 and the judicial branch as defined in s. 216.011 shall establish
633 and maintain management systems and internal controls designed
634 to:

635 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

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636 (2) Promote and encourage compliance with applicable laws,
637 rules, contracts, grant agreements, and best practices.

638 (3) Support economical and economic, efficient, and
639 effective operations.

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

641 (5) Safeguard and safeguarding of assets. Accounting
642 systems and procedures shall be designed to fulfill the
643 requirements of generally accepted accounting principles.

644 Section 14. Paragraph (a) of subsection (2) of section
645 215.97, Florida Statutes, is amended to read:

646 215.97 Florida Single Audit Act.—

647 (2) Definitions; as used in this section, the term:

648 (a) "Audit threshold" means the threshold amount used to
649 determine when a state single audit or project-specific audit of
650 a nonstate entity shall be conducted in accordance with this
651 section. Each nonstate entity that expends a total amount of
652 state financial assistance equal to or in excess of \$750,000
653 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be
654 required to have a state single audit, or a project-specific
655 audit, for such fiscal year in accordance with the requirements
656 of this section. Periodically, Every 2 years the Auditor
657 General, after consulting with the Executive Office of the
658 Governor, the Department of Financial Services, and all state
659 awarding agencies, shall review the threshold amount for
660 requiring audits under this section and, if appropriate, may
661 recommend to the Legislature a statutory change to revise the

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662 threshold amount in the annual report submitted pursuant to s.
663 11.45(7)(h) may adjust such threshold amount consistent with the
664 purposes of this section.

665 Section 15. Subsection (11) of section 215.985, Florida
666 Statutes, is amended to read:

667 215.985 Transparency in government spending.—

668 (11) Each water management district shall provide a
669 monthly financial statement in the form and manner prescribed by
670 the Department of Financial Services to the district's its
671 governing board and make such monthly financial statement
672 available for public access on its website.

673 Section 16. Paragraph (d) of subsection (1) and subsection
674 (2) of section 218.32, Florida Statutes, are amended to read:

675 218.32 Annual financial reports; local governmental
676 entities.—

677 (1)

678 (d) Each local governmental entity that is required to
679 provide for an audit under s. 218.39(1) must submit a copy of
680 the audit report and annual financial report to the department
681 within 45 days after the completion of the audit report but no
682 later than 9 months after the end of the fiscal year. An
683 independent certified public accountant completing an audit of a
684 local governmental entity pursuant to s. 218.39 shall report, as
685 part of the audit, as to whether the entity's annual financial
686 report is in agreement with the audited financial statements.
687 The accountant's audit report must be supported by the same

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688 level of detail as required for the annual financial report. If
689 the accountant's audit report is not in agreement with the
690 annual financial report, the accountant shall specify and
691 explain the significant differences that exist between the
692 annual financial report and the audit report.

693 (2) The department shall annually by December 1 file a
694 verified report with the Governor, the Legislature, the Auditor
695 General, and the Special District Accountability Program of the
696 Department of Economic Opportunity showing the revenues, both
697 locally derived and derived from intergovernmental transfers,
698 and the expenditures of each local governmental entity, regional
699 planning council, local government finance commission, and
700 municipal power corporation that is required to submit an annual
701 financial report. In preparing the verified report, the
702 department may request additional information from the local
703 governmental entity. The information requested must be provided
704 to the department within 45 days after the request. If the local
705 governmental entity does not comply with the request, the
706 department shall notify the Legislative Auditing Committee,
707 which may take action pursuant to s. 11.40(2). The report must
708 include, but is not limited to:

709 (a) The total revenues and expenditures of each local
710 governmental entity that is a component unit included in the
711 annual financial report of the reporting entity.

712 (b) The amount of outstanding long-term debt by each local
713 governmental entity. For purposes of this paragraph, the term

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714 "long-term debt" means any agreement or series of agreements to
715 pay money, which, at inception, contemplate terms of payment
716 exceeding 1 year in duration.

717 Section 17. Subsection (3) of section 218.33, Florida
718 Statutes, is renumbered as subsection (4), and a new subsection
719 (3) is added to that section to read:

720 218.33 Local governmental entities; establishment of
721 uniform fiscal years and accounting practices and procedures.—

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

724 (a) Prevent and detect fraud, waste, and abuse.

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

727 (c) Support economical and efficient operations.

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

729 (e) Safeguard assets.

730 Section 18. Subsections (8) through (12) of section
731 218.39, Florida Statutes, are renumbered as subsections (9)
732 through (13), respectively, and a new subsection (8) is added to
733 that section to read:

734 218.39 Annual financial audit reports.—

735 (8) If the audit report includes a recommendation that was
736 included in the preceding financial audit report, the governing
737 body of the audited entity, within 60 days after the delivery of
738 the audit report to the governing body and during a regularly
739 scheduled public meeting, shall indicate its intent regarding

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740 corrective action, the corrective action to be taken, and when
741 the corrective action will occur. If the governing body does not
742 intend to take corrective action, it shall explain why such
743 action will not be taken at the regularly scheduled public
744 meeting.

745 Section 19. Subsection (2) of section 218.391, Florida
746 Statutes, is amended, and subsection (9) is added to that
747 section, to read:

748 218.391 Auditor selection procedures.—

749 (2) The governing body of a ~~charter~~ county, municipality,
750 special district, district school board, charter school, or
751 charter technical career center shall establish an audit
752 committee.

753 (a) For a county, the ~~Each noncharter county shall~~
754 establish an audit committee that, at a minimum, shall consist
755 of each of the county officers elected pursuant to the county
756 charter or s. 1(d), Art. VIII of the State Constitution, or a
757 designee, and one member of the board of county commissioners or
758 its designee.

759 (b) For a municipality, special district, district school
760 board, charter school, or charter technical career center, the
761 audit committee shall consist of at least three members. One
762 member of the audit committee must be a member of the governing
763 body of an entity specified in this paragraph who shall also
764 serve as the chair of the committee.

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765 (c) A member of the audit committee may not be an
766 employee, chief executive officer, or chief financial officer of
767 the county, municipality, special district, district school
768 board, charter school, or charter technical career center.

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

775 (9) An audit report submitted pursuant to s. 218.39 must
776 include an affidavit executed by the chair of the audit
777 committee affirming that the committee complied with the
778 requirements of subsections (3)-(6) in selecting an auditor. If
779 the Auditor General determines that an entity failed to comply
780 with the requirements of subsections (3)-(6) in selecting an
781 auditor, the entity shall select a replacement auditor in
782 accordance with this section to conduct audits for subsequent
783 fiscal years if the original audit was performed under a
784 multiyear contract. If the replacement of an auditor would
785 preclude the entity from timely completing the annual financial
786 audit required by s. 218.39, the entity shall replace an auditor
787 in accordance with this section for the subsequent annual
788 financial audit. A multiyear contract between an entity or an
789 auditor may not prohibit or restrict an entity from complying
790 with this subsection.

