The Journal OF THE House of Representatives

Number 32 **Friday, March 1, 2024**

The House was called to order by the Speaker at 10:00 a.m.

Prayer

The following prayer was offered by Reverend Dr. Anthony "Tony" Suarez of Greater Orlando Center for Spiritual Living of Orlando and a former member of the Florida House of Representatives, upon invitation of Rep. J. López:

Spirit, the unmoved mover; creator of all that is seen and unseen, of all that is known and still to be discovered, that entity that I call God, and Lord.

We recognize that every person here, and listening to this prayer, is one with that Spirit, the conscious universe. We are made of the same particles that make up the stars and the planets, and all that exists within our reality. We are brothers and sisters, as we are all made up of the same stuff—material created by divine instruction. We are manifestations of spirit, each and every one of us.

We come together this day to do the work that the citizens of Florida have sent us to do—to legislate with wisdom and balance, and most of all, with love of all the citizens, big and small, rich and poor, in which we all serve.

We are grateful for this great opportunity, for this great responsibility, we share together on this day. We embrace that responsibility as our calling.

We release these words into the fabric of universe and the certainty that what we speak will be done, and Your will, will be so.

And together, we say, Amen.

Moment of Silence

The Speaker recognized Speaker *pro tempore* Clemons to offer a moment of silence on behalf of the following members:

On behalf of Reps. Nixon and Daniels, the House honored Betty S. Holzendorf, who passed on February 29, 2024, at the age of 84. She was a former member of the Florida House of Representatives, serving from 1988-1992, and the Florida Senate, serving from 1992-2002. During her tenure in the Senate, she also served as the Democratic Leader Pro Tempore for four sessions. Throughout her life and legislative career, she was a staunch advocate for public education, affordable housing, and the environment.

The following members were recorded present:

Session Vote Sequence: 759

Speaker Renner in the Chair.

Yeas—110

Abbott	Chaney	Jacques	Rommel
Altman	Clemons	Joseph	Roth
Amesty	Cross	Keen	Rudman
Anderson	Daley	Killebrew	Salzman
Andrade	Daniels	Koster	Shoaf
Antone	Driskell	LaMarca	Silvers
Arrington	Duggan	Leek	Sirois
Baker	Dunkley	López, J.	Skidmore
Bankson	Edmonds	Lopez, V.	Smith
Bartleman	Eskamani	Maney	Snyder
Basabe	Esposito	Massullo	Stark
Bell	Fabricio	McClain	Steele
Beltran	Fine	McClure	Stevenson
Benjamin	Franklin	Melo	Tant
Berfield	Gantt	Michael	Temple
Black	Garcia	Mooney	Tomkow
Borrero	Garrison	Overdorf	Trabulsy
Botana	Giallombardo	Payne	Tramont
Brackett	Gonzalez Pittman	Perez	Truenow
Bracy Davis	Gossett-Seidman	Persons-Mulicka	Tuck
Brannan	Gottlieb	Plakon	Valdés
Buchanan	Grant	Plasencia	Waldron
Busatta Cabrera	Gregory	Porras	Williams
Campbell	Griffitts	Rayner	Woodson
Canady	Harris	Redondo	Yarkosky
Caruso	Hinson	Renner	Yeager
Cassel	Holcomb	Roach	
Chamberlin	Hunschofsky	Robinson, W.	

Nays—None

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

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Theodore H. Shugarman of Islamorada at the invitation of Rep. Fine; Azia N. Sterlin of Fort Pierce at the invitation of Rep. Koster; Dane A. Turnbull of Alexandria, Virginia, at the invitation of Rep. Porras; and Hadley R. Turnbull of Alexandria, Virginia, at the invitation of Rep. Busatta Cabrera.

House Physician

The Speaker introduced Dr. Sher-Lu Pai of Jacksonville, who served in the Clinic today upon invitation of Rep. Nixon.

Law Enforcement Officer of the Day

The Speaker introduced Captain Joshua Kloster of the Martin County Sheriff's Office as the Law Enforcement Officer of the Day at his invitation.

Captain Kloster started his career in law enforcement in 2008 as an officer with the Department of Environmental Protection. In 2011, he joined the Martin County Sheriff's Office as a Deputy Sheriff, and has been promoted

through the ranks while serving in various capacities. He was promoted to Captain in 2022 and now oversees the Criminal Investigations Division.

Correction of the *Journal*

The *Journal* of February 29, 2024, was corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules Committee

The Honorable Paul Renner February 27, 2024
Speaker, House of Representatives

Dear Mr. Speaker:

Your Rules Committee herewith submits the Special Order for Friday, March 1, 2024. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar. *The published Special Order Letter will reflect these bills as they appear on Second Reading. Any bills that are not available for Special Order at the time the letter is published will not be reflected on the published Special Order Letter.*

A. BILLS ON SPECIAL ORDER:
I. Consideration of the following bills:

CS/HB 499 - Healthcare Regulation Subcommittee, Melo, Antone
Congenital Cytomegalovirus Screening

CS/CS/HB 185 - Appropriations Committee, Children, Families & Seniors Subcommittee, Trabulsy, Edmonds, Garcia, Mooney
Dependent Children

CS/CS/HB 7021 - Health & Human Services Committee, Health Care Appropriations Subcommittee, Children, Families & Seniors Subcommittee, Maney, Basabe, Silvers
Mental Health and Substance Abuse

CS/HB 7023 - Health & Human Services Committee, Children, Families & Seniors Subcommittee, Maney, Basabe
Pub. Rec. and Meetings/Mental Health and Substance Abuse

CS/CS/CS/HB 1061 - Health & Human Services Committee, Health Care Appropriations Subcommittee, Children, Families & Seniors Subcommittee, McFarland
Community-based Child Welfare Agencies

HB 7089 - Health & Human Services Committee, Grant
Health Care Expenses

CS/HB 227 - Healthcare Regulation Subcommittee, Garcia, Benjamin
Intravenous Vitamin Treatment

CS/CS/HB 1349 - Education & Employment Committee, PreK-12 Appropriations Subcommittee, Brannan, Buchanan, Alvarez, Amesty, Black, Borrero, Daniels, Garcia, Holcomb, Jacques, Rizo
History and Instruction of Political and Socio-economic Systems

CS/HB 865 - Healthcare Regulation Subcommittee, Yeager, Bell, Daniels, Gonzalez Pittman, Stark, Valdés
Youth Athletic Activities

CS/CS/HB 1319 - Appropriations Committee, Postsecondary Education & Workforce Subcommittee, Tuck
Trust Funds/Institute of Food and Agricultural Sciences Relocation and Reconstruction Trust Fund

CS/CS/CS/HB 927 - State Affairs Committee, Ways & Means Committee, Energy, Communications & Cybersecurity Subcommittee, Trabulsy
Improvements to Real Property

CS/CS/SB 770 - Fiscal Policy, Community Affairs, Martin
Improvements to Real Property

CS/CS/CS/HB 1297 - State Affairs Committee, Ways & Means Committee, Local Administration, Federal Affairs & Special Districts Subcommittee, Mooney
Affordable Housing in Counties Designated as Areas of Critical State Concern

HB 1451 - Michael
Identification Documents

HB 1679 - McClure, Rayner, Gantt, Joseph, López, J.
Florida African American Heritage Preservation Network

CS/CS/HB 1567 - State Affairs Committee, Constitutional Rights, Rule of Law & Government Operations Subcommittee, Grant
Qualifications for County Emergency Management Directors

CS/CS/HB 735 - State Affairs Committee, Local Administration, Federal Affairs & Special Districts Subcommittee, Andrade
Government Accountability

CS/HB 781 - Constitutional Rights, Rule of Law & Government Operations Subcommittee, Clemons, López, J.
Unsolicited Proposals for Public-private Partnerships

HCR 7055 - State Affairs Committee, Alvarez, Beltran, Salzman
Equal Application of the Law

HCR 7057 - State Affairs Committee, Alvarez, Beltran, Salzman
Line-item Veto

HB 7071 - State Affairs Committee, Caruso
Foreign Investments by the State Board of Administration

CS/HB 821 - Local Administration, Federal Affairs & Special Districts Subcommittee, Altman
Melbourne-Tillman Water Control District, Brevard County

HB 823 - Maney
North Okaloosa Fire District, Okaloosa County

HB 1117 - Buchanan
City of North Port, Sarasota County

CS/HB 1487 - Local Administration, Federal Affairs & Special Districts Subcommittee, Chaney
Pinellas Suncoast Transit Authority, Pinellas County

CS/HB 1421 - State Affairs Committee, Fine, Black, Roth
Independent Hospital Districts

CS/CS/HB 1621 - State Affairs Committee, Local Administration, Federal Affairs & Special Districts Subcommittee, Beltran
Unlawful Demolition of Historical Structures

CS/CS/HB 1447 - State Affairs Committee, Local Administration, Federal Affairs & Special Districts Subcommittee, Duggan
Independence of Sheriffs

CS/CS/HB 939 - Commerce Committee, Insurance & Banking Subcommittee, Griffitts, Barnaby, Garcia, Salzman, Steele
Consumer Protection

HB 1595 - Plakon, Garcia
Controlled Substances

CS/HB 17 - Criminal Justice Subcommittee, Rudman, Brannan, Salzman, Yarkosky
Expiration of the Mandatory Waiting Period for Firearm Purchases

HB 799 - Robinson, W.
Easements Affecting Real Property Owned by Same Owner

CS/CS/HB 1049 - Judiciary Committee, Regulatory Reform & Economic Development Subcommittee, Hunschofsky, Arrington, Lopez, V., Woodson
Flood Disclosure in the Sale of Real Property

CS/CS/HB 1273 - Commerce Committee, Regulatory Reform & Economic Development Subcommittee, Plasencia, Alvarez, Barnaby
Reciprocity or Endorsement of Licensure

CS/HB 1347 - Commerce Committee, Brackett
Consumer Finance Loans

CS/CS/HB 637 - Commerce Committee, Insurance & Banking Subcommittee, Yeager, Abbott, Alvarez, Anderson, Arrington, Berfield, Caruso, Casello, Daley, Esposito, Gossett-Seidman, Gottlieb, Holcomb, Hunschofsky, Jacques, LaMarca, Massullo, Plakon, Rudman, Salzman, Skidmore, Stark, Steele, Tant, Valdés, Waldron, Woodson
Treatment by a Medical Specialist

CS/CS/CS/HB 267 - Commerce Committee, Local Administration, Federal Affairs & Special Districts Subcommittee, Regulatory Reform & Economic Development Subcommittee, Esposito, Barnaby, Giallombardo, Rizo
Building Regulations

CS/CS/CS/HB 1555 - Commerce Committee, State Administration & Technology Appropriations Subcommittee, Energy, Communications & Cybersecurity Subcommittee, Giallombardo
Cybersecurity

CS/CS/HB 1419 - Commerce Committee, Infrastructure & Tourism Appropriations Subcommittee, Tuck
Department of Commerce

CS/HB 1563 - Judiciary Committee, Grant
Construction Contracting

CS/CS/HB 1611 - Commerce Committee, Insurance & Banking Subcommittee, Stevenson, LaMarca
Insurance

CS/CS/HB 1219 - Health & Human Services Committee, Insurance & Banking Subcommittee, Black
Dental Insurance Claims

CS/CS/CS/HB 1159 - Infrastructure Strategies Committee, Agriculture & Natural Resources Appropriations Subcommittee, Agriculture, Conservation & Resiliency Subcommittee, Roth
Food Recovery

CS/CS/HB 165 - Health & Human Services Committee, Water Quality, Supply & Treatment Subcommittee, Gossett-Seidman, Cross, Amesty, Basabe, Caruso, Daley, Fine, Gonzalez Pittman, Hart, Hinson, LaMarca, Lopez, V., Mooney, Plakon, Skidmore, Snyder, Stark, Tant, Waldron, Yeager
Sampling of Beach Waters and Public Bathing Spaces

CS/HB 1105 - Ways & Means Committee, Caruso
Rescinding a Homestead Exemption Application

CS/HB 1161 - Ways & Means Committee, Arrington, Keen, Daley, Harris, Michael, Stark, Tant, Waldron
Verification of Eligibility for Homestead Exemption

CS/HB 135 - State Affairs Committee, Gossett-Seidman, Caruso, Bankson, Barnaby, Basabe, Bell, Berfield, Canady, Garcia, Plasencia, Stark, Yarkosky
Voter Registration Applications

B. PROCEDURES:

Time allocations apply to all bills listed in Section A and any bill substituted for or taken up in lieu of a listed bill. Amendment sponsors shall have 2 minutes to open and 2 minutes to close, except as outlined below.

Except for the bills listed in Section C, the House shall spend no more than the following times:

- For each bill:
  - Questions and answers - 10 minutes
  - Debate - 5 minutes
- For each amendment:
  - Questions and answers - 5 minutes
  - Debate - 5 minutes

For all bills, along with their associated amendments, the time for questions and answers includes both the question and the answer and shall be no more than the times listed. Neither the question nor the answer shall be protracted in an attempt to use up the time.

Once more than 10 non-bill sponsor amendments are filed, the allocation of time spent on each non-bill sponsor amendment shall be determined as follows:

- 90 minutes divided by the total number of non-sponsor amendments filed.
- The time allocated for each non-bill sponsor amendment shall be divided equally between the open, questions, debate, and close.
- Amendments withdrawn prior to consideration of the bill do not count toward the total.

For the bills listed in Section C, time spent on debate shall be allocated as specified, with the time equally divided. In addition to the allotted time, the sponsor will explain and close the bill, closing not to exceed 10 minutes. After opening, the debate managers shall be alternately recognized until their time runs out. Time not utilized is lost.

- Debate managers may speak in debate and yield time to other Members to debate; no Member may be recognized for debate unless a debate manager yields time to that Member. Recognitions of debate managers must go through the Speaker. A Member may not be recognized more than once in debate on the bill or amendment.

