



Civil Justice Subcommittee

**Wednesday, March 4, 2015
12:30 PM - 3:30 PM
Sumner Hall (404 HOB)**

ACTION PACKET

**Steve Crisafulli
Speaker**

**Kathleen Passidomo
Chair**

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

Summary:

Civil Justice Subcommittee

Wednesday March 04, 2015 12:30 pm

HB 365	Favorable	Yeas: 12	Nays: 0
CS/HB 437	Favorable With Committee Substitute	Yeas: 13	Nays: 0
Amendment 324523	Adopted Without Objection		
Am 1			
HB 583	Favorable With Committee Substitute	Yeas: 9	Nays: 4
Amendment 546189	Adopted as Amended		
Am 1 Strikeall			
Amendment 276281	Adopted Without Objection		
Am 1a			
Amendment 618175	Adopted Without Objection		
Am 1b			
HB 625	Favorable	Yeas: 11	Nays: 1
HB 775	Favorable With Committee Substitute	Yeas: 11	Nays: 0
Amendment 037069	Adopted Without Objection		
Am 1 Strike All			
PCB CJS 15-01	Favorable	Yeas: 12	Nays: 0
PCB CJS 15-02	Favorable	Yeas: 12	Nays: 0
PCS for HB 611	Favorable	Yeas: 13	Nays: 0

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Kathleen Passidomo (Chair)	X		
Lori Berman	X		
Colleen Burton	X		
Dwight Dudley	X		
Walter Hill	X		
Kionne McGhee	X		
Larry Metz	X		
George Moraitis, Jr.	X		
Cary Pigman	X		
Cynthia Stafford	X		
Charlie Stone	X		
Jennifer Sullivan	X		
John Wood	X		
Totals:	13	0	0

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 365 : Designated Areas for Skateboarding, Inline Skating, Paintball, or Freestyle or Mountain & Off-Roading Bicycling

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.			X		
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 12	Total Nays: 0			

Appearances:

HB 365

Cruz, David (Lobbyist) - Waive In Support

Florida League of Cities

P.O. Box 1757

Tallahassee Florida 32302

Phone: 850-701-3676

HB 365

Barrett, William (Lobbyist) - Waive In Support

City of St. Cloud

4001 Hudson Terr

Tampa FL 33618

Phone: (321)403-6410

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

CS/HB 437 : Guardians for Dependent Children who are Developmentally Disabled or Incapacitated

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

CS/HB 437 Amendments

Amendment 324523

Adopted Without Objection

Appearances:

CS/HB 437

Walters, Wansley (Lobbyist) - Waive In Support
Florida's Children First, Inc
403 E Park Ave
Tallahassee FL 32301
Phone: 305-333-1469

CS/HB 437

Hooper, Margaret (Lobbyist) - Waive In Support
124 Marriott Dr., Ste. 203
Tallahassee Fl 32301
Phone: 850-921-7263

CS/HB 437

Moore, Deborah - Waive In Support
GAL Program
1920 Thomasville Rd
Tallahassee Fl 32303
Phone: (850)606-1218

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

CS/HB 437 : Guardians for Dependent Children who are Developmentally Disabled or Incapacitated (continued)

Appearances: (continued)

CS/HB 437

Dunagan, Matthew (Lobbyist) - Waive In Support

Florida Sheriffs Association

2617 Mahan Dr

Tallahassee FL 32308

Phone: 850-274-3599

CS/HB 437

Abramowitz, Alan (Lobbyist) (State Employee) - Waive In Support

Guardian Ad Litem Program

600 S Calhoun

Tallahassee FL 32310

Phone: 850-274-3599

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/4/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Adkins offered the following:

Amendment (with title amendment)

Remove lines 87-200 and insert:

6 pursuant to the requirements of chapter 744 that there is a good
 7 faith basis to believe that the child qualifies for appointment
 8 of a guardian advocate, limited guardian, or plenary guardian
 9 for the child and that no less restrictive decisionmaking
 10 assistance will meet the child's needs:

11 a. The department shall complete a multidisciplinary
 12 report which must include, but is not limited to, a psychosocial
 13 evaluation and educational report if such a report has not been
 14 completed within the previous 2 years.