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791 Section 20. Paragraph (b) of subsection (2) of section
792 288.92, Florida Statutes, is amended to read:

793 288.92 Divisions of Enterprise Florida, Inc.—
794 (2)

795 (b)1. The following officers and board members are subject
796 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
797 112.3143(2):

798 a. Officers and members of the board of directors of the
799 divisions of Enterprise Florida, Inc.

800 b. Officers and members of the board of directors of
801 subsidiaries of Enterprise Florida, Inc.

802 c. Officers and members of the board of directors of
803 corporations created to carry out the missions of Enterprise
804 Florida, Inc.

805 d. Officers and members of the board of directors of
806 corporations with which a division is required by law to
807 contract to carry out its missions.

808 2. The officers and board members specified in
809 subparagraph 1. may not represent another person or entity for
810 compensation before Enterprise Florida, Inc., or a division, a
811 subsidiary, or the board of directors of corporations created to
812 carry out the missions of Enterprise Florida, Inc., or with
813 which a division is required by law to contract to carry out its
814 missions, for 2 years after retirement from or termination of
815 service to a division.

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816 ~~3.2-~~ For purposes of applying ss. 112.313(1)-(8), (10),
817 (12), and (15); 112.3135; and 112.3143(2) to activities of the
818 officers and members of the board of directors specified in
819 subparagraph 1., those persons shall be considered public
820 officers or employees and the corporation shall be considered
821 their agency.

822 ~~4.3-~~ It is not a violation of s. 112.3143(2) or (4) for
823 the officers or members of the board of directors of the Florida
824 Tourism Industry Marketing Corporation to:

825 a. Vote on the 4-year marketing plan required under s.
826 288.923 or vote on any individual component of or amendment to
827 the plan.

828 b. Participate in the establishment or calculation of
829 payments related to the private match requirements of s.
830 288.904(3). The officer or member must file an annual disclosure
831 describing the nature of his or her interests or the interests
832 of his or her principals, including corporate parents and
833 subsidiaries of his or her principal, in the private match
834 requirements. This annual disclosure requirement satisfies the
835 disclosure requirement of s. 112.3143(4). This disclosure must
836 be placed either on the Florida Tourism Industry Marketing
837 Corporation's website or included in the minutes of each meeting
838 of the Florida Tourism Industry Marketing Corporation's board of
839 directors at which the private match requirements are discussed
840 or voted upon.

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841 Section 21. Paragraph (a) of subsection (3) of section
842 288.9604, Florida Statutes, is amended to read:

843 288.9604 Creation of the authority.—

844 (3)(a)1. A director may not receive compensation for his
845 or her services, but is entitled to necessary expenses,
846 including travel expenses, incurred in the discharge of his or
847 her duties. Each director shall hold office until his or her
848 successor has been appointed.

849 2. Directors are subject to ss. 112.313(1)-(8), (10),
850 (12), and (15); 112.3135; and 112.3143(2). For purposes of
851 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
852 112.3143(2) to activities of directors, directors shall be
853 considered public officers and the corporation shall be
854 considered their agency.

855 3. A director of the board of directors of the corporation
856 may not represent another person or entity for compensation
857 before the corporation for a period of 2 years following his or
858 her service on the board of directors.

859 Section 22. Paragraph (e) of subsection (4), paragraph (d)
860 of subsection (5), and paragraph (d) of subsection (6) of
861 section 373.536, Florida Statutes, are amended to read:

862 373.536 District budget and hearing thereon.—

863 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

864 (e) ~~By September 1, 2012,~~ Each district shall provide a
865 monthly financial statement in the form and manner prescribed by
866 the Department of Financial Services to the district's governing

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867 board and make such monthly financial statement available for
868 public access on its website.

869 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
870 APPROVAL.—

871 (d) Each district shall, by August 1 of each year, submit
872 for review a tentative budget and a description of any
873 significant changes from the preliminary budget submitted to the
874 Legislature pursuant to s. 373.535 to the Governor, the
875 President of the Senate, the Speaker of the House of
876 Representatives, the chairs of all legislative committees and
877 subcommittees having substantive or fiscal jurisdiction over
878 water management districts, as determined by the President of
879 the Senate or the Speaker of the House of Representatives, as
880 applicable, the secretary of the department, and the governing
881 body of each county in which the district has jurisdiction or
882 derives any funds for the operations of the district. The
883 tentative budget must be posted on the district's official
884 website at least 2 days before budget hearings held pursuant to
885 s. 200.065 or other law and must remain on the website for at
886 least 45 days.

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

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

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892 Section 23. Paragraph (j) of subsection (9) of section
893 1002.33, Florida Statutes, is amended to read:

894 1002.33 Charter schools.—

895 (9) CHARTER SCHOOL REQUIREMENTS.—

896 (j) The governing body of the charter school shall be
897 responsible for:

898 1. Establishing and maintaining internal controls designed
899 to:

900 a. Prevent and detect fraud, waste, and abuse.

901 b. Promote and encourage compliance with applicable laws,
902 rules, contracts, grant agreements, and best practices.

903 c. Support economical and efficient operations.

904 d. Ensure reliability of financial records and reports.

905 e. Safeguard assets.

906 ~~2.1-~~ Ensuring that the charter school has retained the
907 services of a certified public accountant or auditor for the
908 annual financial audit, pursuant to s. 1002.345(2), who shall
909 submit the report to the governing body.

910 ~~3.2-~~ Reviewing and approving the audit report, including
911 audit findings and recommendations for the financial recovery
912 plan.

913 ~~4.a.3.a-~~ Performing the duties in s. 1002.345, including
914 monitoring a corrective action plan.

915 b. Monitoring a financial recovery plan in order to ensure
916 compliance.

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917 ~~5.4-~~ Participating in governance training approved by the
918 department which must include government in the sunshine,
919 conflicts of interest, ethics, and financial responsibility.

920 Section 24. Subsections (6) through (10) of section
921 1002.37, Florida Statutes, are renumbered as subsections (7)
922 through (11), respectively, a new subsection (6) is added to
923 that section, and present subsections (6) and (11) of that
924 section are amended, to read:

925 1002.37 The Florida Virtual School.—

926 (6) The Florida Virtual School shall have an annual
927 financial audit of its accounts and records completed by an
928 independent auditor who is a certified public accountant
929 licensed under chapter 473. The independent auditor shall
930 conduct the audit in accordance with rules adopted by the
931 Auditor General pursuant to s. 11.45 and, upon completion of the
932 audit, shall prepare an audit report in accordance with such
933 rules. The audit report must include a written statement of the
934 board of trustees describing corrective action to be taken in
935 response to each of the independent auditor's recommendations
936 included in the audit report. The independent auditor shall
937 submit the audit report to the board of trustees and the Auditor
938 General no later than 9 months after the end of the preceding
939 fiscal year.