C. TIME ALLOCATIONS FOR SPECIFIED BILLS:

Bill	Time in Questions and Answers	Time in Debate
CS/CS/HB 1349 History and Instruction of Political and Socio-economic Systems	**Bill:** 10 minutes **Amendments:** 5 minutes each	**Bill:** 30 minutes total; 15 minutes per side in 15 minute blocks **Amendments:** 5 minutes each
HB 1451 Identification Documents	**Bill:** 10 minutes **Amendments:** 5 minutes each	**Bill:** 40 minutes total; 20 minutes per side in 10 minute blocks **Amendments:** 5 minutes each
HCR 7055 Equal Application of the Law	**Bill:** 10 minutes **Amendments:** 5 minutes each	**Bill:** 30 minutes total; 15 minutes per side in 15 minute blocks **Amendments:** 5 minutes each
HCR 7057 Line-item Veto	**Bill:** 10 minutes **Amendments:** 5 minutes each	**Bill:** 30 minutes total; 15 minutes per side in 15 minute blocks **Amendments:** 5 minutes each
CS/HB 1421 Independent Hospital Districts	**Bill:** 10 minutes **Amendments:** 5 minutes each	**Bill:** 30 minutes total; 15 minutes per side in 15 minutes blocks **Amendments:** 5 minutes each
CS/HB 17 Expiration of the Mandatory Waiting Period for Firearm Purchases	**Bill:** 20 minutes **Amendments:** 5 minutes each	**Bill:** 40 minutes total; 20 minutes per side in 10 minute blocks **Amendments:** 5 minutes each
CS/CS/CS/HB 267 Building Regulations	**Bill:** 10 minutes **Amendments:** 5 minutes each	**Bill:** 20 minutes total; 10 minutes per side in 10 minute blocks **Amendments:** 5 minutes each

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Daniel Perez, Chair
Rules Committee

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

Bills and Joint Resolutions on Third Reading

CS/HB 405—A bill to be entitled An act relating to regulation of commercial motor vehicles; amending s. 316.302, F.S.; revising federal regulations to which owners and operators of certain commercial motor vehicles are subject; deleting obsolete language; amending s. 322.01, F.S.; revising and providing definitions; amending s. 322.02, F.S.; charging the Department of Highway Safety and Motor Vehicles with the administration and enforcement of certain federal regulations; amending s. 322.05, F.S.; prohibiting the department from issuing a commercial motor vehicle license to a person who is ineligible under certain federal regulations; amending s. 322.07, F.S.; revising circumstances under which the department shall issue a temporary commercial instruction permit; amending s. 322.21, F.S.; applying a reinstatement service fee to a person whose privilege to operate a commercial vehicle has been downgraded; applying a filing fee to a person applying for or seeking to renew, transfer, or make any other change to a commercial driver license or temporary commercial instruction permit; amending s. 322.31, F.S.; requiring that the final orders and rulings of the department wherein a commercial driver license or temporary commercial instruction permit is downgraded be reviewable; creating s. 322.591, F.S.; requiring the department to obtain a person's driving record from the Commercial Driver's License Drug and Alcohol Clearinghouse; prohibiting the department from performing certain actions for a person who is prohibited from operating a commercial motor vehicle under certain federal regulations; requiring the department to downgrade a commercial driver license or temporary commercial instruction permit of a person who is prohibited from operating a commercial motor vehicle under such regulations and to record such downgrade in the Commercial Driver's License Information System; requiring the department to provide to such person certain notification and, upon request, an opportunity for an informal hearing; providing hearing requirements; requiring the department to enter a final order directing the downgrade of the person's commercial driver license or temporary commercial instruction permit under certain circumstances; providing an exception; exempting an informal hearing from certain provisions; authorizing such hearing to be conducted by means of communications technology; requiring the department to dismiss the action to downgrade the person's commercial driver license or temporary commercial instruction permit under certain circumstances; requiring the department to record the disqualification of a person from operating a commercial motor vehicle in the person's driving record upon entry of a final order to downgrade the person's commercial driver license or temporary commercial instruction permit; providing construction; requiring reinstatement of the person's commercial driver license or temporary commercial instruction permit under certain circumstances; limiting liability of the department; specifying that certain provisions are the exclusive procedure for downgrade of a commercial driver license or temporary commercial instruction permit; providing construction; authorizing issuance of a Class E driver license to a person who is prohibited from operating a commercial motor vehicle under certain circumstances; amending ss. 322.34 and 322.61, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 760

Speaker Renner in the Chair.

Yeas—110

Abbott	Clemons	Jacques	Rommel
Altman	Cross	Joseph	Roth
Anderson	Daley	Keen	Rudman
Andrade	Daniels	Killebrew	Salzman
Antone	Driskell	Koster	Shoaf
Arrington	Duggan	LaMarca	Silvers
Baker	Dunkley	Leek	Sirois
Bankson	Edmonds	López, J.	Skidmore
Bartleman	Eskamani	Lopez, V.	Smith
Basabe	Esposito	Maney	Snyder
Bell	Fabricio	Massullo	Stark
Beltran	Fine	McClain	Steele
Benjamin	Franklin	McClure	Stevenson
Berfield	Gantt	Melo	Tant
Black	Garcia	Michael	Temple
Borrero	Garrison	Mooney	Tomkow
Botana	Giallombardo	Overdorf	Trabulsy
Brackett	Gonzalez Pittman	Payne	Tramont
Bracy Davis	Gossett-Seidman	Perez	Truenow
Brannan	Gottlieb	Persons-Mulicka	Tuck
Buchanan	Grant	Plakon	Valdés
Busatta Cabrera	Gregory	Plasencia	Waldron
Campbell	Griffitts	Porras	Williams
Canady	Harris	Rayner	Woodson
Caruso	Hart	Redondo	Yarkosky
Cassel	Hinson	Renner	Yeager
Chamberlin	Holcomb	Roach	
Chaney	Hunschofsky	Robinson, W.	

Nays—None

Votes after roll call:
Yeas—Alvarez, Amesty, Barnaby, Rizo, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 1083—A bill to be entitled An act relating to permanency for children; amending s. 39.01, F.S.; defining the term "visitor"; amending s. 39.0138, F.S.; renaming the "State Automated Child Welfare Information System" as the "Comprehensive Child Welfare Information System"; requiring the Department of Children and Families to conduct a criminal history records check of certain visitors to a home in which a child is placed; defining the term "emergency placement"; requiring the department to conduct a name-based check of criminal history records of certain persons in specified circumstances; requiring certain persons to submit their fingerprints to the department or other specified entities; requiring the department or such entities to submit such fingerprints to the Department of Law Enforcement for state processing within a specified timeframe; requiring the Department of Law Enforcement to forward such fingerprints to the Federal Bureau of Investigation within a specified timeframe; requiring a child to be immediately removed from a home if certain persons fail to provide their fingerprints and are not exempt from a criminal history records check; creating s. 39.5035, F.S.; providing procedures and requirements relating to deceased parents of a dependent child; amending s. 39.522, F.S.; authorizing certain persons to remove a child from a court-ordered placement under certain circumstances; requiring the Department of Children and Families to file a specified motion, and the court to set a hearing, within specified timeframes under certain circumstances; requiring a certain determination by the court to support immediate removal of a child; authorizing the court to base its determination on certain evidence; requiring the court to enter certain orders and conduct certain hearings under certain circumstances; amending s. 39.6221, F.S.; revising a requisite condition for placing a child in a permanent guardianship; amending s. 39.6225, F.S.; revising eligibility for payments under the Guardianship Assistance Program; amending s. 39.801, F.S.; providing that service of process is not necessary under certain circumstances; amending s. 39.812, F.S.; authorizing the court to review the Department of Children and Families' denial of an application to adopt a child; requiring the department to file written notification of its denial with the court and provide copies to certain persons within a specified timeframe; authorizing a denied applicant to file a motion to review such denial within a specified timeframe; requiring the court to hold a hearing within a specified timeframe; providing standing to certain persons; authorizing certain persons to participate in the hearing under certain circumstances; requiring the court to enter an order within a specified timeframe; providing an exception to authorize the department to remove a child from his or her foster home or custodian; amending s. 63.062, F.S.; conforming provisions to changes made by the act; amending s. 63.093, F.S.; requiring an adoptive home study to be updated every 12 months after the date on which the first study was approved; requiring the department to adopt certain rules; amending s. 63.097, F.S.; requiring the court to issue a specified order under certain circumstances; prohibiting certain fees; requiring an adoption entity, beginning on a specified date, to quarterly report certain information to the department; requiring certain information to be itemized by certain categories; providing that confidentiality provisions do not apply to certain information; requiring an adoption entity to redact certain confidential identifying information; requiring the department to quarterly report certain information on its website; requiring the department to adopt rules; amending s. 63.132, F.S.; requiring certain orders to contain a written determination of reasonableness; conforming a provision to changes made by the act; amending s. 63.212, F.S.; providing applicability; requiring a specified statement to be included in certain advertisements; amending s. 409.1451, F.S.; revising the age requirements for receiving postsecondary education services and support; amending s. 409.166, F.S.; revising the age requirements for receiving adoption assistance; amending s. 409.1664, F.S.; providing definitions; providing certain adoption benefits to health care practitioners and tax collector employees; specifying methods for such persons to apply for such benefits; increasing the amount of monetary adoption benefits certain persons are eligible to receive; amending s. 409.167, F.S.; providing requirements for the statewide adoption exchange and its photo listing component and description of children placed on such exchange; authorizing only certain persons to access the statewide adoption exchange; authorizing certain children to make certain requests and requiring them to be consulted on certain decisions; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on passage of **CS/CS/CS/HB 1083**. The vote was:

Session Vote Sequence: 761

Representative Clemons in the Chair.

Yeas—110

Abbott	Chaney	Jacques	Rommel
Altman	Clemons	Joseph	Roth
Amesty	Cross	Keen	Rudman
Anderson	Daley	Killebrew	Salzman
Andrade	Daniels	Koster	Shoaf
Antone	Driskell	LaMarca	Silvers
Arrington	Duggan	Leek	Sirois
Baker	Dunkley	López, J.	Skidmore
Bankson	Edmonds	Lopez, V.	Smith
Bartleman	Eskamani	Maney	Snyder
Basabe	Esposito	Massullo	Stark
Bell	Fabricio	McClain	Steele
Beltran	Fine	McClure	Stevenson
Benjamin	Franklin	Melo	Tant
Berfield	Gantt	Michael	Temple
Black	Garcia	Mooney	Tomkow
Borrero	Garrison	Overdorf	Trabulsy
Botana	Giallombardo	Payne	Tramont
Brackett	Gonzalez Pittman	Perez	Truenow
Bracy Davis	Gossett-Seidman	Persons-Mulicka	Tuck
Brannan	Gottlieb	Plakon	Valdés
Buchanan	Grant	Plasencia	Waldron
Busatta Cabrera	Gregory	Porras	Williams
Campbell	Griffitts	Rayner	Woodson
Canady	Harris	Redondo	Yarkosky
Caruso	Hinson	Renner	Yeager
Cassel	Holcomb	Roach	
Chamberlin	Hunschofsky	Robinson, W.	

Nays—None

Votes after roll call:
Yeas—Alvarez, Barnaby, Rizo, Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1365—A bill to be entitled An act relating to unauthorized public camping and public sleeping; creating s. 125.0231, F.S.; providing definitions; prohibiting counties and municipalities from authorizing or otherwise allowing public camping or sleeping on public property without certification of designated public property by the Department of Children and Families; authorizing counties to designate certain public property for such uses for a specified time period; requiring the department to certify such designation; requiring counties to establish specified standards and procedures relating to such property; authorizing the department to inspect such property; authorizing the Secretary of Children and Families to provide certain notice to counties; providing applicability; providing an exception to applicability during specified emergencies; providing a declaration of important state interest; providing applicability; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 762

Representative Clemons in the Chair.

Yeas—82

Abbott	Chamberlin	Leek	Rommel
Altman	Chaney	Lopez, V.	Roth
Alvarez	Clemons	Maney	Rudman
Amesty	Duggan	Massullo	Salzman
Anderson	Esposito	McClain	Shoaf
Andrade	Fabricio	McClure	Sirois
Baker	Fine	Melo	Smith
Bankson	Garcia	Michael	Snyder
Basabe	Garrison	Mooney	Stark
Bell	Giallombardo	Overdorf	Steele
Beltran	Gonzalez Pittman	Payne	Stevenson
Berfield	Gossett-Seidman	Perez	Temple
Black	Grant	Persons-Mulicka	Tomkow
Borrero	Gregory	Plakon	Trabulsy
Botana	Griffitts	Plasencia	Tramont
Brackett	Hinson	Porras	Truenow
Brannan	Holcomb	Redondo	Tuck
Buchanan	Jacques	Renner	Yarkosky
Busatta Cabrera	Killebrew	Rizo	Yeager
Canady	Koster	Roach	
Caruso	LaMarca	Robinson, W.	

Nays—26

Antone	Cross	Hunschofsky	Tant
Arrington	Driskell	Joseph	Valdés
Bartleman	Edmonds	Keen	Waldron
Benjamin	Eskamani	López, J.	Williams
Bracy Davis	Gantt	Rayner	Woodson
Campbell	Gottlieb	Silvers	
Cassel	Harris	Skidmore	

Votes after roll call:
Yeas—Barnaby
Nays—Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

Consideration of **CS/HB 1561** was temporarily postponed.

Consideration of **CS/CS/HB 449** was temporarily postponed.

CS/CS/HB 621—A bill to be entitled An act relating to property rights; creating s. 82.036, F.S.; providing legislative findings; authorizing property owners or their authorized agents to request assistance from the sheriff from where the property is located for the immediate removal of unauthorized occupants from a residential dwelling under certain conditions; requiring such owners or agents to submit a specified completed and verified complaint; specifying requirements for the complaint; providing requirements for the sheriff; authorizing a sheriff to arrest an unauthorized occupant for legal cause; providing that sheriffs are entitled to a specified fee for service of such notice; authorizing the owner or agent to request that the sheriff stand by while the owner or agent takes possession of the property; authorizing the sheriff to charge a reasonable hourly rate; providing that the sheriff is not liable to any party for loss, destruction, or damage; providing that the property owner or agent is not liable to any party for the loss or destruction of, or damage to, personal property unless it was wrongfully removed; providing civil remedies; providing construction; amending s. 806.13, F.S.; prohibiting unlawfully detaining, or occupying or trespassing upon, a residential dwelling intentionally and causing a specified amount of damage; providing criminal penalties; amending s. 817.03, F.S.; providing criminal penalties for any person who knowingly and willfully presents a false document purporting to be a valid lease agreement, deed, or other instrument conveying real property rights; creating s. 817.0311, F.S.; prohibiting listing or advertising for sale, or renting or leasing, residential real property under certain circumstances; providing criminal penalties; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 763

Representative Clemons in the Chair.