15 b. The department shall identify one or more individuals
 16 who are willing to serve as the guardian advocate pursuant to s.
 17 393.12 or as the plenary or limited guardian pursuant to chapter



Amendment No. 1

18 744. Any other interested parties or participants may make
19 efforts to identify such a guardian advocate, limited guardian,
20 or plenary guardian. The child's biological or adoptive family
21 members, including the child's parents if the parents' rights
22 have not been terminated, may not be considered for service as
23 the plenary or limited guardian unless the court enters a
24 written order finding that such an appointment is in the child's
25 best interests.

26 c. Proceedings may be initiated within 180 days after the
27 child's 17th birthday for the appointment of a guardian
28 advocate, plenary guardian, or limited guardian for the child in
29 a separate proceeding in the court division with proper
30 jurisdiction over guardianship matters and pursuant to chapter
31 744. The legislature encourages the use of pro bono
32 representation to initiate proceedings under this section.

33 3. In the event another interested party or participant
34 initiates proceedings for the appointment of a guardian
35 advocate, plenary guardian, or limited guardian for the child,
36 the department shall provide all necessary documentation and
37 information to the petitioner to complete a petition under
38 chapter 393 or chapter 744 within 45 days after the first
39 judicial review hearing after the child's 17th birthday.

40 4. Any proceedings seeking appointment of a guardian
41 advocate or a determination of incapacity and the appointment of
42 a guardian must be conducted in a separate proceeding in the
43 court division with jurisdiction over guardianship matters and

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44 pursuant to chapter 744.

45 (c) If the court finds at the judicial review hearing that
46 the department has not met its obligations to the child as
47 stated in this part, in the written case plan, or in the
48 provision of independent living services, the court may issue an
49 order directing the department to show cause as to why it has
50 not done so. If the department cannot justify its noncompliance,
51 the court may give the department 30 days within which to
52 comply. If the department fails to comply within 30 days, the
53 court may hold the department in contempt.

54 Section 3. Paragraph (c) is added to subsection (2) of
55 section 393.12, Florida Statutes, to read:

56 393.12 Capacity; appointment of guardian advocate.—

57 (2) APPOINTMENT OF A GUARDIAN ADVOCATE.—

58 (c) If a petition is filed pursuant to this section
59 requesting appointment of a guardian advocate for a minor who is
60 the subject of any proceeding under chapter 39, the division of
61 the court with jurisdiction over guardianship matters has
62 jurisdiction over the proceedings pursuant to this section when
63 the minor reaches the age of 17 years and 6 months or anytime
64 thereafter. The minor shall be provided all the due process
65 rights conferred upon an alleged developmentally disabled adult
66 pursuant to this chapter. The order of appointment of a guardian
67 advocate under this section shall issue upon the minor's 18th
68 birthday or as soon thereafter as possible. Any proceeding
69 pursuant to this paragraph shall be conducted separately from



Amendment No. 1

70 any other proceeding.

71 Section 4. Subsection (1) of section 744.301, Florida
72 Statutes, is amended to read:

73 744.301 Natural guardians.—

74 (1) The parents jointly are the natural guardians of their
75 own children and of their adopted children, during minority,
76 unless the parents' parental rights have been terminated
77 pursuant to chapter 39. If a child is the subject of any
78 proceeding under chapter 39, the parents may act as natural
79 guardians under this section unless the dependency or probate
80 court finds that it is not in the child's best interests. If one
81 parent dies, the surviving parent remains the sole natural
82 guardian even if he or she remarries. If the marriage between
83 the parents is dissolved, the natural guardianship belongs to
84 the parent to whom sole parental responsibility has been
85 granted, or if the parents have been granted shared parental
86 responsibility, both continue as natural guardians. If the
87 marriage is dissolved and neither parent is given parental
88 responsibility for the child, neither may act as natural
89 guardian of the child. The mother of a child born out of wedlock
90 is the natural guardian of the child and is entitled to primary
91 residential care and custody of the child unless the court
92 enters an order stating otherwise.