940 ~~(7)-(6)~~ The board of trustees shall annually submit to the
941 Governor, the Legislature, the Commissioner of Education, and
942 the State Board of Education, the audit report prepared pursuant

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943 to subsection (6) and a complete and detailed report setting
944 forth:

945 (a) The operations and accomplishments of the Florida
946 Virtual School within the state and those occurring outside the
947 state as Florida Virtual School Global.

948 (b) The marketing and operational plan for the Florida
949 Virtual School and Florida Virtual School Global, including
950 recommendations regarding methods for improving the delivery of
951 education through the Internet and other distance learning
952 technology.

953 (c) The assets and liabilities of the Florida Virtual
954 School and Florida Virtual School Global at the end of the
955 fiscal year.

956 ~~(d) A copy of an annual financial audit of the accounts
957 and records of the Florida Virtual School and Florida Virtual
958 School Global, conducted by an independent certified public
959 accountant and performed in accordance with rules adopted by the
960 Auditor General.~~

961 (d)(e) Recommendations regarding the unit cost of
962 providing services to students through the Florida Virtual
963 School and Florida Virtual School Global. In order to most
964 effectively develop public policy regarding any future funding
965 of the Florida Virtual School, it is imperative that the cost of
966 the program is accurately identified. The identified cost of the
967 program must be based on reliable data.

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

971 ~~(11) The Auditor General shall conduct an operational~~
972 ~~audit of the Florida Virtual School, including Florida Virtual~~
973 ~~School Global. The scope of the audit shall include, but not be~~
974 ~~limited to, the administration of responsibilities relating to~~
975 ~~personnel; procurement and contracting; revenue production;~~
976 ~~school funds, including internal funds; student enrollment~~
977 ~~records; franchise agreements; information technology~~
978 ~~utilization, assets, and security; performance measures and~~
979 ~~standards; and accountability. The final report on the audit~~
980 ~~shall be submitted to the President of the Senate and the~~
981 ~~Speaker of the House of Representatives no later than January~~
982 ~~31, 2014.~~

983 Section 25. Subsection (5) is added to section 1010.01,
984 Florida Statutes, to read:

985 1010.01 Uniform records and accounts.—

986 (5) Each school district, Florida College System
987 institution, and state university shall establish and maintain
988 internal controls designed to:

989 (a) Prevent and detect fraud, waste, and abuse.

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

992 (c) Support economical and efficient operations.

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

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Published On: 4/6/2015 7:43:32 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

994 (e) Safeguard assets.

995 Section 26. Subsection (2) of section 1010.30, Florida
996 Statutes, is amended to read:

997 1010.30 Audits required.—

998 (2) If a school district, Florida College System
999 institution, or university audit report includes a
1000 recommendation that was previously included in the preceding
1001 financial audit report ~~an audit contains a significant finding,~~
1002 the district school board, the Florida College System
1003 institution board of trustees, or the university board of
1004 trustees, within 60 days after the delivery of the audit report
1005 to the school district, Florida College System institution, or
1006 university and ~~shall conduct an audit overview~~ during a
1007 regularly scheduled public meeting, shall indicate its intent
1008 regarding corrective action, the corrective action to be taken,
1009 and when the corrective action will occur. If the district
1010 school board, Florida College System institution board of
1011 trustees, or university board of trustees does not intend to
1012 take corrective action, it shall explain why such action will
1013 not be taken at the regularly scheduled public meeting.

1014 Section 27. Subsection (2) of section 68.082, Florida
1015 Statutes, is amended to read:

1016 68.082 False claims against the state; definitions;
1017 liability.—

1018 (2) Any person who:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1019 (a) Knowingly presents or causes to be presented a false
1020 or fraudulent claim for payment or approval;

1021 (b) Knowingly authorizes, approves, or receives payment of
1022 prohibited compensation in violation of s. 215.425;

1023 (c)(b) Knowingly makes, uses, or causes to be made or used
1024 a false record or statement material to a false or fraudulent
1025 claim;

1026 (d)(e) Conspires to commit a violation of this subsection;

1027 (e)(d) Has possession, custody, or control of property or
1028 money used or to be used by the state and knowingly delivers or
1029 causes to be delivered less than all of that money or property;

1030 (f)(e) Is authorized to make or deliver a document
1031 certifying receipt of property used or to be used by the state
1032 and, intending to defraud the state, makes or delivers the
1033 receipt without knowing that the information on the receipt is
1034 true;

1035 (g)(f) Knowingly buys or receives, as a pledge of an
1036 obligation or a debt, public property from an officer or
1037 employee of the state who may not sell or pledge the property;
1038 or

1039 (h)(g) Knowingly makes, uses, or causes to be made or used
1040 a false record or statement material to an obligation to pay or
1041 transmit money or property to the state, or knowingly conceals
1042 or knowingly and improperly avoids or decreases an obligation to
1043 pay or transmit money or property to the state
1044

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1045 is liable to the state for a civil penalty of not less than
1046 \$5,500 and not more than \$11,000 and for treble the amount of
1047 damages the state sustains because of the act of that person.

1048 Section 28. Subsection (1) of section 68.083, Florida
1049 Statutes, is amended to read:

1050 68.083 Civil actions for false claims.—

1051 (1) The department may diligently investigate a violation
1052 under s. 68.082. If the department finds that a person has
1053 violated or is violating s. 68.082, the department may bring a
1054 civil action under the Florida False Claims Act against the
1055 person. The Department of Financial Services may bring a civil
1056 action under this section if the action arises from an
1057 investigation by that department and the Department of Legal
1058 Affairs has not filed an action under this act. For a violation
1059 of s. 68.082 regarding prohibited compensation paid from state
1060 funds, the Department of Financial Services may bring a civil
1061 action under this section if the action arises from an
1062 investigation by that department concerning a violation of s.
1063 215.425 by the state and the Department of Legal Affairs has not
1064 filed an action under this act.