Yeas—108

Abbott	Chamberlin	Jacques	Robinson, W.
Altman	Chaney	Joseph	Rommel
Alvarez	Clemons	Keen	Roth
Amesty	Cross	Killebrew	Rudman
Anderson	Daniels	Koster	Salzman
Andrade	Driskell	LaMarca	Shoaf
Antone	Duggan	Leek	Silvers
Arrington	Dunkley	López, J.	Sirois
Baker	Edmonds	Lopez, V.	Skidmore
Bankson	Eskamani	Maney	Smith
Bartleman	Esposito	Massullo	Snyder
Basabe	Fabricio	McClain	Stark
Bell	Fine	McClure	Steele
Beltran	Gantt	Melo	Stevenson
Benjamin	Garcia	Michael	Tant
Berfield	Garrison	Mooney	Temple
Black	Giallombardo	Overdorf	Tomkow
Borrero	Gonzalez Pittman	Payne	Trabulsy
Botana	Gossett-Seidman	Perez	Tramont
Brackett	Gottlieb	Persons-Mulicka	Truenow
Bracy Davis	Grant	Plakon	Tuck
Brannan	Gregory	Porras	Valdés
Buchanan	Griffitts	Rayner	Waldron
Busatta Cabrera	Harris	Redondo	Williams
Canady	Hinson	Renner	Woodson
Caruso	Holcomb	Rizo	Yarkosky
Cassel	Hunschofsky	Roach	Yeager

Nays—None

Votes after roll call:
Yeas—Barnaby, Plasencia, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/HB 761—A bill to be entitled An act relating to interpersonal violence injunction petitions; amending ss. 741.30, 784.046, and 784.0485, F.S.; revising verification requirements for specified interpersonal violence injunction petitions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 764

Representative Clemons in the Chair.

Yeas—110

Abbott	Chamberlin	Joseph	Rommel
Altman	Chaney	Keen	Roth
Alvarez	Clemons	Killebrew	Rudman
Amesty	Cross	Koster	Salzman
Anderson	Daniels	LaMarca	Shoaf
Andrade	Driskell	Leek	Silvers
Antone	Duggan	López, J.	Sirois
Arrington	Dunkley	Lopez, V.	Skidmore
Baker	Edmonds	Maney	Smith
Bankson	Eskamani	Massullo	Snyder
Bartleman	Esposito	McClain	Stark
Basabe	Fabricio	McClure	Steele
Bell	Fine	Melo	Stevenson
Beltran	Gantt	Michael	Tant
Benjamin	Garcia	Mooney	Temple
Berfield	Garrison	Overdorf	Tomkow
Black	Giallombardo	Payne	Trabulsy
Borrero	Gonzalez Pittman	Perez	Tramont
Botana	Gossett-Seidman	Persons-Mulicka	Truenow
Brackett	Gottlieb	Plakon	Tuck
Bracy Davis	Grant	Plasencia	Valdés
Brannan	Gregory	Porras	Waldron
Buchanan	Griffitts	Rayner	Williams
Busatta Cabrera	Harris	Redondo	Woodson
Campbell	Hinson	Renner	Yarkosky
Canady	Holcomb	Rizo	Yeager
Caruso	Hunschofsky	Roach	
Cassel	Jacques	Robinson, W.	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

HB 1223—A bill to be entitled An act relating to minimum age for firearm purchase or transfer; amending s. 790.065, F.S.; reducing the minimum age at which a person may purchase a firearm and the age of purchasers to which specified licensees are prohibited from selling or transferring a firearm; repealing an exception; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 765

Representative Clemons in the Chair.

Yeas—76

Abbott	Canady	Leek	Robinson, W.
Altman	Caruso	Maney	Rommel
Alvarez	Chamberlin	Massullo	Roth
Amesty	Clemons	McClain	Rudman
Anderson	Duggan	McClure	Salzman
Andrade	Esposito	Melo	Shoaf
Baker	Fabricio	Michael	Sirois
Bankson	Fine	Mooney	Smith
Basabe	Garcia	Overdorf	Snyder
Bell	Garrison	Payne	Stark
Beltran	Giallombardo	Perez	Steele
Berfield	Gonzalez Pittman	Persons-Mulicka	Temple
Black	Gossett-Seidman	Plakon	Tomkow
Borrero	Grant	Plasencia	Trabulsy
Botana	Gregory	Porras	Tramont
Brackett	Griffitts	Redondo	Truenow
Brannan	Holcomb	Renner	Tuck
Buchanan	Jacques	Rizo	Yarkosky
Busatta Cabrera	Killebrew	Roach	Yeager

Nays—35

Antone	Chaney	Eskamani	Joseph
Arrington	Cross	Franklin	Keen
Bartleman	Daley	Gantt	LaMarca
Benjamin	Daniels	Gottlieb	López, J.
Bracy Davis	Driskell	Harris	Lopez, V.
Campbell	Dunkley	Hinson	Rayner
Cassel	Edmonds	Hunschofsky	Silvers
Skidmore	Tant	Waldron	Woodson
Stevenson	Valdés	Williams	

Votes after roll call:
Yeas—Barnaby
Nays—Koster, Robinson, F.

So the bill passed and was immediately certified to the Senate.

HB 1615—A bill to be entitled An act relating to restrictions on firearms and ammunition during emergencies; repealing s. 870.044, F.S., relating to specified automatic restrictions on firearms and ammunition during certain declared emergencies; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 766

Representative Clemons in the Chair.

Yeas—86

Abbott	Cassel	Leek	Rommel
Altman	Chamberlin	López, J.	Roth
Alvarez	Chaney	Lopez, V.	Rudman
Amesty	Clemons	Maney	Salzman
Anderson	Duggan	Massullo	Shoaf
Andrade	Edmonds	McClain	Sirois
Baker	Esposito	McClure	Smith
Bankson	Fabricio	Melo	Snyder
Basabe	Fine	Michael	Stark
Bell	Garcia	Mooney	Steele
Beltran	Garrison	Overdorf	Stevenson
Benjamin	Giallombardo	Payne	Temple
Berfield	Gonzalez Pittman	Perez	Tomkow
Black	Gossett-Seidman	Persons-Mulicka	Trabulsy
Borrero	Grant	Plakon	Tramont
Botana	Gregory	Plasencia	Truenow
Brackett	Griffitts	Porras	Tuck
Brannan	Holcomb	Redondo	Waldron
Buchanan	Jacques	Renner	Yarkosky
Busatta Cabrera	Killebrew	Rizo	Yeager
Canady	Koster	Roach	
Caruso	LaMarca	Robinson, W.	

Nays—23

Antone	Daley	Gantt	Skidmore
Arrington	Daniels	Gottlieb	Tant
Bartleman	Driskell	Harris	Valdés
Bracy Davis	Dunkley	Hinson	Williams
Campbell	Eskamani	Rayner	Woodson
Cross	Franklin	Silvers	

Votes after roll call:
Yeas—Barnaby
Nays—Hunschofsky, Keen, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1077—A bill to be entitled An act relating to clerks of court; amending s. 27.52, F.S.; revising the fund into which moneys recovered by certain state attorneys must be remitted; amending s. 27.54, F.S.; revising the fund into which certain payments received must be remitted as related to public defenders or regional counsels; amending s. 27.703, F.S.; revising the entity that funds the capital collateral regional counsel; amending s. 28.35, F.S.; revising the list of court-related functions that clerks may fund from filing fees, service charges, court costs, and fines; amending s. 34.041, F.S.; revising the fund into which certain filing fees are to be deposited; amending 57.082, F.S.; conforming provisions to changes made by the act; amending s. 110.112, F.S.; removing a provision requiring each state attorney to publish an annual report addressing results of his or her affirmative action program; amending s. 142.01, F.S.; authorizing clerks of the circuit court to invest specified funds in an interest-bearing account; requiring that interest earned in the fine and forfeiture fund be deposited in the Public Records Modernization Trust Fund and used exclusively for certain operations and

enhancements; amending s. 186.003, F.S.; revising the definition of "state agency" for certain purposes; amending s. 318.18, F.S.; revising the distribution of certain administrative fees; creating s. 322.76, F.S.; creating the Clerk of the Court Driver License Reinstatement Pilot Program; authorizing the Clerk of the Circuit Court for Miami-Dade County to reinstate or provide an affidavit to the department to reinstate certain suspended driver licenses; establishing requirements for the clerk under the program to be performed by a date certain; providing for expiration of the program; amending s. 501.2101, F.S.; revising the funds into which certain moneys received by state attorneys must be deposited; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 767

Representative Clemons in the Chair.

Yeas—111

Abbott	Chamberlin	Hunschofsky	Robinson, W.
Altman	Chaney	Jacques	Rommel
Alvarez	Clemons	Keen	Roth
Amesty	Cross	Killebrew	Rudman
Anderson	Daley	Koster	Salzman
Andrade	Daniels	LaMarca	Shoaf
Antone	Driskell	Leek	Silvers
Arrington	Duggan	López, J.	Sirois
Baker	Dunkley	Lopez, V.	Skidmore
Bankson	Edmonds	Maney	Smith
Bartleman	Eskamani	Massullo	Snyder
Basabe	Esposito	McClain	Stark
Bell	Fabricio	McClure	Steele
Beltran	Fine	Melo	Stevenson
Benjamin	Franklin	Michael	Tant
Berfield	Gantt	Mooney	Temple
Black	Garcia	Overdorf	Tomkow
Borrero	Garrison	Payne	Trabulsy
Botana	Giallombardo	Perez	Tramont
Brackett	Gonzalez Pittman	Persons-Mulicka	Truenow
Bracy Davis	Gossett-Seidman	Plakon	Tuck
Brannan	Gottlieb	Plasencia	Valdés
Buchanan	Grant	Porras	Waldron
Busatta Cabrera	Gregory	Rayner	Williams
Campbell	Griffitts	Redondo	Woodson
Canady	Harris	Renner	Yarkosky
Caruso	Hinson	Rizo	Yeager
Cassel	Holcomb	Roach	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 1545—A bill to be entitled An act relating to child exploitation offenses; amending s. 921.0022, F.S.; revising the ranking of specified child exploitation offenses for purposes of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 768

Representative Clemons in the Chair.

Yeas—112

Abbott	Arrington	Benjamin	Brannan
Altman	Baker	Berfield	Buchanan
Alvarez	Bankson	Black	Busatta Cabrera
Amesty	Bartleman	Borrero	Campbell
Anderson	Basabe	Botana	Canady
Andrade	Bell	Brackett	Caruso
Antone	Beltran	Bracy Davis	Cassel
Chamberlin	Gottlieb	Melo	Silvers
Chaney	Grant	Michael	Sirois
Clemons	Gregory	Mooney	Skidmore
Cross	Griffitts	Overdorf	Smith
Daley	Harris	Payne	Snyder
Daniels	Hinson	Perez	Stark
Driskell	Holcomb	Persons-Mulicka	Steele
Duggan	Hunschofsky	Plakon	Stevenson
Dunkley	Jacques	Plasencia	Tant
Edmonds	Joseph	Porras	Temple
Eskamani	Keen	Rayner	Tomkow
Esposito	Killebrew	Redondo	Trabulsy
Fabricio	Koster	Renner	Tramont
Fine	LaMarca	Rizo	Truenow
Franklin	Leek	Roach	Tuck
Gantt	López, J.	Robinson, W.	Valdés
Garcia	Lopez, V.	Rommel	Waldron
Garrison	Maney	Roth	Williams
Giallombardo	Massullo	Rudman	Woodson
Gonzalez Pittman	McClain	Salzman	Yarkosky
Gossett-Seidman	McClure	Shoaf	Yeager

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/HB 1653—A bill to be entitled An act relating to duties and prohibited acts associated with death; amending s. 406.12, F.S.; authorizing a report regarding specified deaths and circumstances to be made to a law enforcement agency in addition to the medical examiner; increasing the criminal penalty for failing or refusing to report a death or for refusing to make available certain information with the intent to conceal the death or alter the evidence and circumstances surrounding the death; increasing the criminal penalty for willfully touching, removing, or disturbing a body without an order from the office of the district medical examiner with the intent to conceal the death or alter the evidence and circumstances surrounding the death; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 769

Representative Clemons in the Chair.

Yeas—112

Abbott	Chamberlin	Hunschofsky	Roach
Altman	Chaney	Jacques	Robinson, W.
Alvarez	Clemons	Joseph	Rommel
Amesty	Cross	Keen	Roth
Anderson	Daley	Killebrew	Rudman
Andrade	Daniels	Koster	Salzman
Antone	Driskell	LaMarca	Shoaf
Arrington	Duggan	Leek	Silvers
Baker	Dunkley	López, J.	Sirois
Bankson	Edmonds	Lopez, V.	Skidmore
Bartleman	Eskamani	Maney	Smith
Basabe	Esposito	Massullo	Snyder
Bell	Fabricio	McClain	Stark
Beltran	Fine	McClure	Steele
Benjamin	Franklin	Melo	Stevenson
Berfield	Gantt	Michael	Tant
Black	Garcia	Mooney	Temple
Borrero	Garrison	Overdorf	Tomkow
Botana	Giallombardo	Payne	Trabulsy
Brackett	Gonzalez Pittman	Perez	Tramont
Bracy Davis	Gossett-Seidman	Persons-Mulicka	Truenow
Brannan	Gottlieb	Plakon	Tuck
Buchanan	Grant	Plasencia	Valdés
Busatta Cabrera	Gregory	Porras	Waldron
Campbell	Griffitts	Rayner	Williams
Canady	Harris	Redondo	Woodson
Caruso	Hinson	Renner	Yarkosky
Cassel	Holcomb	Rizo	Yeager

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/HB 1291—A bill to be entitled An act relating to educator preparation programs; amending ss. 1004.04, 1004.85, 1012.56, and 1012.562, F.S.; prohibiting the courses and curriculum of teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs from distorting certain events and including certain curriculum and instruction; requiring teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs to afford candidates certain opportunities; providing an effective date.

—was read the third time by title.

REPRESENTATIVE MCCLURE IN THE CHAIR

The question recurred on passage of **CS/HB 1291**. The vote was:

Session Vote Sequence: 770

Representative McClure in the Chair.