93 Section 5. Subsection (1) of section 744.3021, Florida
94 Statutes, is amended, and subsection (4) is added to that
95 section, to read:

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96 744.3021 Guardians of minors.—

97 (1) Except as provided in subsection (4), upon petition of
98 a parent, brother, sister, next of kin, or other person
99 interested in the welfare of a minor, a guardian for a minor may
100 be appointed by the court without the necessity of adjudication
101 pursuant to s. 744.331. A guardian appointed for a minor,
102 whether of the person or property, has the authority of a
103 plenary guardian.

104 (4) If a petition is filed pursuant to this section
105 requesting appointment of a guardian for a minor who is the
106 subject of any proceeding under chapter 39 and who is aged 17
107 years and 6 months or older, the division of the court with
108 jurisdiction over guardianship matters has jurisdiction over the
109 proceedings under s. 744.331. The alleged incapacitated minor
110 under this subsection shall be provided all the due process
111 rights conferred upon an alleged incapacitated adult pursuant to
112 this chapter and applicable court rules. The order of
113 adjudication under s. 744.331 and the letters of limited or
114 plenary guardianship may issue upon the minor's 18th birthday or
115 as soon thereafter as possible. Any proceeding pursuant to this
116 paragraph shall be conducted in separately from any other
117 proceeding.

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119

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121

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

Remove lines 22-44 and insert:



Amendment No. 1

122 proceeding in guardianship court; amending s. 393.12, F.S.;

123 providing that the guardianship court has jurisdiction over

124 proceedings for appointment of a guardian advocate if petitions

125 are filed for certain minors who are subject to chapter 39,

126 F.S., proceedings if such minors have attained a specified age;

127 providing that such minor has the same due process rights as

128 certain adults; providing requirements for when an order

129 appointing a guardian advocate must be issued; providing that

130 proceedings seeking appointment of a guardian advocate for

131 certain minors be conducted in separate proceedings; amending s.

132 744.301, F.S.; providing that if a child is subject to

133 proceedings under chapter 39, F.S., the parents may act as

134 natural guardians unless the dependency or probate court finds

135 that it is not in the child's best interests or their parental

136 rights have been terminated; amending s. 744.3021, F.S.;

137 requiring the guardianship court to initiate proceedings for

138 appointment of guardians for certain minors who are subject to

139 chapter 39, F.S., proceedings if petitions are filed and if such

140 minors have reached a specified age; providing that such minor

141 has the same due process rights as certain adults; providing

142 requirements for when an order of adjudication and letters of

143 limited or plenary guardianship must be issued; providing that

144 proceedings seeking appointment of a guardian advocate for

145 certain minors be conducted in separate proceedings; providing

146 an

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 583 : Single-Sex Public Facilities

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman		X			
Colleen Burton	X				
Dwight Dudley		X			
Walter Hill	X				
Klonne McGhee		X			
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford		X			
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 9	Total Nays: 4			

HB 583 Amendments

Amendment 546189

Adopted as Amended

Amendment 276281

Adopted Without Objection

Amendment 618175

Adopted Without Objection

Appearances:

HB 583

Russell, Kathleen (Lobbyist) - Waive In Opposition

City of Orlando

Director of Intergovernmental Relations

400 S Orange Ave

Orlando FL 32801

Phone: (407)383-2075

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 583 : Single-Sex Public Facilities (continued)

Appearances: (continued)

HB 583

Bunkley, Bill (Lobbyist) - Waive In Support
Florida Ethics and Religion Liberty Commission
President
P.O Box 341644
Tampa FL 33694
Phone: (813) 264-2977

HB 583

Duncan, Gina - Opponent
TransAction
530 E Central Blvd
Orlando Florida 32801

HB 583

Smith, Nadine - Opponent
Equality Florida
Executive Director
4659 27th Ave South
St. Petersburg Florida 33711
Phone: 813-817-6093