1065 Section 29. Subsection (3) of section 218.503, Florida
1066 Statutes, is amended to read:

1067 218.503 Determination of financial emergency.—

1068 (3) Upon notification that one or more of the conditions
1069 in subsection (1) have occurred or will occur if action is not
1070 taken to assist the local governmental entity or district school

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1071 board, the Governor or his or her designee shall contact the
1072 local governmental entity or the Commissioner of Education or
1073 his or her designee shall contact the district school board to
1074 determine what actions have been taken by the local governmental
1075 entity or the district school board to resolve or prevent the
1076 condition. The information requested must be provided within 45
1077 days after the date of the request. If the local governmental
1078 entity or the district school board does not comply with the
1079 request, the Governor or his or her designee or the Commissioner
1080 of Education or his or her designee shall notify ~~the members of~~
1081 the Legislative Auditing Committee, which ~~who~~ may take action
1082 pursuant to s. 11.40(2) ~~s. 11.40~~. The Governor or the
1083 Commissioner of Education, as appropriate, shall determine
1084 whether the local governmental entity or the district school
1085 board needs state assistance to resolve or prevent the
1086 condition. If state assistance is needed, the local governmental
1087 entity or district school board is considered to be in a state
1088 of financial emergency. The Governor or the Commissioner of
1089 Education, as appropriate, has the authority to implement
1090 measures as set forth in ss. 218.50-218.504 to assist the local
1091 governmental entity or district school board in resolving the
1092 financial emergency. Such measures may include, but are not
1093 limited to:

1094 (a) Requiring approval of the local governmental entity's
1095 budget by the Governor or approval of the district school
1096 board's budget by the Commissioner of Education.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1097 (b) Authorizing a state loan to a local governmental
1098 entity and providing for repayment of same.

1099 (c) Prohibiting a local governmental entity or district
1100 school board from issuing bonds, notes, certificates of
1101 indebtedness, or any other form of debt until such time as it is
1102 no longer subject to this section.

1103 (d) Making such inspections and reviews of records,
1104 information, reports, and assets of the local governmental
1105 entity or district school board as are needed. The appropriate
1106 local officials shall cooperate in such inspections and reviews.

1107 (e) Consulting with officials and auditors of the local
1108 governmental entity or the district school board and the
1109 appropriate state officials regarding any steps necessary to
1110 bring the books of account, accounting systems, financial
1111 procedures, and reports into compliance with state requirements.

1112 (f) Providing technical assistance to the local
1113 governmental entity or the district school board.

1114 (g)1. Establishing a financial emergency board to oversee
1115 the activities of the local governmental entity or the district
1116 school board. If a financial emergency board is established for
1117 a local governmental entity, the Governor shall appoint board
1118 members and select a chair. If a financial emergency board is
1119 established for a district school board, the State Board of
1120 Education shall appoint board members and select a chair. The
1121 financial emergency board shall adopt such rules as are
1122 necessary for conducting board business. The board may:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1123 a. Make such reviews of records, reports, and assets of
1124 the local governmental entity or the district school board as
1125 are needed.

1126 b. Consult with officials and auditors of the local
1127 governmental entity or the district school board and the
1128 appropriate state officials regarding any steps necessary to
1129 bring the books of account, accounting systems, financial
1130 procedures, and reports of the local governmental entity or the
1131 district school board into compliance with state requirements.

1132 c. Review the operations, management, efficiency,
1133 productivity, and financing of functions and operations of the
1134 local governmental entity or the district school board.

1135 d. Consult with other governmental entities for the
1136 consolidation of all administrative direction and support
1137 services, including, but not limited to, services for asset
1138 sales, economic and community development, building inspections,
1139 parks and recreation, facilities management, engineering and
1140 construction, insurance coverage, risk management, planning and
1141 zoning, information systems, fleet management, and purchasing.

1142 2. The recommendations and reports made by the financial
1143 emergency board must be submitted to the Governor for local
1144 governmental entities or to the Commissioner of Education and
1145 the State Board of Education for district school boards for
1146 appropriate action.

1147 (h) Requiring and approving a plan, to be prepared by
1148 officials of the local governmental entity or the district

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1149 school board in consultation with the appropriate state
1150 officials, prescribing actions that will cause the local
1151 governmental entity or district school board to no longer be
1152 subject to this section. The plan must include, but need not be
1153 limited to:

1154 1. Provision for payment in full of obligations outlined
1155 in subsection (1), designated as priority items, which are
1156 currently due or will come due.

1157 2. Establishment of priority budgeting or zero-based
1158 budgeting in order to eliminate items that are not affordable.

1159 3. The prohibition of a level of operations which can be
1160 sustained only with nonrecurring revenues.

1161 4. Provisions implementing the consolidation, sourcing, or
1162 discontinuance of all administrative direction and support
1163 services, including, but not limited to, services for asset
1164 sales, economic and community development, building inspections,
1165 parks and recreation, facilities management, engineering and
1166 construction, insurance coverage, risk management, planning and
1167 zoning, information systems, fleet management, and purchasing.

1168 Section 30. Subsection (2) of section 1002.455, Florida
1169 Statutes, is amended to read:

1170 1002.455 Student eligibility for K-12 virtual
1171 instruction.—

1172 (2) A student is eligible to participate in virtual
1173 instruction if:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1174 (a) The student spent the prior school year in attendance
1175 at a public school in the state and was enrolled and reported by
1176 the school district for funding during October and February for
1177 purposes of the Florida Education Finance Program surveys;

1178 (b) The student is a dependent child of a member of the
1179 United States Armed Forces who was transferred within the last
1180 12 months to this state from another state or from a foreign
1181 country pursuant to a permanent change of station order;

1182 (c) The student was enrolled during the prior school year
1183 in a virtual instruction program under s. 1002.45 or a full-time
1184 Florida Virtual School program under s. 1002.37(9)(a) ~~s.~~
1185 ~~1002.37(8)(a)~~;

1186 (d) The student has a sibling who is currently enrolled in
1187 a virtual instruction program and the sibling was enrolled in
1188 that program at the end of the prior school year;

1189 (e) The student is eligible to enter kindergarten or first
1190 grade; or

1191 (f) The student is eligible to enter grades 2 through 5
1192 and is enrolled full-time in a school district virtual
1193 instruction program, virtual charter school, or the Florida
1194 Virtual School.

1195 Section 31. The Legislature finds that a proper and
1196 legitimate state purpose is served when internal controls are
1197 established to prevent and detect fraud, waste, and abuse and to
1198 safeguard and account for government funds and property.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1199 Therefore, the Legislature determines and declares that this act
1200 fulfills an important state interest.