Yeas—81

Abbott	Chamberlin	Lopez, V.	Roth
Altman	Chaney	Maney	Rudman
Alvarez	Clemons	Massullo	Salzman
Amesty	Duggan	McClain	Shoaf
Anderson	Esposito	McClure	Sirois
Andrade	Fabricio	Melo	Smith
Baker	Fine	Michael	Snyder
Bankson	Garcia	Mooney	Stark
Basabe	Garrison	Overdorf	Steele
Bell	Giallombardo	Payne	Stevenson
Beltran	Gonzalez Pittman	Perez	Temple
Berfield	Gossett-Seidman	Persons-Mulicka	Tomkow
Black	Grant	Plakon	Trabulsy
Borrero	Gregory	Plasencia	Tramont
Botana	Griffitts	Porras	Truenow
Brackett	Holcomb	Redondo	Tuck
Brannan	Jacques	Renner	Yarkosky
Buchanan	Killebrew	Rizo	Yeager
Busatta Cabrera	Koster	Roach	
Canady	LaMarca	Robinson, W.	
Caruso	Leek	Rommel	

Nays—31

Antone	Daley	Gottlieb	Silvers
Arrington	Daniels	Harris	Skidmore
Bartleman	Driskell	Hinson	Tant
Benjamin	Dunkley	Hunschofsky	Valdés
Bracy Davis	Edmonds	Joseph	Waldron
Campbell	Eskamani	Keen	Williams
Cassel	Franklin	López, J.	Woodson
Cross	Gantt	Rayner	

Votes after roll call:
Yeas—Barnaby
Nays—Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/HB 141—A bill to be entitled An act relating to economic development; amending s. 288.018, F.S.; removing the requirement that certain grants received by a regional economic development organization must be matched in a certain manner; removing a provision requiring a certain consideration; removing certain demonstration requirements of program applicants; amending s. 288.8013, F.S.; removing the requirement that certain interest be deposited in a specified manner; providing that specified earnings may be retained and used to make specified awards or for administrative costs; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 771

Representative McClure in the Chair.

Yeas—112

Abbott	Chamberlin	Hunschofsky	Roach
Altman	Chaney	Jacques	Robinson, W.
Alvarez	Clemons	Joseph	Rommel
Amesty	Cross	Keen	Roth
Anderson	Daley	Killebrew	Rudman
Andrade	Daniels	Koster	Salzman
Antone	Driskell	LaMarca	Shoaf
Arrington	Duggan	Leek	Silvers
Baker	Dunkley	López, J.	Sirois
Bankson	Edmonds	Lopez, V.	Skidmore
Bartleman	Eskamani	Maney	Smith
Basabe	Esposito	Massullo	Snyder
Bell	Fabricio	McClain	Stark
Beltran	Fine	McClure	Steele
Benjamin	Franklin	Melo	Stevenson
Berfield	Gantt	Michael	Tant
Black	Garcia	Mooney	Temple
Borrero	Garrison	Overdorf	Tomkow
Botana	Giallombardo	Payne	Trabulsy
Brackett	Gonzalez Pittman	Perez	Tramont
Bracy Davis	Gossett-Seidman	Persons-Mulicka	Truenow
Brannan	Gottlieb	Plakon	Tuck
Buchanan	Grant	Plasencia	Valdés
Busatta Cabrera	Gregory	Porras	Waldron
Campbell	Griffitts	Rayner	Williams
Canady	Harris	Redondo	Woodson
Caruso	Hinson	Renner	Yarkosky
Cassel	Holcomb	Rizo	Yeager

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

SB 364—A bill to be entitled An act relating to regulatory assessment fees; amending s. 120.80, F.S.; exempting certain rules adopted by the Florida Public Service Commission relating to regulatory assessment fees from the requirement of legislative ratification; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 772

Representative McClure in the Chair.

Yeas—111

Abbott	Campbell	Gonzalez Pittman	Melo
Altman	Canady	Gossett-Seidman	Michael
Alvarez	Caruso	Gottlieb	Mooney
Amesty	Cassel	Grant	Overdorf
Anderson	Chamberlin	Gregory	Payne
Andrade	Chaney	Griffitts	Perez
Antone	Clemons	Harris	Persons-Mulicka
Arrington	Cross	Hinson	Plakon
Baker	Daley	Holcomb	Plasencia
Bankson	Daniels	Hunschofsky	Porras
Bartleman	Driskell	Jacques	Rayner
Basabe	Duggan	Joseph	Redondo
Beltran	Dunkley	Keen	Renner
Benjamin	Edmonds	Killebrew	Rizo
Berfield	Eskamani	Koster	Roach
Black	Esposito	LaMarca	Robinson, W.
Borrero	Fabricio	Leek	Rommel
Botana	Fine	López, J.	Roth
Brackett	Franklin	Lopez, V.	Rudman
Bracy Davis	Gantt	Maney	Salzman
Brannan	Garcia	Massullo	Shoaf
Buchanan	Garrison	McClain	Silvers
Busatta Cabrera	Giallombardo	McClure	Sirois

Skidmore	Stevenson	Tramont	Williams
Smith	Tant	Truenow	Woodson
Snyder	Temple	Tuck	Yarkosky
Stark	Tomkow	Valdés	Yeager
Steele	Trabulsy	Waldron	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 433—A bill to be entitled An act relating to employment regulations; amending s. 218.077, F.S.; prohibiting political subdivisions from maintaining a minimum wage other than a state or federal minimum wage; prohibiting political subdivisions from controlling, affecting, or awarding preferences based on the wages or employment benefits of entities doing business with the political subdivision; revising applicability; creating s. 448.077, F.S.; preempting the regulation of the terms and conditions of employment to the state; providing that, unless expressly authorized, an ordinance, an order, a rule, or a policy that exceeds or conflicts with state or federal law relating to a term or condition of employment is void and unenforceable; providing an exception; creating s. 448.106, F.S.; providing definitions; preempting the regulation of heat exposure requirements in the workplace to the state; providing that certain local laws, ordinances, resolutions, regulations, rules, codes, policies, and amendments are void and prohibited; requiring the Department of Commerce to adopt rules relating to workplace heat exposure requirements if the Occupational Safety and Health Administration has not done so by a date certain; providing requirements for such rules; prohibiting local governments from mandating or imposing certain requirements or seeking information from certain persons relating to certain requirements; providing construction and applicability; providing an effective date.

—was read the third time by title.

REPRESENTATIVE SIROIS IN THE CHAIR

The question recurred on passage of **CS/CS/HB 433**. The vote was:

Session Vote Sequence: 773

Representative Sirois in the Chair.

Yeas—79

Abbott	Chamberlin	Leek	Rommel
Altman	Chaney	Maney	Roth
Alvarez	Clemons	Massullo	Rudman
Amesty	Duggan	McClain	Salzman
Anderson	Esposito	McClure	Shoaf
Andrade	Fabricio	Melo	Sirois
Baker	Fine	Michael	Smith
Bankson	Garcia	Mooney	Snyder
Basabe	Garrison	Overdorf	Stark
Bell	Giallombardo	Payne	Steele
Berfield	Gonzalez Pittman	Perez	Stevenson
Black	Gossett-Seidman	Persons-Mulicka	Temple
Borrero	Grant	Plakon	Tomkow
Botana	Gregory	Plasencia	Trabulsy
Brackett	Griffitts	Porras	Tramont
Brannan	Holcomb	Redondo	Truenow
Buchanan	Jacques	Renner	Tuck
Busatta Cabrera	Killebrew	Rizo	Yarkosky
Canady	Koster	Roach	Yeager
Caruso	LaMarca	Robinson, W.	

Nays—33

Antone	Bracy Davis	Daniels	Franklin
Arrington	Campbell	Driskell	Gantt
Bartleman	Cassel	Dunkley	Gottlieb
Beltran	Cross	Edmonds	Harris
Benjamin	Daley	Eskamani	Hinson
Hunschofsky	Lopez, V.	Tant	Woodson
Joseph	Rayner	Valdés	
Keen	Silvers	Waldron	
López, J.	Skidmore	Williams	

Votes after roll call:
Yeas—Barnaby
Nays—Robinson, F.

Explanation of Vote for Sequence Number 773

I vote no only because of the provisions that preempt local regulations intended to prevent workers from heat exhaustion. Due to Florida's unusually hot climate, the variation thereof throughout the state, and the diverse economy, I believe that local regulation may be appropriate. Weather, working conditions, and the nature of work performed vary considerably throughout the state. Regulations promulgated in Washington or Tallahassee are less likely to be appropriate than in almost any other area of regulation. If there is to be anything left of subsidiarity, it is here. I otherwise agree with the legislation.

Rep. Mike Beltran
District 70

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 473—A bill to be entitled An act relating to cybersecurity incident liability; creating s. 768.401, F.S.; providing definitions; providing that a county, municipality, other political subdivision of the state, covered entity, or third-party agent that complies with certain requirements is not liable in connection with a cybersecurity incident; requiring covered entities and third-party agents to adopt revised frameworks, standards, laws, or regulations within a specified time period; providing that a private cause of action is not established; providing that certain failures are not evidence of negligence and do not constitute negligence per se; specifying that the defendant in certain actions has a certain burden of proof; providing applicability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 774

Representative Sirois in the Chair.

Yeas—81

Abbott	Chamberlin	Lopez, V.	Roth
Altman	Chaney	Maney	Rudman
Alvarez	Clemons	Massullo	Shoaf
Amesty	Duggan	McClain	Sirois
Anderson	Esposito	McClure	Smith
Andrade	Fabricio	Melo	Snyder
Baker	Fine	Michael	Stark
Bankson	Garcia	Mooney	Steele
Basabe	Garrison	Overdorf	Stevenson
Bell	Giallombardo	Payne	Tant
Beltran	Gonzalez Pittman	Perez	Temple
Berfield	Gossett-Seidman	Persons-Mulicka	Tomkow
Black	Grant	Plakon	Trabulsy
Borrero	Gregory	Plasencia	Tramont
Botana	Griffitts	Porras	Truenow
Brackett	Holcomb	Redondo	Tuck
Brannan	Jacques	Renner	Yarkosky
Buchanan	Killebrew	Rizo	Yeager
Busatta Cabrera	Koster	Roach	
Canady	LaMarca	Robinson, W.	
Caruso	Leek	Rommel	

Nays—28

Antone	Cassel	Eskamani	Joseph
Arrington	Cross	Franklin	Keen
Bartleman	Daniels	Gantt	López, J.
Benjamin	Driskell	Gottlieb	Rayner
Bracy Davis	Dunkley	Harris	Silvers
Campbell	Edmonds	Hunschofsky	Skidmore

Valdés Waldron Williams Woodson

Votes after roll call:
Yeas—Barnaby
Nays—Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 989—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 17.69, F.S.; creating the Federal Tax Liaison position within the Department of Financial Services; providing the duties and authority of the liaison; amending s. 20.121, F.S.; renaming a division in the department; removing provisions relating to duties of such division and to bureaus and offices in such division; removing a division; amending s. 112.1816, F.S.; providing that, upon a diagnosis of cancer, firefighters are entitled to certain benefits under specified circumstances; amending s. 121.0515, F.S.; revising requirements for the Special Risk Class membership; amending s. 280.051, F.S.; providing additional grounds for qualified public depositories to be suspended and disqualified; amending s. 280.054, F.S.; providing additional acts deemed knowing and willful violations by qualified public depositories which are subject to certain penalties; amending s. 284.44, F.S.; removing provisions relating to certain quarterly reports prepared by the Division of Risk Management; amending s. 440.13, F.S.; providing the reimbursement schedule requirements for emergency services and care under workers' compensation under certain circumstances; providing rulemaking authority; amending s. 440.385, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Self-Insurers Guaranty Association, Incorporated; providing duties of the department and the association relating to such contracts and purchases; providing exemptions; amending s. 497.101, F.S.; revising the requirements for appointing and nominating members of the Board of Funeral, Cemetery, and Consumer Services; revising the members' terms; revising the authority to remove board members; providing for vacancy appointments; providing that board members are subject to the code of ethics; providing requirements for board members' conduct; prohibiting certain acts by the board; providing penalties; providing requirements for board meetings, books, and records; requiring notices of board meetings; providing requirements for such notices; amending s. 497.153, F.S.; authorizing services by electronic mail of administrative complaints against certain licensees under certain circumstances; amending s. 497.155, F.S.; authorizing services of citations by electronic mail under certain circumstances; amending s. 497.172, F.S.; revising circumstances under which the department may disclose certain information that is confidential and exempt from public records requirements; amending s. 497.386, F.S.; authorizing the department to enter and secure certain establishments, facilities, and morgues and remove certain remains under specified circumstances; requiring the department to make certain determinations; prohibiting certain licensees and facilities from being held liable under certain circumstances; providing penalties; creating s. 497.469, F.S.; authorizing preneed licensees to withdraw certain amounts of money under certain circumstances; providing documents that show that a preneed contract has been fulfilled; providing recordkeeping requirements; amending s. 624.307, F.S.; requiring eligible surplus lines insurers to respond to the department or the Office of Insurance Regulation after receipt of requests for documents and information concerning consumer complaints; providing penalties for failure to comply; requiring authorized insurers and eligible surplus lines insurers to file e-mail addresses with the department and to designate contact persons for specified purposes; authorizing changes of designated contact information; amending s. 626.171, F.S.; requiring the department to make provisions for certain insurance license applicants to submit cellular telephone numbers for a specified purpose; amending s. 626.221, F.S.; providing a qualification for all-lines adjuster licenses; amending s. 626.601, F.S.; revising construction; amending s. 626.7351, F.S.; providing a qualification for customer representative's licenses; amending s. 626.878, F.S.; providing duties and prohibited acts for adjusters; amending s. 626.929, F.S.; specifying that licensed and appointed general lines agents, rather than general lines agents, may engage in certain activities while also licensed and appointed as surplus lines agents; authorizing general lines agents that are also licensed as surplus lines agents to make certain appointments; authorizing such agents to originate specified businesses and accept specified businesses; prohibiting such agents from being appointed by or transacting certain insurance on behalf of specified insurers; amending s. 627.351, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Joint Underwriting Association; providing duties of the department and the association associated with such contracts and purchases; amending s. 631.59, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Insurance Guaranty Association, Incorporated; providing duties of the department and the association associated with such contracts and purchases; providing nonapplicability; amending ss. 631.722, 631.821, and 631.921, F.S.; providing requirements for certain contracts entered into and purchases made by the Florida Life and Health Insurance Guaranty Association, the board of directors of the Florida Health Maintenance Organization Consumer Assistance Plan, and the board of directors of the Florida Workers' Compensation Insurance Guaranty Association, respectively; providing duties of the department and of the association and boards associated with such contracts and purchases; amending s. 633.124, F.S.; updating the edition of a manual for the use of pyrotechnics; amending s. 633.202, F.S.; revising the duties of the State Fire Marshal; amending s. 633.206, F.S.; revising the requirements for uniform firesafety standards established by the department; amending s. 634.041, F.S.; specifying the conditions under which service agreement companies do not have to establish and maintain unearned premium reserves; amending s. 634.081, F.S.; specifying the conditions under which service agreement companies' licenses are not suspended or revoked under certain circumstances; amending s. 634.3077, F.S.; specifying requirements for certain contractual liability insurance obtained by home warranty associations; providing that such associations are not required to establish unearned premium reserves or maintain contractual liability insurance; authorizing such associations to allow their premiums to exceed certain limitations under certain circumstances; amending s. 634.317, F.S.; providing that certain entities, employees, and agents are exempt from sales representative licenses and appointments under certain circumstances; amending s. 648.25, F.S.; providing definitions; amending s. 648.26, F.S.; revising the types of investigatory records of the department which are confidential and exempt from public records requirements; revising the circumstances under which investigatory records are confidential and exempt from public records requirements; revising construction; amending s. 648.30, F.S.; revising circumstances under which a person or entity may act in the capacity of a bail bond agent or bail bond agency and perform certain functions, duties, and powers; amending s. 648.355, F.S.; revising the requirements for limited surety agents and professional bail bond agent license applications; creating s. 655.49, F.S.; authorizing the Office of Financial Regulation to receive complaints from a customer or member who reasonably believes that a financial institution has acted in bad faith in terminating, suspending, or taking similar action restricting access to such customer's or member's account; providing a time limit for a customer or member to file a complaint; providing nonapplicability; providing duties of the office upon receipt of a customer's or member's complaint; providing duties of a financial institution upon receipt of notification that a complaint has been filed; providing violations and penalties; providing that certain actions or certain failure of financial institutions to cooperate in specified investigations constitute violations of the Florida Deceptive and Unfair Trade Practices Act; providing that violations are enforced only by the enforcing authority; providing attorney fees and costs; requiring the office to provide certain reports and information to specified entities under certain circumstances; providing that the financial institutions' customers and members have a cause of action under certain circumstances; authorizing such customers and members to recover damages, together with costs and attorney fees; providing a time limit for initiating causes of action; requiring the office to make available information necessary for filing complaints on its website; amending s. 717.101, F.S.; providing and revising definitions; amending s. 717.102, F.S.; providing a rebuttal to a presumption of unclaimed property; providing requirements for such rebuttal; providing circumstances under which a property is presumed unclaimed; providing construction; amending s. 717.106, F.S.; conforming a cross-reference;