Richardson, Michelle (Lobbyist) - Opponent

ACLU of Florida
4500 Biscayne Blvd Ste 340
Miami FL 33137
Phone: 786-363-2700

HB 583

Stahl, Sonya Leonore - Opponent
740 NE 23 Ave
Gainesville Florida 32609
Phone: 352-262-2763

HB 583

Heyman, Sally - Opponent
County Commissioner/Miami-Dade County
111 NW 1st St
Miami Fl 33128
Phone: (305)375-5128

HB 583

Donahue, Mary F Folz - Opponent
740 NE 23rd Ave
Gainesville Fl 32609
Phone: 508-735-4920

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 583 : Single-Sex Public Facilities (continued)

Appearances: (continued)

HB 583

Ulvert, Christian (Lobbyist) - Opponent

SAVE

Chair "Volunteer"

4500 Biscayne Blvd

Miami FL 33136

Phone: 305-336-3631

HB 583

Stemberger, John (Lobbyist) - Proponent

Florida Family Action

4853 S Orange Ave, Ste C

Orlando FL 32806

Phone: (407)340-0912

HB 583

Labrador, Edward (Lobbyist) - Opponent

Broward County

Director, Intergovernmental Affairs & Prof Standards

Governement Center 115 S Andrews Ave, Room 426

Ft Lauderdale FL 33301

Phone: (954)357-7575

HB 583

Wilcox, Nathaniel - Proponent

South Florida

Executive Director PULSE

3111 NW 135 Street

Opa-Locka FL 33054

Phone: 786-488-2979

HB 583

Sotomayor, Carmen - Proponent

8310 NW 10 St

Miami FL

HB 583

Verdugo, Anthony - Proponent

Christian Family Coalition

PO Box 650216

Miami Fl 33265

Phone: (786)447-6431

HB 583

Pomar, Armando - Information Only

LULAC Council/HADF Hispanic American Diabetes Foundation

7710 Abbott Ave

Miami Beach FL 33141

Phone: 786-285-4090

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 583 : Single-Sex Public Facilities (continued)

Appearances: (continued)

HB 583

Figueras, Elsa M. - Proponent

Attorney

1033 NE 17th Way, #904

Ft Lauderdale FL 33304

Phone: 754-224-8854

HB 583

McCoy II, Alex B - Proponent

Christian Family Coalition

Pulse Community Relations Specialist

3111 NW 135 Street

Opa-Locka FL 33054

Phone: 954-478-9885

HB 583

Joseph, Rebina - Opponent

Dream Defenders/Trans Lives Matter Tallahassee

West Pensacola Street

Tallahassee Florida 32303

Phone: 850-405-2512

HB 583

Slusser, Kimberly - Opponent

Trans Lives Matter

Tallahassee FL 32304

Phone: 772-370-0022

HB 583

Stegmeyer, Burr - Opponent

Trans Lives Matter Tallahassee

Tallahassee Florida 32301

Phone: 850-933-9763

HB 583

Westerfind, Barrett - Opponent

1327 High Road

Tallahassee Florida 32304

HB 583

Fry, Jillian - Opponent

1420 N Meridian Road

Tallahassee FL 32303

Phone: 850-528-8235

HB 583

Ehsaan, Shivaani - Opponent

Trans Lives Matter Tallahassee

Tallahassee Florida 32304

Phone: 508-613-8066

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 583 : Single-Sex Public Facilities (continued)

Appearances: (continued)

HB 583

Inserra, Krissie - Proponent
3109 Avon Circle
Tallahassee Florida 32312
Phone: 850-508-5618

HB 583

Andrade, Melanie - Waive In Opposition
Dream Defenders
2218 E Magnolia Circle
Tallahassee FL 32301
Phone: 850-443-2165

HB 583

Cutler, Haley - Opponent
2804 Starmount Lane
Tallahassee FL 32303
Phone: 954-260-5601