1201 Section 32. This act shall take effect October 1, 2015.

1202

1203 -----

1204 T I T L E A M E N D M E N T

1205 Remove everything before the enacting clause and insert:

1206 A bill to be entitled

1207 An act relating to government accountability; amending

1208 s. 11.40, F.S.; specifying that the Governor, the

1209 Commissioner of Education, or the designee of the

1210 Governor or commissioner may notify the Legislative

1211 Auditing Committee of an entity's failure to comply

1212 with certain auditing and financial reporting

1213 requirements; amending s. 11.45, F.S.; revising and

1214 providing definitions; excluding water management

1215 districts from certain audit requirements; removing a

1216 cross-reference; authorizing the Auditor General to

1217 conduct audits of tourist development councils and

1218 county tourism promotion agencies; revising reporting

1219 requirements applicable to the Auditor General;

1220 amending s. 28.35, F.S.; revising reporting

1221 requirements applicable to the Florida Clerks of Court

1222 Operations Corporation; amending s. 43.16, F.S.;

1223 revising the responsibilities of the Justice

1224 Administrative Commission, each state attorney, each

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1225 public defender, a criminal conflict and civil
1226 regional counsel, a capital collateral regional
1227 counsel, and the Guardian Ad Litem Program to include
1228 the establishment and maintenance of certain internal
1229 controls; amending s. 112.31455, F.S.; correcting a
1230 cross-reference; revising provisions governing
1231 collection methods for unpaid automatic fines for
1232 failure to timely file disclosure of financial
1233 interests to include school districts; creating s.
1234 112.31456, F.S.; authorizing the Commission on Ethics
1235 to seek wage garnishment of certain individuals to
1236 satisfy unpaid fines; authorizing the commission to
1237 refer unpaid fines to a collection agency;
1238 establishing a statute of limitations with respect to
1239 the collection of an unpaid fine; amending s.
1240 112.3261, F.S.; conforming provisions to changes made
1241 by the act; expanding the types of governmental
1242 entities that are subject to lobbyist registration
1243 requirements; requiring a governmental entity to
1244 create a lobbyist registration form; amending ss.
1245 129.03, 129.06, 166.241, and 189.016, F.S.; requiring
1246 counties, municipalities, and special districts to
1247 maintain certain budget documents on the entities'
1248 websites for a specified period; amending s. 215.425,
1249 F.S.; defining the term "public funds"; requiring a
1250 unit of government to investigate and take necessary

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1251 action to recover prohibited compensation; specifying
1252 methods of recovery and liability for unintentional
1253 and willful violations; providing a penalty;
1254 specifying applicability of procedures regarding
1255 suspension and removal of an officer who commits a
1256 willful violation; establishing eligibility criteria
1257 and amounts for rewards; specifying circumstances
1258 under which an employee has a cause of action under
1259 the Whistle-blower's Act; establishing causes of
1260 action if a unit of government fails to recover
1261 prohibited compensation within a certain timeframe;
1262 amending s. 215.86, F.S.; revising management systems
1263 and controls to be employed by each state agency and
1264 the judicial branch; amending s. 215.97, F.S.;
1265 revising the definition of the term "audit threshold";
1266 authorizing the Auditor General to recommend certain
1267 statutory changes to the Legislature; amending s.
1268 215.985, F.S.; revising the requirements for a monthly
1269 financial statement provided by a water management
1270 district; amending s. 218.32, F.S.; revising the
1271 requirements of the annual financial audit report of a
1272 local governmental entity; authorizing the Department
1273 of Financial Services to request additional
1274 information from a local governmental entity;
1275 requiring a local governmental entity to respond to
1276 such requests within a specified timeframe; requiring

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1277 the department to notify the Legislative Auditing
1278 Committee of noncompliance; amending s. 218.33, F.S.;
1279 requiring local governmental entities to establish and
1280 maintain internal controls; amending s. 218.39, F.S.;
1281 requiring an audited entity to respond to audit
1282 recommendations under specified circumstances;
1283 amending s. 218.391, F.S.; revising the composition of
1284 an audit committee; prohibiting an audit committee
1285 member from being an employee, chief executive
1286 officer, or chief financial officer of the respective
1287 governmental entity; requiring the chair of an audit
1288 committee to execute an affidavit affirming compliance
1289 with auditor selection procedures; prescribing
1290 procedures in the event of noncompliance with auditor
1291 selection procedures; amending s. 288.92, F.S.;
1292 prohibiting specified officers and board members of
1293 Enterprise Florida, Inc., from representing a person
1294 or entity for compensation before Enterprise Florida,
1295 Inc., and associated entities thereof for a specified
1296 timeframe; amending s. 288.9604, F.S.; prohibiting a
1297 director of the Florida Development Finance
1298 Corporation from representing a person or entity for
1299 compensation before the corporation for a specified
1300 timeframe; amending s. 373.536, F.S.; deleting
1301 obsolete language; requiring water management
1302 districts to maintain certain budget documents on the

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Published On: 4/6/2015 7:43:32 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1

1303 districts' websites for a specified period; amending
1304 s. 1002.33, F.S.; revising the responsibilities of the
1305 governing board of a charter school to include the
1306 establishment and maintenance of internal controls;
1307 amending s. 1002.37, F.S.; requiring completion of an
1308 annual financial audit of the Florida Virtual School;
1309 specifying audit requirements; requiring an audit
1310 report to be submitted to the board of trustees of the
1311 Florida Virtual School and the Auditor General;
1312 removing obsolete provisions; amending s. 1010.01,
1313 F.S.; requiring each school district, Florida College
1314 System institution, and state university to establish
1315 and maintain certain internal controls; amending s.
1316 1010.30, F.S.; requiring a district school board,
1317 Florida College System institution board of trustees,
1318 or university board of trustees to respond to audit
1319 recommendations under certain circumstances; amending
1320 ss. 68.082, 68.083, 218.503, and 1002.455, F.S.;
1321 conforming provisions to changes made by the act;
1322 declaring that the act fulfills an important state
1323 interest; providing an effective date.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Fresen offered the following:

3
4 **Amendment to Amendment (657885) by Representative Metz**

5 Remove lines 535-540 of the amendment and insert:

6 ~~(a)~~ a bonus or severance pay that is paid from sources
7 other than public funds, or from revenues derived from patient
8 services wholly from nontax revenues and nonstate appropriated
9 funds, the payment and receipt of which does not otherwise
10 violate part III of chapter 112, and which is paid to an
11 officer, agent, employee, or contractor of seaport, airport, or
12 a public hospital that is operated by a county or a special
13 district; or

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Published On: 4/7/2015 12:37:59 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1063 (2015)

Amendment No. 1b

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: Appropriations Committee
2 Representative Fresen offered the following:

3
4 **Amendment to Amendment (657885) by Representative Metz**

5 Remove lines 535-540 of the amendment and insert:

6 (a) a bonus or severance pay that is paid from sources
7 other than public funds, or from revenues derived from patient
8 services from private insurers wholly from nontax revenues and
9 nonstate-appropriated funds, the payment and receipt of which
10 does not otherwise violate part III of chapter 112, and which is
11 paid to an officer, agent, employee, or contractor of seaport,
12 airport, or a public hospital that is operated by a county or a
13 special district; or