creating s. 717.1065, F.S.; providing circumstances under which virtual currency held or owing by banking organizations are not presumed unclaimed; prohibiting virtual currency holders from deducting certain charges from amounts of specified virtual currency under certain circumstances; providing an exception; amending s. 717.1101, F.S.; revising the date on which stocks and other equity interests in business associations are presumed unclaimed; amending s. 717.112, F.S.; providing that certain intangible property held by attorneys in fact and by agents in a fiduciary capacity are presumed unclaimed under certain circumstances; revising the requirements for claiming such property; providing construction; amending s. 717.1125, F.S.; providing construction; amending s. 717.117, F.S.; removing the paper option for reports by holders of unclaimed funds and property; revising the requirements for reporting the owners of unclaimed property and funds; authorizing the department to extend reporting dates under certain circumstances; revising the circumstances under which the department may impose and collect penalties; requiring holders of inactive accounts to notify apparent owners; revising the manner of sending such notices; providing requirements for such notices; amending s. 717.119, F.S.; requiring certain virtual currency to be remitted to the department; providing requirements for the liquidation of such virtual currency; providing that holders of such virtual currency are relieved of all liability upon delivery of the virtual currency to the department; prohibiting holders from assigning or transferring certain obligations or from complying with certain provisions; providing that certain entities are responsible for meeting holders' obligations and complying with certain provisions under certain circumstances; providing construction; amending s. 717.1201, F.S.; providing that the state assumes custody and responsibility for the safekeeping of unclaimed property upon good faith payments or deliveries of property to the department; providing that the department relieves holders of certain liability under specified circumstances; providing construction; requiring the department to defend holders against certain claims and indemnify holders against certain liability under specified circumstances; revising circumstances under which payments or deliveries of unclaimed property are considered to be made in good faith; authorizing the department to refund and redeliver certain money and property under certain circumstances; amending s. 727.1242, F.S.; revising legislative intent; amending s. 717.1243, F.S.; revising applicability of certain provisions relating to unclaimed small estate accounts; amending s. 717.129, F.S.; revising the prohibition of department enforcement relating to duties of holders of unclaimed funds and property; revising the tolling for the periods of limitation relating to duties of holders of unclaimed funds and property; amending s. 717.1301, F.S.; revising the department's authorities on the disposition of unclaimed funds and property for specified purposes; prohibiting certain materials from being disclosed or made public under certain circumstances; revising the basis for the department's cost assessment against holders of unclaimed funds and property; amending s. 717.1311, F.S.; revising the recordkeeping requirements for funds and property holders; amending s. 717.1322, F.S.; revising acts that are violations of specified provisions and constitute grounds for administrative enforcement actions and civil enforcement by the department; providing that claimants' representatives, rather than registrants, are subject to civil enforcement and disciplinary actions for certain violations; amending s. 717.1333, F.S.; conforming provisions to changes made by the act; amending s. 717.134, F.S.; conforming a provision to changes made by the act; amending s. 717.135, F.S.; revising the information that certain agreements relating to unclaimed property must disclose; removing a requirement for Unclaimed Property Purchase Agreement; providing nonapplicability; amending s. 717.1400, F.S.; removing a circumstance under which certain persons must register with the department; amending s. 766.302, F.S.; revising a definition; amending s. 766.314, F.S.; revising circumstances under which the Florida Birth-Related Neurological Injury Compensation Plan may not accept new claims; amending ss. 197.582 and 717.1382, F.S.; conforming a cross-reference; providing a directive to the Division of Law Revision; providing reporting requirements for the Florida Birth-Related Neurological Injury Compensation Association; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 775

Representative Sirois in the Chair.

Yeas—110

Abbott	Chamberlin	Joseph	Rommel
Altman	Chaney	Keen	Roth
Alvarez	Clemons	Killebrew	Rudman
Amesty	Cross	Koster	Salzman
Anderson	Daniels	LaMarca	Shoaf
Andrade	Driskell	Leek	Silvers
Antone	Duggan	López, J.	Sirois
Arrington	Dunkley	Lopez, V.	Skidmore
Baker	Edmonds	Maney	Smith
Bankson	Eskamani	Massullo	Snyder
Bartleman	Esposito	McClain	Stark
Basabe	Fabricio	McClure	Steele
Bell	Fine	Melo	Stevenson
Beltran	Franklin	Michael	Tant
Benjamin	Gantt	Mooney	Temple
Berfield	Garcia	Overdorf	Tomkow
Black	Garrison	Payne	Trabulsy
Borrero	Giallombardo	Perez	Tramont
Botana	Gonzalez Pittman	Persons-Mulicka	Truenow
Brackett	Gossett-Seidman	Plakon	Tuck
Bracy Davis	Gottlieb	Plasencia	Valdés
Brannan	Grant	Porras	Waldron
Buchanan	Gregory	Rayner	Williams
Busatta Cabrera	Griffitts	Redondo	Woodson
Campbell	Harris	Renner	Yarkosky
Canady	Holcomb	Rizo	Yeager
Caruso	Hunschofsky	Roach	
Cassel	Jacques	Robinson, W.	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 1561 was taken up, having been temporarily postponed earlier today.

CS/HB 1561—A bill to be entitled An act relating to office surgeries; amending ss. 458.320 and 459.0085, F.S.; establishing financial responsibility requirements for physicians performing gluteal fat grafting procedures in office surgery settings; amending ss. 458.328 and 459.0138, F.S.; revising standards of practice for office surgeries and procedures; deleting obsolete language; making technical and clarifying revisions; amending s. 458.3145, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 776

Representative Sirois in the Chair.

Yeas—112

Abbott	Berfield	Clemons	Garrison
Altman	Black	Cross	Giallombardo
Alvarez	Borrero	Daley	Gonzalez Pittman
Amesty	Botana	Daniels	Gossett-Seidman
Anderson	Brackett	Driskell	Gottlieb
Andrade	Bracy Davis	Duggan	Grant
Antone	Brannan	Dunkley	Gregory
Arrington	Buchanan	Edmonds	Griffitts
Baker	Busatta Cabrera	Eskamani	Harris
Bankson	Campbell	Esposito	Hinson
Bartleman	Canady	Fabricio	Holcomb
Basabe	Caruso	Fine	Hunschofsky
Bell	Cassel	Franklin	Jacques
Beltran	Chamberlin	Gantt	Joseph
Benjamin	Chaney	Garcia	Keen

Killebrew	Overdorf	Rommel	Tant
Koster	Payne	Roth	Temple
LaMarca	Perez	Rudman	Tomkow
Leek	Persons-Mulicka	Salzman	Trabulsy
López, J.	Plakon	Shoaf	Tramont
Lopez, V.	Plasencia	Silvers	Truenow
Maney	Porras	Sirois	Tuck
Massullo	Rayner	Skidmore	Valdés
McClain	Redondo	Smith	Waldron
McClure	Renner	Snyder	Williams
Melo	Rizo	Stark	Woodson
Michael	Roach	Steele	Yarkosky
Mooney	Robinson, W.	Stevenson	Yeager

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 613—A bill to be entitled An act relating to mobile home park lot tenancies; amending s. 723.037, F.S.; requiring that a petition for mediation be filed with the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation to determine its adequacy and conformance to certain requirements; requiring mobile home owners to provide, in a specified manner, certain documents to a mobile home park owner; authorizing a mobile home park owner and the mobile home owners, by mutual agreement, to select a mediator; requiring the division to dismiss a petition for mediation under certain circumstances; authorizing a mobile home park owner to file objections to the petition for mediation within a specified timeframe; requiring the division to assign a mediator within a specified timeframe under certain circumstances; amending s. 723.038, F.S.; authorizing the parties to a dispute to agree to immediately select a mediator and initiate mediation proceedings; requiring the division to appoint a qualified mediator and notify the parties within a specified timeframe; conforming a provision to changes made by the act; amending s. 723.0381, F.S.; prohibiting the initiation of a civil action unless the dispute is first submitted to mediation; amending s. 723.051, F.S.; providing that a live-in health care aide must have ingress and egress to and from a mobile home owner's site without such owner or aide being required to pay additional rent, a fee, or any charge; requiring a mobile home owner to pay the cost of any necessary background check for the live-in health care aide; specifying that a live-in health care aide does not have any rights of tenancy in the mobile home park; requiring a mobile home owner to notify the park owner or park manager of certain information relating to the live-in aide; requiring the mobile home owner to remove the live-in health care aide and cover certain costs associated with such removal if necessary; requiring the division to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 777

Representative Sirois in the Chair.

Yeas—111

Abbott	Borrero	Daniels	Gottlieb
Altman	Botana	Driskell	Grant
Alvarez	Brackett	Duggan	Gregory
Amesty	Bracy Davis	Dunkley	Griffitts
Andrade	Brannan	Edmonds	Harris
Antone	Buchanan	Eskamani	Hinson
Arrington	Busatta Cabrera	Esposito	Holcomb
Baker	Campbell	Fabricio	Hunschofsky
Bankson	Canady	Fine	Jacques
Bartleman	Caruso	Franklin	Joseph
Basabe	Cassel	Gantt	Keen
Bell	Chamberlin	Garcia	Killebrew
Beltran	Chaney	Garrison	Koster
Benjamin	Clemons	Giallombardo	LaMarca
Berfield	Cross	Gonzalez Pittman	Leek
Black	Daley	Gossett-Seidman	López, J.
Lopez, V.	Plakon	Salzman	Tomkow
Maney	Plasencia	Shoaf	Trabulsy
Massullo	Porras	Silvers	Tramont
McClain	Rayner	Sirois	Truenow
McClure	Redondo	Skidmore	Tuck
Melo	Renner	Smith	Valdés
Michael	Rizo	Snyder	Waldron
Mooney	Roach	Stark	Williams
Overdorf	Robinson, W.	Steele	Woodson
Payne	Rommel	Stevenson	Yarkosky
Perez	Roth	Tant	Yeager
Persons-Mulicka	Rudman	Temple	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1007—A bill to be entitled An act relating to nicotine products and dispensing devices; reordering and amending s. 569.31, F.S.; revising and defining terms for purposes of part II of ch. 569, F.S.; creating s. 569.311, F.S.; requiring nicotine product manufacturers who sell nicotine dispensing devices in this state to execute a form, prescribed by the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, under penalty of perjury, for each nicotine dispensing device sold that meets certain criteria; requiring the form to be delivered by the manufacturer to the division; specifying requirements for the form; requiring nicotine product manufacturers to submit certain additional materials to the division; requiring a nicotine product manufacturer to notify the division within a specified time of certain events; requiring the division to develop and maintain a directory listing all nicotine product manufacturers who sell nicotine dispensing devices and nicotine dispensing devices certified by those manufacturers; requiring the division to make such directory available by a specified date on its website or on the Department of Business and Professional Regulation's website; requiring the division to establish a process to provide notice of the initial publication of the directory and changes made to the directory in the prior month; requiring the division to establish by rule a process to provide a nicotine product manufacturer notice and an opportunity to cure deficiencies before removal of the manufacturer or any of the manufacturer's nicotine dispensing devices from the directory; prohibiting the division from removing the nicotine product manufacturer or any of the manufacturer's nicotine dispensing devices from the directory until a specified time after notice has been provided; providing a specified time within which a nicotine product manufacturer has to establish that the manufacturer or any of the manufacturer's nicotine dispensing devices must be listed on the directory; providing for administrative review of certain actions by the division relating to the directory; providing a specified time in which a nicotine dispensing device removed from the directory must be sold or removed from the dealer's inventory; providing penalties for certain violations by nicotine product manufacturers; subjecting retail and wholesale nicotine product dealers to inspections or audits to ensure compliance; requiring the division to publish results of such inspections and audits and make the results available to the public upon request; authorizing the division to establish by rule certain procedures; authorizing the division to take certain actions against nicotine product manufacturers who fail to provide certain documents or information; authorizing the division to assess certain administrative fines; requiring the division to deposit such fines into the General Revenue Fund; creating s. 569.312, F.S.; requiring certain manufacturers, dealers, and agents of nicotine dispensing devices to keep certain records for a specified time; providing an exception; requiring such manufacturers, dealers, and agents to provide records to the division within a specified time; authorizing the division to examine such records for specified purposes; providing for enforcement; authorizing the division to assess administrative fines; requiring the division to deposit such fines into the General Revenue Fund; creating s. 569.313, F.S.; prohibiting a nicotine product manufacturer from selling, shipping, or distributing certain nicotine dispensing devices for retail sale to consumers in this state; providing a criminal penalty; authorizing the division to assess