HB 583

Harmony, Max - Opponent
726 W 10th Avenue
Tallahassee FL 32303

HB 583

Bouck, Shelby - Opponent
1111 High Road
Tallahassee FL 32304
Phone: 850-259-1085

HB 583

Miklowitz, Linda - Opponent
2542 Arthur's Court
Tallahassee FL
Phone: (850)559-1312

HB 583

Terrell, Ryan - Opponent
FL LGBT Democratic Caucus
Region 1 Director
1001 Ocala Road
Tallahassee FL 32304
Phone: 954-242-2531

HB 583

Poole, David (Lobbyist) - Waive In Opposition
AHF
1825 Country Club Dr
Tallahassee FL 32301
Phone: 850-766-3323

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 583 : Single-Sex Public Facilities (continued)

Appearances: (continued)

HB 583

Richeson, Rosie - Waive In Opposition

The Outlet: Mental Health Community Center

Executive Director

1222 Lake Ave

Tallahassee FL 32310

Phone: 813-928-1989

HB 583

Byrd, Johanna - Opponent

Nat'l Association of Social Workers, Florida Chapter

Director of Gov't Affairs

1931 Dellwood

Tallahassee FL 32303

Phone: 850-241-6886

HB 583

DeVane, Barbara (Lobbyist) - Waive In Opposition

FL NOW

625 E Brevard St.

Tallahassee FL 32308

Phone: (850)251-4280

HB 583

Sullivan, Robert - Opponent

540 Carillon Pkwy

St Petersburg FL 33716

Phone: 813-440-3392

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> Y </u>	(Y/N) 3/4/15
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: Civil Justice Subcommittee
 2 Representative Artiles offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. (1) The purpose of this act is to secure
 7 privacy and safety for all individuals using single-sex public
 8 facilities.

9 (2) The Legislature finds that:

10 (a) There is a longstanding history of restricting access
 11 to single-sex public facilities on the basis of sex.

12 (b) There is an expectation of privacy in single-sex
 13 public facilities.

14 (c) Users of single-sex public facilities reasonably
 15 expect not to be exposed to individuals of the other sex while
 16 using those facilities.



Amendment No. 1

17 (d) Single-sex public facilities are places of increased
18 vulnerability and present the potential for crimes against
19 individuals using those facilities, including, but not limited
20 to, assault, battery, molestation, rape, voyeurism, and
21 exhibitionism.

22 Section 2. Section 760.55, Florida Statutes, is created to
23 read:

24 760.55 Privacy for persons using single-sex public
25 facilities.-

26 (1) DEFINITIONS.-As used in this section, the term:

27 (a) "Female" means a biological female or a person who has
28 a valid driver license or United States passport that describes
29 the person as female on the license or passport.

30 (b) "Male" means a biological male or a person who has a
31 valid driver license or United States passport that describes
32 the person as male on the license or passport.

33 (c) "Person" means a natural person or human being.

34 (d) "Public accommodations" has the same meaning provided
35 in s. 760.02.

36 (e) "Single-sex public facilities" means bathrooms,
37 restrooms, dressing rooms, fitting rooms, locker rooms, showers,
38 and other similar facilities where there is a reasonable
39 expectation of privacy; that are maintained by an owner of
40 public accommodations, a school, or a place of employment; that
41 are conspicuously designated with appropriate signage for use by
42 persons of only one sex; and that are designed or designated to



Amendment No. 1

43 be used by more than one person at a time.

44 (f) "Sex" means a person's gender as male or female.

45 (2) PROHIBITED CONDUCT.—

46 (a) Single-sex public facilities designated for females
47 shall be restricted to females.

48 (b) Single-sex public facilities designated for males
49 shall be restricted to males.

50 (c) A person who knowingly and willfully enters a single-
51 sex public facility designated for or restricted to persons of
52 the other sex commits a misdemeanor of the second degree,
53 punishable as provided in s. 775.082 or s. 775.083.