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Published On: 4/7/2015 5:40:40 PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 1127 : Insurance Fraud

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Matt Caldwell	X				
Gwyndolen Clarke-Reed	X				
Janet Cruz	X				
Jose Diaz	X				
Erik Fresen	X				
Matt Hudson	X				
Clay Ingram	X				
Mia Jones	X				
Charles McBurney	X				
Larry Metz	X				
Jeanette Nuñez	X				
Jose Oliva			X		
H. Marlene O'Toole	X				
Mark Pafford	X				
Elizabeth Porter	X				
Kevin Rader	X				
Holly Raschein	X				
David Richardson	X				
Kenneth Roberson	X				
Darryl Rouson	X				
Cynthia Stafford	X				
W. Gregory Steube	X				
Alan Williams	X				
John Wood	X				
Dana Young	X				
Richard Corcoran (Chair)				X	
Total Yeas: 26		Total Nays: 0			

CS/HB 1127 Amendments

Amendment 345013

Adopted Without Objection

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

CS/HB 1127 : Insurance Fraud (continued)

Appearances:

Pitts, Brian (General Public) - Waive In Support

Justice-2-Jesus

Trustee

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Boyd, Elizabeth (Lobbyist) (State Employee) - Waive In Support

Chief Financial Office

Legislative Affairs Director

400 South Monroe Street

Tallahassee Florida 32399

Phone: (850) 413-2829

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1127 (2015)

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		

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Sullivan offered the following:

3

4

Amendment

5

Remove line 224 and insert:

6

Section 6. This act shall take effect October 1, 2015.

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

HB 1247 : Alcoholic Beverages

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Matt Caldwell	X				
Gwyndolen Clarke-Reed	X				
Janet Cruz	X				
Jose Diaz			X		
Erik Fresen	X				
Matt Hudson	X				
Clay Ingram	X				
Mia Jones	X				
Charles McBurney	X				
Larry Metz	X				
Jeanette Nuñez	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Mark Pafford	X				
Elizabeth Porter	X				
Kevin Rader	X				
Holly Raschein	X				
David Richardson	X				
Kenneth Roberson	X				
Darryl Rouson	X				
Cynthia Stafford	X				
W. Gregory Steube		X			
Alan Williams	X				
John Wood	X				
Dana Young	X				
Richard Corcoran (Chair)				X	
Total Yeas: 25		Total Nays: 1			

HB 1247 Amendments

Amendment 558365

Adopted Without Objection

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

HB 1247 : Alcoholic Beverages (continued)

Appearances:

Rodriguez, Monica (Lobbyist) - Waive In Support
Southern Wine & Spirits of America, Inc
403 E Park Ave
Tallahassee FL 32312
Phone: (850)766-6287

Ashley, Scott (Lobbyist) - Waive In Support
Wine & Spirits Distributors of Florida, Inc
215 S Monroe St Ste 800 A
Tallahassee FL 32301
Phone: (850) 681-8700

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1247 (2015)

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: Appropriations Committee
 2 Representative Diaz, J. offered the following:

Amendment (with title amendment)

Between lines 23 and 24, insert:

6 (3) This section shall stand repealed on July 1, 2016,
 7 unless reviewed and saved from repeal through reenactment by the
 8 Legislature.

10 -----
 11 **T I T L E A M E N D M E N T**

12 Remove line 6 and insert:
 13 penalties; providing for repeal unless reenacted; providing an
 14 effective date.

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

HB 7115 : Capital Recovery

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Matt Caldwell	X				
Gwyndolen Clarke-Reed		X			
Janet Cruz		X			
Jose Diaz	X				
Erik Fresen	X				
Matt Hudson	X				
Clay Ingram	X				
Mia Jones		X			
Charles McBurney	X				
Larry Metz	X				
Jeanette Nuñez	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Mark Pafford		X			
Elizabeth Porter	X				
Kevin Rader		X			
Holly Raschein	X				
David Richardson		X			
Kenneth Roberson	X				
Darryl Rouson		X			
Cynthia Stafford		X			
W. Gregory Steube		X			
Alan Williams		X			
John Wood	X				
Dana Young	X				
Richard Corcoran (Chair)				X	
Total Yeas: 17		Total Nays: 10			

HB 7115 Amendments

Amendment 390197

Adopted

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

HB 7115 : Capital Recovery (continued)

Appearances:

Zingale, James (Lobbyist) - Information Only

Safety Net Hospital Alliance of Florida

2560 Noble Court

Tallahassee FL 32308

Phone: (850) 251-7557

Pitts, Brian (General Public) - Information Only

Trustee-Justice-2-Jesus

Trustee

1119 Newton Avenue South

S. Petersburg Florida 33705

Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7115 (2015)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input 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: Appropriations Committee
2 Representative Fant offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 189.056, Florida Statutes, is created to
7 read:

8 189.056 Capital recovery requirements for tax-supported
9 hospitals.-

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

11 (a) "Approved provider" means a business that generates at
12 least 85 percent of its revenues from denied claims management,
13 that has been in existence for at least 5 years, and that
14 employs at least 30 certified claims specialists.

15 (b) "Capital recovery report" means a report of claims to
16 an insurer or governmental entity and all related claim denials

390197 - h7115-strike Fant1.docx

Published On: 4/6/2015 7:53:38 PM

Amendment No. 1

17 for all of the claims of hospitals and other medical facility
18 operations of a hospital district, which must:

19 1. Include all claims data electronically submitted by all
20 hospitals and other medical facilities and operations of the
21 hospital district to a governmental entity or insurer and
22 remittance advice or responses electronically transmitted by
23 insurers or governmental entities in an electronic format that
24 the approved provider hired by the department can use to
25 calculate denial rates.

26 2. Include an attestation by a certified public
27 accountant, licensed under chapter 473, that the billing
28 information reflected in the report is accurate and complete.

29 3. Comply with federal and state confidentiality
30 standards.

31 (c) "Certified claims specialist" means an individual who
32 is certified by an entity that uses nationally recognized claims
33 management principles to establish a baseline competency for
34 claims specialists. The department shall maintain a list of
35 recognized certification providers on its website.

36 (d) "Claim" means an itemized statement of health care
37 services and costs submitted by a health care provider or
38 facility to a governmental entity or a third party for payment.

39 (e) "Denial rate" means the denial value divided by the
40 total gross value of claims electronically billed during the
41 fiscal year reflected on the hospital district's claims
42 submissions. The fiscal year for the denial value and the fiscal

Amendment No. 1

43 year for the gross value of claims must be the same. If an
44 insurer declares bankruptcy, all claims issued to and claim
45 denials by that insurer shall be removed from the numerator and
46 denominator of this calculation.