administrative fines; requiring the division to deposit such fines into the General Revenue Fund; creating s. 569.316, F.S.; requiring certain persons or entities to obtain a wholesale nicotine product dealer permit for certain places of business or premises; specifying requirements and limitations relating to such permits; authorizing the division to refuse to issue, and requiring the division to revoke, such permits in certain circumstances; providing that a wholesale dealer or distributing agent is not required to obtain a separate or additional wholesale nicotine product dealer permit; creating s. 569.317, F.S.; requiring wholesale nicotine product dealers to purchase and sell for retail in this state only those nicotine dispensing devices listed on the division's directory; authorizing the division to suspend or revoke a wholesale nicotine product dealer permit in certain circumstances; authorizing the division to assess administrative fines; requiring the division to deposit such fines into the General Revenue Fund; authorizing the division to suspend imposition of administrative fines in certain circumstances; amending s. 569.32, F.S.; requiring that retail nicotine product dealer permits be issued and renewed annually; requiring a retail nicotine product dealer to pay a specified fee in certain circumstances; requiring the division to establish by rule a permit renewal procedure; prohibiting the division from exempting any retail nicotine product dealer from certain fees; amending s. 569.33, F.S.; providing that applicants for wholesale nicotine product dealer permits must consent to certain inspections and searches without a warrant; amending s. 569.34, F.S.; prohibiting certain persons and entities from dealing, at retail, in nicotine dispensing devices not listed on the division's directory; prohibiting retail nicotine product dealers from purchasing nicotine dispensing devices from certain persons and entities; providing criminal penalties; authorizing the division to suspend or revoke a permit of retail nicotine product dealer upon sufficient cause of a violation of part II of ch. 569, F.S.; authorizing the division to assess administrative fines; requiring the division to deposit such fines into the General Revenue Fund; creating s. 569.345, F.S.; providing for the seizure and destruction of contraband nicotine dispensing devices; requiring a court with jurisdiction to take certain actions; requiring the division to keep certain records; requiring that certain costs be borne by certain persons; creating s. 569.346, F.S.; requiring certain manufacturers of nicotine dispensing devices to appoint an agent for service of process; providing construction; requiring such manufacturers to provide certain notice within a specified time; appointing the Secretary of State as the agent for certain manufacturers; providing that such appointment does not satisfy a certain requirement; amending ss. 569.002 and 569.35, F.S.; conforming provisions and cross-references to changes made by the act; providing appropriations and authorizing positions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 778

Representative Sirois in the Chair.

Yeas—83

Abbott	Clemons	LaMarca	Robinson, W.
Alvarez	Cross	Leek	Rommel
Amesty	Daniels	López, J.	Roth
Anderson	Duggan	Lopez, V.	Rudman
Baker	Eskamani	Maney	Salzman
Bankson	Esposito	Massullo	Shoaf
Basabe	Fabricio	McClain	Sirois
Bell	Fine	McClure	Smith
Beltran	Franklin	Melo	Snyder
Berfield	Garcia	Michael	Stark
Black	Garrison	Mooney	Steele
Borrero	Giallombardo	Overdorf	Stevenson
Botana	Gonzalez Pittman	Payne	Temple
Brackett	Gossett-Seidman	Perez	Tomkow
Brannan	Grant	Persons-Mulicka	Trabulsy
Buchanan	Gregory	Plakon	Tramont
Busatta Cabrera	Griffitts	Plasencia	Truenow
Canady	Holcomb	Porras	Tuck
Caruso	Jacques	Renner	Yarkosky
Chamberlin	Killebrew	Rizo	Yeager
Chaney	Koster	Roach	

Nays—26

Andrade	Cassel	Hinson	Tant
Antone	Driskell	Hunschofsky	Valdés
Arrington	Dunkley	Joseph	Waldron
Bartleman	Edmonds	Keen	Williams
Benjamin	Gantt	Rayner	Woodson
Bracy Davis	Gottlieb	Silvers	
Campbell	Harris	Skidmore	

Votes after roll call:
Yeas—Altman, Barnaby
Nays—Robinson, F.
Nays to Yeas—Arrington

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 1021—A bill to be entitled An act relating to community associations; amending s. 468.4334, F.S.; requiring community association managers and community association management firms to return official records of an association within a specified time after termination of a contract; requiring notices of termination of certain contractual agreements to be sent in a specified manner; authorizing community association managers and community association management firms to retain, for a specified timeframe, records necessary to complete an ending financial statement or report; relieving community association managers and community association management firms from certain responsibilities and liability under certain circumstances; providing a rebuttable presumption regarding noncompliance; providing penalties for the failure to timely return official records; providing an exception for certain time periods for timeshare plans; creating s. 468.4335, F.S.; requiring community association managers and community association management firms to disclose certain conflicts of interest to the association's board; providing a rebuttable presumption as to the existence of a conflict; requiring an association to solicit multiple bids for goods or services under certain circumstances; providing requirements for an association to approve any activity and contracts that are a conflict of interest; providing that a conflict of interest in a contract which has been previously disclosed must to be noticed and voted on upon its renewal, but not during the term of the contract; authorizing certain contracts to be canceled, subject to certain requirements; specifying liability and nonliability of the association upon cancellation of such a contract; authorizing an association to cancel a contract if certain conflicts were not disclosed; specifying liability and nonliability of the association upon cancellation of a contract; defining the term "relative"; reenacting and amending s. 468.436, F.S.; revising the list of grounds for which the Department of Business and Professional Regulation may take disciplinary actions against community association managers or community association firms; amending s. 553.899, F.S.; exempting certain four-family dwellings from requiring a milestone inspection and milestone inspection report; amending s. 718.103, F.S.; revising and providing definitions; amending s. 718.104, F.S.; providing requirements for the declaration of specified condominiums; requiring declarations to specify the entity responsible for the installation, maintenance, repair, or replacement of hurricane protection; amending s. 718.111, F.S.; providing criminal penalties for any officer, director, or manager of an association who unlawfully solicits, offers to accept, or accepts a kickback; requiring such officers, directors, or managers to be removed from office and a vacancy declared; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to monitor an association's compliance with certain provisions, and issue fines and penalties if necessary, upon receipt of a complaint; revising the list of records that constitute the official records of an association; providing requirements relating to e-mail addresses and facsimile numbers of unit owners; requiring an association to redact certain personal information in certain documents; providing an exception to liability for the release of certain information; revising maintenance requirements for official records; revising requirements regarding requests to inspect or copy association records; requiring an association to provide a checklist in response to certain records requests; providing a rebuttable presumption and criminal penalties; requiring certain persons to be removed from office and a vacancy declared under certain circumstances; defining the term "repeatedly"; requiring copies of certain building permits be posted on an association's website or

application; modifying the method of delivery of certain financial reports to unit owners; revising circumstances under which an association may prepare certain reports; revising criminal penalties for persons who unlawfully use a debit card issued in the name of an association; requiring certain persons to be removed from office and a vacancy declared under certain circumstances; defining the term "lawful obligation of the association"; revising the threshold for associations that must post certain documents on its website or through an application; amending s. 718.112, F.S.; requiring the boards of certain associations to meet at least once every quarter; requiring the meeting agenda to include an opportunity for members to ask questions of the board a certain number of times a year; providing that the right to attend meetings includes the right to ask questions relating to certain topics; revising requirements regarding notice of such meetings; requiring a director to complete an educational requirement within a specified time period before or after election or appointment to the board; providing requirements for the educational curriculum; providing transitional provisions; requiring a director to complete a certain amount of continuing education each year relating to changes in the law; requiring the secretary of the association to maintain certain information for inspection for a specified number of years; authorizing members of an association to pause the contribution to reserves or reduce reserves under certain circumstances and for a limited time; authorizing the board to expend reserve account funds to make the condominium building and structures habitable; requiring an association to distribute or deliver copies of a structural integrity reserve study to unit owners within a specified timeframe; specifying the manner of distribution or delivery; requiring an association to provide a specified statement to the division within a specified timeframe; revising the circumstances under which a director or an officer must be removed from office after being charged by information or indictment of certain crimes; prohibiting such officers and directors with pending criminal charges from accessing the official records of any association; providing an exception; providing criminal penalties for certain fraudulent voting activities relating to association elections; amending s. 718.113, F.S.; providing applicability; specifying that certain actions are not material alterations or substantial additions; authorizing the boards of residential and mixed-use condominiums to install or require unit owners to install hurricane protection; requiring a vote of the unit owners for the installation of hurricane protection; requiring that such vote be attested to in a certificate and recorded in certain public records; requiring the board to provide, in various manners, to the unit owners a copy of the recorded certificate; providing that the validity or enforceability of a vote is not affected if the board fails to take certain actions; providing that a vote of the unit owners is not required under certain circumstances; prohibiting installation of the same type of hurricane protection previously installed; providing exceptions; prohibiting the boards of residential and mixed-use condominiums from refusing to approve certain hurricane protections; authorizing the board to require owners to adhere to certain guidelines regarding the external appearance of a condominium; revising responsibility for the cost of the removal or reinstallation of hurricane protection, including exterior windows, doors, or apertures; prohibiting the association from charging certain expenses to unit owners; requiring reimbursement or a credit toward future assessments to the unit owner in certain circumstances; authorizing the association to collect certain charges and specifying that such charges are enforceable as assessments under certain circumstances; amending s. 718.115, F.S.; specifying when the cost of installation of hurricane protection is not a common expense; authorizing certain expenses to be enforceable as assessments; requiring certain unit owners to be excused from certain assessments or to receive a credit for hurricane protection that has been installed; providing credit applicability under certain circumstances; providing for the amount of credit that a unit owner must receive; specifying that certain expenses are common expenses; amending s. 718.121, F.S.; conforming a cross-reference; amending s. 718.124, F.S.; providing the statute of limitations and repose for certain actions; amending s. 718.1224, F.S.; revising legislative findings and intent; revising the definition of the term "governmental entity"; prohibiting an association from filing strategic lawsuits, taking certain actions against unit owners, and expending funds to support certain actions; amending s. 718.128, F.S.; providing that a unit owner may consent to electronic voting electronically; providing that a board must honor a unit owner's request to vote electronically until the owner opts out; amending s. 718.202, F.S.; providing sales and reservation deposit requirements for nonresidential condominiums; amending s. 718.301, F.S.; requiring developers to deliver a structural integrity reserve report to an association upon relinquishing control of the association; amending s. 718.3027, F.S.; revising requirements regarding attendance at a board meeting in the event of a conflict of interest; modifying circumstances under which a contract may be voided; revising a cross-reference; amending s. 718.303, F.S.; requiring an association to provide certain notice to a unit owner by a specified time before an election; creating s. 718.407, F.S.; authorizing a condominium to be created within a portion of a building or within a multiple parcel building; specifying that the common elements are only those portions of the building submitted to the condominium form of ownership; providing requirements for the declaration of such condominiums and other certain recorded instruments; providing for the apportionment of expenses for such condominiums; authorizing the association to inspect and copy certain books and records; requiring a specified disclosure summary for contracts of sale for a unit in certain condominiums; providing that the creation of a multiple parcel building is not a subdivision of the land; amending s. 718.501, F.S.; revising circumstances under which the division has jurisdiction to investigate and enforce complaints relating to certain matters; requiring that the division provide official records, without charge, to a unit owner denied access; authorizing the division to issue certain citations; requiring the division to provide a division-approved training provider with the template for the certificate issued to certain directors of a board of administration; requiring that the division refer suspected criminal acts to the appropriate law enforcement authority; authorizing certain division officials to attend association meetings; authorizing the division to request access to an association's website or application to investigate complaints under certain circumstances; requiring the division to include certain information in its annual report to the Governor and Legislature after a specified date; specifying requirements for the annual certification; authorizing the division to adopt rules; providing applicability; amending s. 718.5011, F.S.; providing that the secretary of the Department of Business and Professional Regulation, rather than the Governor, appoints the condominium ombudsman; amending s. 718.503, F.S.; requiring nondeveloper unit owners to include an annual financial statement and annual budget in information provided to a prospective purchaser; revising information that must be included in contracts for the resale of a residential unit; requiring certain disclosures be made if a unit is located in a specified type of condominium; amending s. 718.504, F.S.; requiring certain information provided to prospective purchasers to state whether the condominium is created within a portion of a building or within a multiple parcel building; amending s. 719.106, F.S.; requiring an association to distribute or deliver copies of a structural integrity reserve study to unit owners within a specified timeframe; specifying the manner of distribution or delivery; requiring an association to provide a specified statement to the division within a specified timeframe; amending s. 719.129, F.S.; providing that a unit owner may consent electronically to electronic voting; amending s. 719.301, F.S.; requiring developers to deliver a structural integrity reserve study to a cooperative association upon relinquishing control of association property; requiring the division to conduct a review of statutory requirements regarding posting of official records on a condominium association's website or application; requiring the division to submit its findings, including any recommendations, to the Governor and the Legislature by a specified date; requiring the division to create a database on its website with certain information by a date certain; providing appropriations; providing construction and retroactive application; requiring the Florida Building Commission to perform a study for specified purposes; requiring the commission to submit a report of its recommendations to the Governor and Legislature by a date certain; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 779

Representative Sirois in the Chair.