54 (3) PRIVATE CAUSE OF ACTION.—

55 (a) A person who knowingly and willfully enters a single-
56 sex public facility designated for the other sex is liable in a
57 civil action to any person who is lawfully using the same
58 single-sex public facility at the time of the unlawful entry for
59 the damages caused by the unlawful entry, together with
60 reasonable attorney fees and costs.

61 (b) An owner of public accommodations, a school, or a
62 place of employment who maintains single-sex public facilities
63 and knowingly advertises, promotes, or encourages use of those
64 facilities in violation of subsection (2), or fails to take
65 reasonable remedial measures after learning of such use, is
66 liable in a civil action to any person who is lawfully using
67 those facilities at the time of the unlawful entry for the
68 damages caused by the unlawful entry, together with reasonable



Amendment No. 1

69 attorney fees and costs.

70 (4) EXEMPTIONS.—This section does not apply to:

71 (a) Gender-neutral public facilities or public facilities
72 that are conspicuously designated for unisex use or family use.

73 (b) Public facilities that are designated to be used by
74 only one person at a time.

75 (c) A person of one sex who uses a single-sex facility
76 designated for the opposite sex, if such single-sex facility is
77 the only facility, single-sex, gender neutral, or otherwise,
78 reasonably available at the time of the person's use of the
79 facility.

80 (d) A family member or legal guardian of a person who
81 reasonably needs assistance in using a single-sex facility, or
82 someone designated by a family member or legal guardian of the
83 person, if the family member or legal guardian or his or her
84 designee enters a single-sex public facility that is designated
85 for the sex of the person in need of assistance in order to
86 assist the person in need of assistance.

87 (e) A person who needs assistance in using a single-sex
88 facility when the person in need of assistance enters a single-
89 sex facility that is designated for the opposite sex, if the
90 person in need of assistance enters a single-sex facility with a
91 family member or legal guardian or his or her designee who is
92 the designated sex of the single-sex facility in order to assist
93 the person in need of assistance.

94 (f) A person who enters an unoccupied single-sex facility



Amendment No. 1

95 that is designated for the opposite sex while another person
96 waits outside the entrance to the facility notifying others that
97 a person of the opposite sex is using the facility.

98 (g) A person employed to clean or maintain a single-sex
99 facility.

100 (5) RELATION TO OTHER LAWS.—

101 (a) This section does not require any place of public
102 accommodation, school, or place of employment to construct or
103 maintain single-sex public facilities or to modify existing
104 public facilities.

105 (b) Restricting access to single-sex public facilities in
106 the manner required by subsection (2) is not unlawful
107 discrimination under s. 760.08.

108 (6) PREEMPTION.—This section preempts any law, regulation,
109 policy, or decree enacted or adopted by any city, county,
110 municipality, or other political subdivision within the state
111 that purports to permit or require owners of public
112 accommodations, schools, or places of employment to permit use
113 of single-sex public facilities by persons whose sex is
114 different from the sex for which such facilities are designated.

115 Section 3. This act shall take effect July 1, 2015.

117 -----
118 **T I T L E A M E N D M E N T**

119 Remove everything before the enacting clause and insert:

120 A bill to be entitled



Amendment No. 1

121 An act relating to single-sex public facilities;
122 providing purpose and legislative findings; creating
123 s. 760.55, F.S.; providing definitions; requiring that
124 use of single-sex public facilities be restricted to
125 persons of the sex for which the facility is
126 designated; prohibiting knowingly and willfully
127 entering a single-sex public facility designated for
128 or restricted to persons of the other sex; providing
129 criminal penalties; providing a private cause of
130 action against violators; providing exemptions;
131 providing applicability with respect to other laws;
132 providing for preemption; providing an effective date.



Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/4/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

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

3
 4 **Amendment to Amendment (546189) by Representative Artiles**
 5 Remove line 39 of the amendment and insert:
 6 expectation of privacy; that are maintained by a government or
 7 by an owner of



Amendment No. 1b

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N) 3/4/15
FAILED TO ADOPT	<u>I</u>	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

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

Amendment to Amendment (546189) by Representative Artiles

Remove line 95 of the amendment and insert:

6 that is designated for the opposite sex and either locks the
 7 door or while either another person

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 625 : Florida Civil Rights Act

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill		X			
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.			X		
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 11	Total Nays: 1			

Appearances:

HB 625

Willis, Elizabeth - Waive In Support
Florida Associations of Women Lawyers
Attorney
3160 Blountstown Court
Tallahassee FL 32301
Phone: 850-877-0082

HB 625

Kunkel, Stephanie (Lobbyist) - Waive In Support
Florida Federation of Business and Professional Women
1143 Albritton Dr
Tallahassee FL 32301
Phone: 850-320-4208

HB 625

Donahue, Mary F Folz - Waive In Support
740 NE 23rd Ave
Gainesville Florida 32609
Phone: 508-735-4920

HB 625

DeVane, Barbara - Waive In Support
FL Now
625 E Brevard Street
Tallahassee Florida 32308
Phone: 850-251-4280

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 775 : Appointment of a Guardian Ad Litem

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.			X		
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood				X	
Kathleen Passidomo (Chair)	X				
	Total Yeas: 11	Total Nays: 0			

HB 775 Amendments

Amendment 037069

Adopted Without Objection

Appearances:

HB 775 (Bill and Am)

Dunbar, Peter (Lobbyist) - Waive In Support
Real Property, Probate & Trust Law Section
c/o The Florida Bar 651 E Jefferson St
Tallahassee FL 32399
Phone: (850)222-3533

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM



Amendment No. 1

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: Civil Justice Subcommittee
 2 Representative Powell offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. Section 49.31, Florida Statutes, is created to
7 read:

49.31 Appointment of ad litem.--

9 (1) As used in this section, the term "ad litem" means an
10 attorney, administrator, or guardian ad litem.

11 (2) The court may appoint an ad litem for any party,
12 whether known or unknown, upon whom service of process by
13 publication under this chapter has been properly made and who
14 has failed to file or serve any paper in the action within the
15 time required by law. A court may not appoint an ad litem to
16 represent an interest for which a personal representative,
17 guardian of property, or trustee is serving.



Amendment No. 1

18 (a) If the court has appointed an ad litem and the ad
19 litem discovers that a personal representative, guardian of
20 property, or trustee is serving who represents the interest for
21 which the ad litem was appointed, the ad litem must promptly
22 report that finding to the court and must file a petition for
23 discharge as to any interest for which the personal
24 representative, guardian of the property, or trustee is serving.

25 (b) If the court has appointed an ad litem to represent an
26 interest and the ad litem discovers that the person whose
27 interest he or she represents is deceased, and there is no
28 personal representative, guardian of the property, or trustee to
29 represent the decedent's interest, the ad litem must make a
30 reasonable attempt to locate any spouse, heir, devisee, or
31 beneficiaries of the decedent, must report to the court the name
32 and address of any such persons that the ad litem locates, and
33 must petition for discharge as to any interest of the person
34 located.

35 (3) The court may not require an ad litem to post a bond
36 or designate a resident agent in order to serve as an ad litem.

37 (4) The court shall discharge the ad litem when the final
38 judgment is entered or as otherwise ordered by the court.

39 (5) The ad litem is entitled to an award of a reasonable
40 fee for services rendered and costs, which shall be assessed
41 against the party requesting the appointment of the ad litem, or
42 as otherwise ordered by the court.



Amendment No. 1

43 (6) In all cases adjudicated in which the court appointed
44 an ad litem, a proceeding may not be declared ineffective solely
45 due to lack of statutory authority to appoint an ad litem.

46 (7) This section does not abrogate a court's common law
47 authority to appoint an ad litem.