47 (f) "Denial value" means the gross amount of all zero paid
48 line items on billed claims submitted in a given fiscal year for
49 which specific payment is expected but for which no payment has
50 been received within 60 days, as indicated in remittance advice
51 electronically transmitted by insurers or governmental entities.

52 (g) "Department" means the Department of Financial
53 Services.

54 (h) "Fiscal year" means the annual period beginning
55 October 1 and ending September 30 of the following year.

56 (i) "Hospital district" means a dependent or independent
57 special district that levies ad valorem taxes to support the
58 operations of one or more hospitals or other medical facilities.
59 If a hospital district does not levy ad valorem taxes but
60 subsequently proposes to levy ad valorem taxes, it is also a
61 hospital district subject to the requirements of this section.

62 (j) "Increased tax revenues" means an increase in ad
63 valorem tax revenues levied by a hospital district compared to
64 the ad valorem revenues generated in the hospital district's
65 immediately prior fiscal year.

66 (k) "Specific payment" means the reimbursement amount
67 expected based on the Centers for Medicare and Medicaid

Amendment No. 1

68 Services' fee schedule or the contracted rates specific to each
69 insurer.

70 (2) (a) The department shall contract with an approved
71 provider to receive the capital recovery reports and calculate
72 the denial rate for each hospital district based on the data
73 submitted in the capital recovery reports.

74 (b) An approved provider contracted by the department may
75 not also work in any capacity for any hospital district that is
76 required to submit a capital recovery report pursuant to this
77 section.

78 (3) Each hospital district must complete and submit to the
79 approved provider under contract with the department a capital
80 recovery report within 90 calendar days after the end of the
81 fiscal year. The hospital district may develop its own capital
82 recovery report that meets the requirements of this section or
83 may hire an approved provider to develop the capital recovery
84 report. The first capital recovery report is due after the 2015-
85 2016 fiscal year.

86 (4) Within 60 calendar days after receiving the complete
87 capital recovery report, the approved provider under contract
88 with the department shall calculate the denial rate for the
89 hospital district based on the data submitted in the capital
90 recovery report and notify the board of the hospital district of
91 the denial rate. The capital recovery report is deemed
92 incomplete until the approved provider has sufficient data in
93 the proper format to allow it to accurately calculate a denial

Amendment No. 1

94 rate for the hospital district. If the approved provider
95 receives an incomplete report, the approved provider shall
96 notify the governing board of the hospital district. The
97 hospital district has 15 business days from the date that the
98 approved provider issues the notification to provide the
99 complete report to the approved provider. If the hospital
100 district fails to provide the complete report within 15 business
101 days, the hospital district may not levy increased tax revenues
102 for the fiscal year following the year in which the capital
103 recovery report was due.

104 (5) The department shall provide a list of at least five
105 approved providers that meet the requirements of this section.

106 (6) A hospital district may levy increased tax revenues
107 for fiscal years 2017-2018, 2018-2019, and 2019-2020 only if the
108 denial rate calculated from the capital recovery report
109 submitted to the approved provider under contract with the
110 department in the immediately preceding fiscal year is 10
111 percent or less. A hospital district may levy increased tax
112 revenues for each fiscal year after 2019-2020 only if the denial
113 rate calculated from the capital recovery report submitted to
114 the approved provider in the immediately preceding fiscal year
115 is 7 percent or less. If the hospital district fails to meet the
116 denial rate requirements described in this subsection, it may
117 increase tax revenues only if it can demonstrate that it has
118 reduced its claim denial rate by 33 percent within the preceding

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7115 (2015)

Amendment No. 1

119 3 years and reduced its claim denial rate by 66 percent in the
120 preceding 5 years.

121 (7) This section does not authorize a hospital district to
122 increase its millage beyond the millage specified in its
123 authorizing act. The provisions of this section are in addition
124 to any other statute or special act. To the extent that this
125 section conflicts with any special act, resolution, or
126 ordinance, this section supersedes the special act, resolution,
127 or ordinance.

128 (8) The department may adopt rules to specify the type and
129 form of records to be submitted as part of the capital recovery
130 report used to calculate a denial rate for each hospital
131 district. The department is authorized, and all conditions are
132 deemed met, to adopt emergency rules under ss. 120.536(1) and
133 120.54(4) for the purpose of implementing this section.

134 (9) By March 1 of each year, the department or an approved
135 provider contracted by the department shall submit the denial
136 rates for each hospital district to the President of the Senate,
137 the Speaker of the House of Representatives, and the standing
138 committees of the Senate and the House of Representatives having
139 jurisdiction over taxation.

140 Section 2. For the 2015-2016 fiscal year, the sums of
141 \$400,000 in recurring funds and \$60,000 in nonrecurring funds
142 from the General Revenue Fund are appropriated to the Department
143 of Financial Services to contract with an approved provider to
144 receive capital recovery reports from hospital districts and to

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Published On: 4/6/2015 7:53:38 PM

Amendment No. 1

145 calculate the denial rate for each such district to implement
146 the provisions of this act.

147 Section 3. This act shall take effect on July 1, 2015.
148

149

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

Remove lines 2-23 and insert:

152 An act relating to capital recovery; creating s. 189.056, F.S.;

153 providing definitions; requiring the Department of Financial

154 Services to maintain a list of claims specialist certification

155 providers on its website; specifying the information to be

156 included in a capital recovery report; providing the method used

157 to calculate a denial rate; requiring hospital districts to

158 comply with capital recovery reporting requirements; requiring

159 the department to contract with an approved provider to

160 calculate denial rates for certain hospital districts;

161 prohibiting hospital districts from levying increased tax

162 revenues if they fail to timely submit a complete report;

163 requiring the department to maintain a list of approved

164 providers; requiring hospital districts to meet specified

165 requirements before levying increased tax revenues; providing

166 construction; providing the department with rulemaking authority

167 to specify the type and form of data necessary to calculate a

168 denial rate; requiring an annual report listing the denial rates

169 for each hospital district; providing an appropriation;

170 providing an effective date.