Yeas—111

Abbott	Chamberlin	Hunschofsky	Robinson, W.
Altman	Chaney	Jacques	Rommel
Alvarez	Clemons	Keen	Roth
Amesty	Cross	Killebrew	Rudman
Anderson	Daley	Koster	Salzman
Andrade	Daniels	LaMarca	Shoaf
Antone	Driskell	Leek	Silvers
Arrington	Duggan	López, J.	Sirois
Baker	Dunkley	Lopez, V.	Skidmore
Bankson	Edmonds	Maney	Smith
Bartleman	Eskamani	Massullo	Snyder
Basabe	Esposito	McClain	Stark
Bell	Fabricio	McClure	Steele
Beltran	Fine	Melo	Stevenson
Benjamin	Franklin	Michael	Tant
Berfield	Gantt	Mooney	Temple
Black	Garcia	Overdorf	Tomkow
Borrero	Garrison	Payne	Trabulsy
Botana	Giallombardo	Perez	Tramont
Brackett	Gonzalez Pittman	Persons-Mulicka	Truenow
Bracy Davis	Gossett-Seidman	Plakon	Tuck
Brannan	Gottlieb	Plasencia	Valdés
Buchanan	Grant	Porras	Waldron
Busatta Cabrera	Gregory	Rayner	Williams
Campbell	Griffitts	Redondo	Woodson
Canady	Harris	Renner	Yarkosky
Caruso	Hinson	Rizo	Yeager
Cassel	Holcomb	Roach	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1503—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising circumstances under which certain insurers' association shall levy market equalization surcharges on policyholders; removing obsolete language; providing that certain accounts for Citizens Property Insurance Corporation revenues, assets, liability, losses, and expenses are now maintained as the Citizens account; revising the requirements for certain coverages by the corporation; requiring the inclusion of quota share primary insurance in certain policies; removing provisions relating to legislative goals; conforming provisions to changes made by the act; revising the definition of the term "assessments"; removing provisions relating to surcharges and regular assessments upon determination of certain accounts' projected deficits; removing provisions relating to funds available to the corporation as sources of revenue and bonds; removing definitions; removing provisions relating to the duties of the Florida Surplus Lines Service Office; removing provisions relating to disposition of excess amounts of assessments and surcharges; providing definitions; specifying that certain provisions apply to personal lines residential risks that are primary residences and to personal lines residential risks that are not primary residences; providing that comparisons of comparable coverages under certain personal lines residential risks and commercial lines residential risks do not apply to policies that do not cover primary residences; providing that certain risks that could not be insured under standard policies are eligible for certain basic policies; authorizing policies that are removed from the corporation through assumption agreements to remain on the corporation's policy forms through the end of policy terms; providing duties of the insurers relating to producing agents of record under certain circumstances; revising the corporation's plan of operation; revising the required statements from applicants for coverage; revising the duties of the executive director of the corporation; authorizing the executive director to assign and appoint designees; removing a nonapplicability provision relating to bond requirements; removing obsolete language; authorizing insurers' assessable insureds to be relieved from assessments under certain circumstances; removing provisions relating to certain insurer assessment deferments; removing provisions relating to the intangibles of and coverage by the Florida Windstorm Underwriting Association and the corporation coastal account; authorizing the corporation and certain persons to make specified information obtained from underwriting files and confidential claims files available to licensed surplus lines agents; prohibiting such agents from using such information for specified purposes; authorizing the corporation to share its claims data with a specified entity; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; conforming cross-references; providing the corporation authority relating to patents, copyrights, and trademarks; amending s. 627.3518, F.S.; providing nonapplicability of provisions relating to noneligibility for coverage by the corporation; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 780

Representative Sirois in the Chair.

Yeas—81

Abbott	Chaney	Maney	Rudman
Altman	Clemons	Massullo	Salzman
Alvarez	Daniels	McClain	Shoaf
Amesty	Duggan	McClure	Sirois
Anderson	Esposito	Melo	Smith
Andrade	Fabricio	Michael	Snyder
Baker	Fine	Mooney	Stark
Bankson	Garcia	Overdorf	Steele
Basabe	Garrison	Payne	Stevenson
Bell	Giallombardo	Perez	Tant
Beltran	Gonzalez Pittman	Persons-Mulicka	Temple
Berfield	Gossett-Seidman	Plakon	Tomkow
Black	Grant	Plasencia	Trabulsy
Borrero	Gregory	Porras	Tramont
Brackett	Griffitts	Redondo	Truenow
Brannan	Holcomb	Renner	Tuck
Buchanan	Hunschofsky	Rizo	Yarkosky
Busatta Cabrera	Jacques	Roach	Yeager
Canady	Koster	Robinson, W.	
Caruso	LaMarca	Rommel	
Chamberlin	Leek	Roth	

Nays—28

Antone	Cross	Gantt	Rayner
Arrington	Daley	Gottlieb	Silvers
Bartleman	Driskell	Harris	Skidmore
Benjamin	Dunkley	Hinson	Valdés
Bracy Davis	Edmonds	Joseph	Waldron
Campbell	Eskamani	Keen	Williams
Cassel	Franklin	López, J.	Woodson

Votes after roll call:
Yeas—Barnaby, Killebrew
Nays—Robinson, F.
Yeas to Nays—Roach

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 1541—A bill to be entitled An act relating to transparency in social media; creating s. 501.20411, F.S.; providing a short title; providing legislative findings; providing definitions; requiring foreign-adversary-owned entities operating social media platforms in the state to publicly disclose specified information in a certain manner; requiring foreign-adversary-owned entities operating social media platforms to implement a user verification system for certain entities; providing penalties; requiring enforcement by the Department of Legal Affairs; providing severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 781

Representative Sirois in the Chair.

Yeas—109

Abbott	Chaney	Joseph	Rommel
Altman	Clemons	Keen	Roth
Alvarez	Cross	Killebrew	Rudman
Amesty	Daley	Koster	Salzman
Anderson	Daniels	LaMarca	Shoaf
Andrade	Driskell	Leek	Silvers
Antone	Duggan	López, J.	Skidmore
Arrington	Dunkley	Lopez, V.	Smith
Baker	Edmonds	Maney	Snyder
Bankson	Eskamani	Massullo	Stark
Bartleman	Esposito	McClain	Steele
Basabe	Fabricio	McClure	Stevenson
Bell	Fine	Melo	Tant
Beltran	Franklin	Michael	Temple
Benjamin	Garcia	Mooney	Tomkow
Berfield	Garrison	Overdorf	Trabulsy
Black	Giallombardo	Payne	Tramont
Borrero	Gonzalez Pittman	Perez	Truenow
Botana	Gossett-Seidman	Persons-Mulicka	Tuck
Brackett	Gottlieb	Plakon	Valdés
Bracy Davis	Grant	Plasencia	Waldron
Brannan	Gregory	Porras	Williams
Buchanan	Griffitts	Rayner	Woodson
Busatta Cabrera	Harris	Redondo	Yarkosky
Campbell	Hinson	Renner	Yeager
Canady	Holcomb	Rizo	
Caruso	Hunschofsky	Roach	
Chamberlin	Jacques	Robinson, W.	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.
Nays—Gantt

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1645—A bill to be entitled An act relating to energy resources; creating s. 163.3210, F.S.; providing legislative intent; providing definitions; allowing resiliency facilities in certain land use categories in local government comprehensive plans and specified districts if certain criteria are met; allowing local governments to adopt ordinances for resiliency facilities if certain requirements are met; prohibiting amendments to a local government's comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with resiliency facility classification after a specified date; amending s. 286.29, F.S.; revising energy guidelines for public businesses; eliminating the requirement that the Department of Management Services develop and maintain the Florida Climate-Friendly Preferred Products List; eliminating the requirement that state agencies contract for meeting and conference space only with facilities that have a Green Lodging designations; eliminating the requirement that state agencies, state universities, community colleges, and local governments that procure new vehicles under a state purchasing plan select certain vehicles under a specified circumstance; requiring the Department of Management Services to develop a Florida Humane Preferred Energy Products List in consultation with the Department of Commerce and the Department of Agriculture and Consumer Services; providing for assessment considerations in developing the list; defining the term "forced labor"; requiring state agencies and political subdivisions that procure energy products from state term contracts to consult the list and purchase or procure such products; prohibiting state agencies and political subdivisions from purchasing or procuring products not included in the list; amending s. 366.032, F.S.; including development districts as a type of political subdivision for purposes of preemption over utility service restrictions; creating s. 366.042, F.S.; requiring electric cooperatives and municipal electric utilities to enter into and maintain at least one mutual aid agreement or pre-event agreement with certain entities for purposes of restoring power after a natural disaster; requiring electric cooperatives and municipal electric utilities to annually submit attestations of compliance to the Public Service Commission; providing construction; requiring the commission to compile the attestations and annually submit a copy of such attestations to the Division of Emergency Management; providing that the submission of such attestations makes electric cooperatives and municipal electric utilities eligible to receive state financial assistance; providing that if such attestations are not submitted, electric cooperatives and municipal electric utilities are not eligible to receive state financial assistance; providing construction; creating s. 366.057, F.S.; requiring public utilities to provide notice to the commission of certain power plant retirements within a specified timeframe; authorizing the commission to schedule hearings within a specified timeframe to make certain determinations on such plant retirements; specifying information to be provided by public utilities at the hearing; amending s. 366.94, F.S.; removing terminology; authorizing the commission to approve voluntary electric vehicle charging programs upon petition of a public utility, to become effective on or after a specified date, if certain requirements are met; providing applicability; creating s. 366.99, F.S.; providing definitions; authorizing public utilities to submit to the commission a petition for a proposed cost recovery for certain natural gas facilities relocation costs; requiring the commission to conduct annual proceedings to determine each utility's prudently incurred natural gas facilities relocation costs and to allow for the recovery of such costs; providing requirements for the commission's review; providing requirements for the allocation of such recovered costs; requiring the commission to adopt rules; providing a timeframe for such rulemaking; amending s. 377.601, F.S.; revising legislative intent; amending s. 377.6015, F.S.; revising the powers and duties of the Department of Agriculture and Consumer Services; conforming provisions to changes made by the act; amending s. 377.703, F.S.; revising additional functions of the department relating to energy resources; conforming provisions to changes made by the act; creating s. 377.708, F.S.; providing definitions; prohibiting the construction or expansion of certain wind energy facilities and wind turbines in the state; requiring the Department of Environmental Protection to review applications for federal wind energy leases in territorial waters of the United States adjacent to water of this state and signify its approval or objection to such applications; authorizing the department to seek injunctive relief for violations; repealing s. 377.801, F.S., relating to the Florida Energy and Climate Protection Act; repealing s. 377.802, F.S., relating to the purpose of the act; repealing s. 377.803, F.S., relating to definitions under the act; repealing s. 377.804, F.S., relating to the Renewable Energy and Energy-Efficient Technologies Grants Program; repealing s. 377.808, F.S., relating to the Florida Green Government Grants Act; repealing s. 377.809, F.S., relating to the Energy Economic Zone Pilot Program; repealing s. 377.816, F.S., relating to the Qualified Energy Conservation Bond Allocation Program; prohibiting the approval of new or additional applications, certifications, or allocations under such programs; prohibiting new contracts, agreements, and awards under such programs; rescinding all certifications or allocations issued under such programs; providing an exception; providing application relating to existing contracts or agreements under such programs; amending ss. 220.193, 288.9606, and 380.0651, F.S.; conforming provisions to changes made by the act; amending s. 403.9405, F.S.; revising the applicability of the Natural Gas Transmission Pipeline Siting Act; amending s. 720.3075, F.S.; prohibiting certain homeowners' association documents from precluding certain types or fuel sources of energy production and the use of certain appliances; requiring the commission to coordinate, develop, and recommend a plan under which an assessment of the security and resiliency of the state's electric grid and natural gas facilities against physical threats and cyber threats may be conducted; requiring the commission to consult with the Division of Emergency Management and the Florida Digital Service; requiring cooperation from all operating facilities in the state relating to such plan; providing additional content requirements for such plan; requiring the commission to submit by a recommended plan by a specified date to the Governor and the Legislature; providing additional content requirements for such plan; requiring the commission to study and evaluate the technical and economic feasibility of using advanced nuclear power technologies to meet the electrical power needs of the state; requiring the commission to research means to encourage and foster the installation and use of such technologies at military installations in partnership with public utilities; requiring the commission to consult with the Department of Environmental Protection and the Division of Emergency Management; requiring the commission to submit by a specified date a report to the Governor and the Legislature that contains its findings and any additional recommendations for potential legislative or administrative

actions; requiring the Department of Transportation, in consultation with the Office of Energy within the Department of Agriculture and Consumer Services, to study and evaluate the potential development of hydrogen fueling infrastructure to support hydrogen-powered vehicles; requiring the department to submit by a specified date a report to the Governor and the Legislature that contains its findings and recommendations for specified actions that may accommodate the future development of hydrogen fueling infrastructure; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 782

Representative Sirois in the Chair.

Yeas—88

Abbott	Caruso	Jacques	Rizo
Altman	Cassel	Killebrew	Roach
Alvarez	Chamberlin	Koster	Robinson, W.
Amesty	Chaney	LaMarca	Rommel
Anderson	Clemons	Leek	Roth
Andrade	Daniels	Lopez, V.	Rudman
Arrington	Duggan	Maney	Salzman
Baker	Dunkley	Massullo	Shoaf
Bankson	Edmonds	McClain	Sirois
Basabe	Esposito	McClure	Smith
Bell	Fabricio	Melo	Snyder
Beltran	Fine	Michael	Stark
Berfield	Franklin	Mooney	Steele
Black	Garcia	Overdorf	Stevenson
Borrero	Garrison	Payne	Temple
Botana	Giallombardo	Perez	Tomkow
Brackett	Gonzalez Pittman	Persons-Mulicka	Trabulsy
Brannan	Gossett-Seidman	Plakon	Tramont
Buchanan	Grant	Plasencia	Truenow
Busatta Cabrera	Gregory	Porras	Tuck
Campbell	Griffitts	Redondo	Yarkosky
Canady	Holcomb	Renner	Yeager

Nays—19

Bartleman	Eskamani	Hunschofsky	Valdés
Benjamin	Gantt	Joseph	Waldron
Cross	Gottlieb	Keen	Williams
Daley	Harris	Silvers	Woodson
Driskell	Hinson	Skidmore	

Votes after roll call:
Yeas—Barnaby
Nays—López, J., Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1639—A bill to be entitled An act relating to gender and biological sex; amending s. 322.01, F.S.; defining the term "sex"; amending ss. 322.051, 322.08, and 322.14, F.S.; requiring applications for driver licenses and identification cards, as well as printed driver licenses, to indicate a person's sex instead of his or her gender; creating s. 627.6411, F.S.; requiring health insurance policies that include coverage for sex-reassignment prescriptions or procedures to also provide coverage for certain detransition treatments; requiring health insurers providing such coverage to also offer insurance policies that do not provide such coverage; prohibiting health insurance policies from prohibiting coverage of certain mental health and therapeutic services; providing applicability; amending ss. 627.657, 627.6699, and 641.31, F.S.; requiring group health insurance policies, health benefit plans, and health maintenance contracts that include coverage for sex-reassignment prescriptions or procedures to also provide coverage for certain detransition treatments; requiring group health insurers, carriers, and health maintenance organizations providing such coverage to also offer insurance policies that do not provide such coverage; prohibiting group health insurance policies, health benefit plans, and health maintenance contracts from prohibiting coverage of certain mental health and therapeutic services; providing applicability; providing an effective date.