48 Section 2. This act shall take effect July 1, 2015.

49
50 -----
51 **T I T L E A M E N D M E N T**

52 Remove everything before the enacting clause and insert:
53 An act relating to the appointment of an ad litem; creating s.
54 49.31, F.S.; defining the term "ad litem"; authorizing a court
55 to appoint an ad litem for a party upon whom service of process
56 by publication is made; prohibiting a court from appointing an
57 ad litem to represent an interest for which a personal
58 representative, guardian of property, or trustee is serving;
59 requiring an ad litem, upon discovery that the party it
60 represents is already represented by a personal representative,
61 guardian of property, or trustee, or is deceased, to take
62 certain actions; prohibiting a court from requiring an ad litem
63 to post a bond or designate a resident agent in order to serve
64 as ad litem; requiring courts to discharge an ad litem when the
65 final judgment is entered or as otherwise ordered by the court;
66 providing that an ad litem is entitled to an award of a
67 reasonable fee for services rendered and costs that must be
68 assessed by the court against a specified party or as otherwise



Amendment No. 1

69 | ordered by the court; prohibiting a proceeding in which the
70 | court appointed an ad litem from being declared ineffective
71 | solely due to a lack of statutory authority to appoint an ad
72 | litem; providing that the section does not abrogate a court's
73 | common law authority to appoint an ad litem; providing an
74 | effective date.

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

PCB CJS 15-01 : Offenses Concerning Racketeering and Illegal Debts

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood				X	
Kathleen Passidomo (Chair)	X				
	Total Yeas: 12	Total Nays: 0			

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

PCB CJS 15-02 : Public Records

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood				X	
Kathleen Passidomo (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

PCS for HB 611 : Residential Properties

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 13	Total Nays: 0			

Appearances:

PCS for HB 611

Anderson, Mark (Lobbyist) - Opponent
Chief Exec Officers of Management Companies
106 S Monroe Street
Tallahassee Florida 32301
Phone: 850-320-6659

PCS for HB 611

Stewart, Shelley - Proponent
Southern Title and Florida Title Agents
2335 Beville Road
Daytona Beach FL 32128
Phone: 386-760-9800

PCS for HB 611

Neyes, Manny (Lobbyist) - Opponent
Armos, Inc
200 West College Ave
Tallahassee Florida 32301
Phone: 305-860-0780

PCS for HB 611

Overhoff, Alexandra - Waive In Support
Florida Land Title Assoc

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

PCS for HB 611 : Residential Properties (continued)

Appearances: (continued)

PCS for HB 611

Russick, James - Waive In Support

Vice President, Old Republic National Title Insurance Company

1410 N Westshore Blvd, Suite 800

Tampa FL 33607

Phone: 800-342-5957

PCS for HB 611

Mang, Douglas (Lobbyist) - Waive In Support

First American Title Insurance Company

1424 Piedmont Drive

Tallahassee FL 32308

Phone: 850-222-7710

PCS for HB 611

Daniel, David (Lobbyist) - Waive In Support

Florida Land Title Association

311 East Park Avenue

Tallahassee FL 32301

Phone: 850-224-5081

PCS for HB 611

Goldman, Trey (Lobbyist) - Proponent

Legislative Counsel, Florida Realtors

200 South Monroe

Tallahassee FL 32301

Phone: 850-224-1400

PCS for HB 611

Goin, Yeline (Lobbyist) - Opponent

Community Associates Leadership Lobby

204 S Monroe Street, Suite 203

Tallahassee FL 32301

Phone: 850-284-2460

PCS for HB 611

Payton, Rusty (Lobbyist) - Waive In Support

Florida Homebuilders

2600 Centennial Place

Tallahassee FL 32308

Phone: (850)567-1073

PCS for HB 611

Moore, Travis (Lobbyist) - Opponent

Community Associations Institute

PO Box 781

Largo FL 33779

Phone: 7274216902

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

3/4/2015 12:30:00PM

Location: Sumner Hall (404 HOB)

PCS for HB 611 : Residential Properties (continued)

Appearances: (continued)

PCS for HB 611

Krueger, John - Opponent

Associa

5401 N Central Expressway, Ste 260

Dallas Tx 75205

Phone: 770-570-7871

Committee meeting was reported out: Wednesday, March 04, 2015 7:13:23PM