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

HB 7135 : State Lands

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Matt Caldwell	X				
Gwyndolen Clarke-Reed	X				
Janet Cruz	X				
Jose Diaz	X				
Erik Fresen	X				
Matt Hudson	X				
Clay Ingram	X				
Mia Jones				X	
Charles McBurney	X				
Larry Metz	X				
Jeanette Nuñez	X				
Jose Oliva			X		
H. Marlene O'Toole	X				
Mark Pafford		X			
Elizabeth Porter	X				
Kevin Rader	X				
Holly Raschein	X				
David Richardson	X				
Kenneth Roberson	X				
Darryl Rouson	X				
Cynthia Stafford	X				
W. Gregory Steube	X				
Alan Williams	X				
John Wood	X				
Dana Young	X				
Richard Corcoran (Chair)				X	
Total Yeas: 24		Total Nays: 1			

HB 7135 Amendments

Amendment 127029

Not Considered

Amendment 162397

Adopted Without Objection

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)
HB 7135 : State Lands (continued)

HB 7135 Amendments (continued)

Amendment 243371

Adopted Without Objection

Amendment 501125

Adopted Without Objection

Amendment 757079

Adopted Without Objection

Amendment 854537

Adopted Without Objection

Amendment 969191

Adopted Without Objection

Appearances:

MacDonald, Laurie (Lobbyist) - Information Only
Defenders of Wildlife
Florida Director of Defenders of Wildlife
233 Third St N Ste 201
St Petersburg FL 33701
Phone: (727)823-3888

Kunkel, Stephanie (Lobbyist) - Information Only
Conservancy of Southwest Florida, The
1143 Albritton Dr
Tallahassee FL 32301
Phone: (850) 320-4208

Pierce, Robert (Lobbyist) - Waive In Support
Florida Farm Bureau Federation
Assistant Director of State Legislative Affairs
315 S Calhoun St Ste 850
Tallahassee FL 32301
Phone: 8502222557x101

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

COMMITTEE MEETING REPORT

Appropriations Committee

4/7/2015 1:30:00PM

Location: Webster Hall (212 Knott)

HB 7135 : State Lands (continued)

Appearances: (continued)

Pitts, Brian (General Public) - Information Only

Justice-2-Jesus

Trustee

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Tuesday, April 07, 2015 6:58:13PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Caldwell offered the following:

Amendment (with directory and title amendments)

Between lines 108 and 109, insert:

(2) As used in this section, the following phrases have the following meanings:

(e) "Low impact agriculture," as used in this chapter and chapter 259, means any agricultural activity that, when occurring on conservation land or on land under a conservation easement, is consistent with an adopted land management plan and does not adversely impact the land's conservation purpose.

D I R E C T O R Y A M E N D M E N T

Remove line 70 and insert:

Amendment No. 1

17 Section 1. Subsection (1), Subsection (2), paragraphs (b)
18 and (e) of

19

20

21

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

22

Remove line 3 and insert:

23

F.S.; providing legislative findings; creating a definition for

24

the term "low impact agriculture"; revising

Amendment No. 2S

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: Appropriations Committee
 2 Representative Caldwell offered the following:

3
 4 **Substitute Amendment for Amendment (127029) by**
 5 **Representative Caldwell (with title amendment)**

6 Remove lines 179-180 and insert:
 7 three members that the exchange will result in a net positive
 8 conservation benefit. For all other

9
 10 -----
 11 **T I T L E A M E N D M E N T**

12 Remove lines 9-11 and insert:
 13 be disposed of; requiring the Division of State

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7135 (2015)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

*Substitute Amendment
Adopted w/o objections*

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Caldwell offered the following:

Amendment (with title amendment)

5 Remove lines 179-180 and insert:

6 three members that the exchange will result in a ~~net~~ positive
7 conservation benefit. For all other

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

11 Remove line 10 and insert:

12 conservation lands result in a positive

Amendment No. 3

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: Appropriations Committee
 2 Representative Caldwell offered the following:

Amendment

5 Remove lines 382-410 and insert:

6 (4) (a) A person who owns land contiguous to state-owned
 7 land titled to the board may submit a request to the Division of
 8 State Lands to exchange all or a portion of such state-owned
 9 land with the state retaining a permanent conservation easement
 10 for a permanent conservation easement over all or a portion of
 11 the privately owned land. State-owned land exchanged pursuant to
 12 this subsection shall be contiguous to the privately owned land
 13 upon which the state retains a permanent conservation easement.
 14 Such conservation easements shall allow the person to use the
 15 land for low-impact agriculture. The Division of State Lands
 16 shall submit such request to the Acquisition and Restoration
 17 Council for review and the council shall provide recommendations

Amendment No. 3

18 to the division within 180 days. The division shall review the
19 request along with the recommendations provided by the council
20 and submit recommendations to the board 90 days after receipt of
21 the council's recommendations. This subsection does not apply to
22 state-owned sovereign submerged land.

23 (b) The number of acres of state-owned land being
24 exchanged must be equal to or less than the number of acres of
25 privately held land that the person is willing to put under a
26 permanent conservation easement.

27 (c) The board shall consider a request, along with the
28 recommendations of the division, within 180 days after receipt
29 of the request and recommendations of the division and may
30 approve the request if:

31 1. At least 30 percent of the perimeter of the privately
32 held land is bordered by state-owned land and the exchange does
33 not create an inholding.

34 2. The approval does not result in a violation of the
35 terms of a preexisting lease or agreement by the board, the
36 department, the Department of Agriculture and Consumer Services,
37 or the Fish and Wildlife Conservation Commission.

38 3. For state-owned lands purchased for conservation
39 purposes, the board makes a determination that the exchange of
40 land under this subsection will result in a positive
41 conservation benefit.
42

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7135 (2015)

Amendment No. 4

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: Appropriations Committee
2 Representative Caldwell offered the following:

3

4 **Amendment**

5 Remove line 499 and insert:

6 quantity of surface water and groundwater.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7135 (2015)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Caldwell offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 523-529 and insert:
6 ~~to~~ voting for a project's inclusion on the list.

7
8 -----
9 **T I T L E A M E N D M E N T**

10 Remove lines 58-59 and insert:
11 list; authorizing the board to direct the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7135 (2015)

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Caldwell offered the following:

3
4 **Amendment (with title amendment)**

5 Between lines 560 and 561, insert:

6 Section 8. For Fiscal Year 2015-2016, the sum of
7 \$2,238,695 in recurring funds and \$1,520,528 in nonrecurring
8 funds are appropriated from the Internal Improvement Trust Fund
9 to the Department of Environmental Protection, and four full-
10 time equivalent positions with 182,792 in salary rate is
11 authorized, for staffing and all operating expenses associated
12 with the environmental assessment of low impact agricultural
13 areas and surplus lands assessment pursuant to s. 253.034, F.S.,
14 to inventory state, federal, and local government conservation
15 lands in the SOLARIS database and the study to include
16 additional lands in the SOLARIS database pursuant to s. 253.87,

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Published On: 4/6/2015 8:02:11 PM

Amendment No. 6

17 | F.S., as created by this act, and for the consolidation of
18 | state-owned land titles pursuant to this act.

19 |

20 | -----

21 |

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

22 |

Remove line 65 and insert:

23 |

24 |

legal description by a specified date; providing an

25 |

appropriation; providing an