—was read the third time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on passage of **CS/CS/HB 1639**. The vote was:

Session Vote Sequence: 783

Representative Clemons in the Chair.

Yeas—75

Abbott	Chamberlin	LaMarca	Rommel
Altman	Chaney	Leek	Roth
Amesty	Clemons	Maney	Rudman
Anderson	Duggan	Massullo	Salzman
Andrade	Esposito	McClain	Shoaf
Baker	Fabricio	McClure	Sirois
Bankson	Fine	Melo	Smith
Bell	Garcia	Michael	Snyder
Beltran	Garrison	Overdorf	Stark
Berfield	Giallombardo	Payne	Steele
Black	Gonzalez Pittman	Perez	Temple
Borrero	Gossett-Seidman	Persons-Mulicka	Tomkow
Botana	Grant	Plakon	Trabulsy
Brackett	Gregory	Porras	Tramont
Brannan	Griffitts	Redondo	Truenow
Buchanan	Holcomb	Renner	Tuck
Busatta Cabrera	Jacques	Rizo	Yarkosky
Canady	Killebrew	Roach	Yeager
Caruso	Koster	Robinson, W.	

Nays—33

Antone	Daley	Hunschofsky	Skidmore
Arrington	Driskell	Joseph	Tant
Bartleman	Edmonds	Keen	Valdés
Basabe	Eskamani	López, J.	Waldron
Benjamin	Franklin	Lopez, V.	Williams
Bracy Davis	Gantt	Mooney	Woodson
Campbell	Gottlieb	Plasencia	
Cassel	Harris	Rayner	
Cross	Hinson	Silvers	

Votes after roll call:
Yeas—Barnaby
Nays—Robinson, F.

Explanation of Vote for Sequence Number 783

This is another unnecessary bill that targets trans people for no reason beyond politics. Honestly, we should be focused on issues like property insurance instead. I voted no.

Rep. Anna V. Eskamani
District 42

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 287—A bill to be entitled An act relating to transportation; amending s. 206.46, F.S.; limiting the amount of certain revenues in the State Transportation Trust Fund which the Department of Transportation may annually commit to public transit projects; providing exceptions; amending s. 288.9606, F.S.; conforming provisions to changes made by the act; amending s. 318.14, F.S.; increasing the number of times a driver may elect to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of a court appearance; amending ss. 318.1451 and 322.095, F.S.; requiring the department to annually review changes made to certain laws and to require course content for specified driving courses to be modified in accordance with relevant changes; amending s. 334.30, F.S.; authorizing the Department of Transportation to enter into comprehensive agreements with private entities for certain purposes; revising provisions relating to a traffic and revenue study provided by a private entity; revising the time period during which the department will accept additional proposals after receiving an unsolicited proposal, based on project complexity; authorizing the department to enter into an interim

agreement with a private entity before or in connection with negotiating a comprehensive agreement; providing requirements; authorizing the department secretary to authorize an agreement term of up to 75 years for certain projects; requiring the department to notify the Division of Bond Finance before entering into an interim or comprehensive agreement; amending s. 336.044, F.S.; prohibiting a local governmental entity from deeming reclaimed asphalt pavement material as solid waste; amending s. 337.11, F.S.; requiring the department to receive at least three letters of interest in order to proceed with a request for proposals for design-build contracts and phased design-build contracts; requiring a motor vehicle used for specified work on a department project to be registered in compliance with certain provisions; amending s. 337.18, F.S.; authorizing the department to allow the issuance of certain contract performance and payment bonds for phased design-build contracts; authorizing the department to determine whether to reduce bonding requirements; revising the time periods within which certain actions must be instituted by a claimant; amending s. 337.195, F.S.; providing definitions; providing a presumption that if a death, injury, or damage results from a motor vehicle crash within a construction zone in which the driver of a vehicle was under the influence of certain marijuana, the driver's operation of such vehicle was the proximate cause of his or her own death, injury, or damage; revising conditions under which a contractor is immune from liability; conforming provisions to changes made by the act; revising provisions relating to a prohibition against naming the department or certain entities on a jury verdict form if determined to be immune from liability for injury, death, or damage; amending s. 337.25, F.S.; requiring the department to issue a right of first refusal to the previous owner of certain property acquired by the department if such previous owner provides written notice to the department, within a specified timeframe, of his or her interest in reacquiring such property; requiring the department to acknowledge receipt of such notice in writing within a specified timeframe; amending s. 338.26, F.S.; providing that a certain interlocal agreement for the fire station on the Alligator Alley toll road controls until the local governmental entity and the department extend the agreement or enter into a new agreement; limiting the amount of reimbursement; requiring the local governmental entity to provide a specified periodic comprehensive plan to the department; requiring the local governmental entity and the department to adopt such plan as part of the interlocal agreement; requiring certain funding needs to be included in the department's work program and in the local governmental entity's capital comprehensive plan and budget; requiring ownership and title of certain equipment purchased with state funds to transfer to the state at the end of the term of the interlocal agreement; creating s. 339.28201, F.S.; creating a Local Agency Program within the department for certain funding purposes; requiring oversight by the department; providing requirements for the department's project cost estimate; providing for prioritization and budget of certain local projects; providing funding eligibility requirements; providing contract requirements; amending ss. 339.2825 and 627.06501, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 784

Representative Clemons in the Chair.

Yeas—95

Abbott	Borrero	Duggan	Jacques
Altman	Botana	Edmonds	Killebrew
Amesty	Brackett	Esposito	Koster
Anderson	Bracy Davis	Fabricio	LaMarca
Andrade	Brannan	Fine	Leek
Antone	Buchanan	Franklin	López, J.
Arrington	Busatta Cabrera	Garcia	Lopez, V.
Baker	Campbell	Garrison	Maney
Bankson	Canady	Giallombardo	Massullo
Basabe	Caruso	Gonzalez Pittman	McClain
Bell	Chamberlin	Gossett-Seidman	McClure
Beltran	Chaney	Grant	Melo
Benjamin	Clemons	Gregory	Michael
Berfield	Daley	Griffitts	Mooney
Black	Daniels	Holcomb	Overdorf
Payne	Rizo	Sirois	Trabulsy
Perez	Roach	Skidmore	Tramont
Persons-Mulicka	Robinson, W.	Smith	Truenow
Plakon	Rommel	Snyder	Tuck
Plasencia	Roth	Stark	Waldron
Porras	Rudman	Steele	Woodson
Rayner	Salzman	Tant	Yarkosky
Redondo	Shoaf	Temple	Yeager
Renner	Silvers	Tomkow	

Nays—11

Bartleman	Eskamani	Hinson	Valdés
Cross	Gottlieb	Hunschofsky	Williams
Driskell	Harris	Keen	

Votes after roll call:
Yeas—Barnaby
Nays—Gantt
Yeas to Nays—Woodson

Explanation of Vote for Sequence Number 784

A vote of Yes was casted in error. I am definitely a No on this bill.

Rep. Marie Paule Woodson
District 105

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1363—A bill to be entitled An act relating to traffic enforcement; creating s. 316.0077, F.S.; prohibiting contracts awarded by certain entities outside this state from being used to procure contracts with manufacturers or vendors of camera systems used for traffic enforcement; providing applicability; creating s. 316.0078, F.S.; defining the terms "controlling interest" and "foreign country of concern"; prohibiting a governmental entity from knowingly entering into or renewing certain contracts for camera systems used for traffic enforcement; amending s. 316.0083, F.S.; requiring certain counties or municipalities to enact an ordinance to authorize placement or installation of traffic infraction detectors; requiring the county or municipality to consider certain evidence and make a certain determination at a public hearing; requiring a county or municipality to place a specified annual report on the agenda of a regular or special meeting of its governing body; requiring approval by the governing body at a regular or special meeting before contracting or renewing a contract to place or install traffic infraction detectors; providing for public comment; prohibiting such report, contract, or contract renewal from being considered as part of a consent agenda; providing requirements for a written summary of such report; requiring a report to the Department of Highway Safety and Motor Vehicles; prohibiting compliance with certain provisions from being raised in a proceeding challenging a violation; providing for suspension of a noncompliant county or municipality from operating traffic infraction detectors until such noncompliance is corrected; providing requirements for reports submitted to the department by counties and municipalities regarding use of and enforcement by traffic infraction detectors; requiring the department to publish such reports on its website; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 785

Representative Clemons in the Chair.

Yeas—109

Abbott	Bankson	Borrero	Canady
Altman	Bartleman	Botana	Caruso
Amesty	Basabe	Brackett	Cassel
Anderson	Bell	Bracy Davis	Chamberlin
Andrade	Beltran	Brannan	Chaney
Antone	Benjamin	Buchanan	Clemons
Arrington	Berfield	Busatta Cabrera	Cross
Baker	Black	Campbell	Daley

Daniels	Hinson	Payne	Smith
Driskell	Holcomb	Perez	Snyder
Duggan	Hunschofsky	Persons-Mulicka	Stark
Edmonds	Jacques	Plakon	Steele
Eskamani	Joseph	Plasencia	Tant
Esposito	Keen	Porras	Temple
Fabricio	Killebrew	Rayner	Tomkow
Fine	Koster	Redondo	Trabulsy
Franklin	LaMarca	Renner	Tramont
Gantt	Leek	Rizo	Truenow
Garcia	López, J.	Roach	Tuck
Garrison	Lopez, V.	Robinson, W.	Valdés
Giallombardo	Maney	Rommel	Waldron
Gonzalez Pittman	Massullo	Roth	Williams
Gossett-Seidman	McClain	Rudman	Woodson
Gottlieb	McClure	Salzman	Yarkosky
Grant	Melo	Shoaf	Yeager
Gregory	Michael	Silvers	
Griffitts	Mooney	Sirois	
Harris	Overdorf	Skidmore	

Nays—None

Votes after roll call:
Yeas—Barnaby, Robinson, F.

So the bill passed and was immediately certified to the Senate.

CS/HB 7073—A bill to be entitled An act relating to taxation; amending s. 125.0104, F.S.; requiring specified ordinances to expire after a certain amount of time; authorizing the adoption of a new ordinance; requiring certain taxes to be renewed by a certain date to remain in effect; providing applicability; providing an exception; amending s. 192.001, F.S.; revising the definition of the term "tangible personal property" to specify the conditions under which certain work is deemed substantially completed; providing applicability; providing for retroactive operation; amending s. 193.624, F.S.; revising the definition of the term "renewable energy source device"; providing applicability; amending s. 194.037, F.S.; revising obsolete provisions; amending s. 201.08, F.S.; providing applicability; defining the term "principal limit"; requiring certain taxes to be calculated based on the principal limit at a specified event; providing retroactive operation; providing construction; amending s. 212.0306, F.S.; specifying the type of vote necessary for a certain tax levy; amending s. 212.031, F.S.; providing a temporary reduction in a specified tax rate; amending s. 212.05, F.S.; providing a sales tax exemption for certain leases and rentals; amending s. 212.055, F.S.; revising the number of years that certain taxes may be levied; requiring approval of certain taxes in a referendum; removing a restriction on counties that may levy a specified tax; revising the date when a certain tax may expire; amending s. 212.11, F.S.; authorizing an automatic extension for filing returns and remitting sales and use tax when specified states of emergency are declared; amending s. 212.20, F.S.; extending the date a certain distribution will be repealed; amending s. 220.02, F.S.; revising the order in which credits may be taken to include a specified credit; amending s. 220.03, F.S.; revising the date of adoption of the Internal Revenue Code and other federal income tax statutes for purposes of the state corporate income tax; providing retroactive operation; creating s. 220.1992, F.S.; defining the terms "qualified employee" and "qualified taxpayer"; establishing a credit against specified taxes for taxpayers that employ specified individuals; providing the maximum amount of such credit; providing how such credit is determined; providing application requirements; requiring credits to be approved prior to being used; requiring credits to be approved in a specified manner; providing the maximum credit that may be claimed by a single taxpayer; authorizing carryforward of credits in a specified manner; providing the maximum amount of credit that may be granted during specified fiscal years; authorizing the Department of Revenue to consult with specified entities for a certain purpose; authorizing rulemaking; amending s. 220.222, F.S.; providing an automatic extension of the due date for a specified tax return in certain circumstances; amending s. 374.986, F.S.; revising obsolete provisions; amending s. 402.62, F.S.; increasing the Strong Families Tax Credit cap; providing when applications may be submitted to the Department of Revenue; amending s. 413.4021, F.S.; increasing the distribution for a specified program; amending s. 571.265, F.S.; extending the date of a future repeal; creating s. 624.5108, F.S.; requiring certain insurers to provide a specified deduction on certain policies; providing applicability; providing requirements for such deduction on certain policy declarations; requiring insurers to use certain information to determine eligibility; requiring policy premiums be reported in a specified manner; authorizing certain policyholders to apply for a refund from the insurer using specified evidence; providing a credit against the insurance premium tax; prohibiting certain insurers from being required to pay a specified tax; authorizing credits to be carried forward for a certain amount of time; requiring certain insurers to report specified information; authorizing the Department of Revenue to audit and investigate certain parties; requiring the Office of Insurance Regulation provide certain assistance; authorizing the office to examine certain deduction information for a specified purpose; authorizing the department and the office to adopt emergency rules; providing an expiration date; exempting from sales and use tax specified disaster preparedness supplies during specified timeframes; defining terms; specifying locations where the tax exemptions do not apply; exempting from sales and use tax admissions to certain events, performances, and facilities, certain season tickets, and the retail sale of certain boating and water activity, camping, fishing, general outdoor, and residential pool supplies and sporting equipment during specified timeframes; providing definitions; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; exempting from sales and use tax the retail sale of certain clothing, wallets, bags, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories during specified timeframes; providing definitions; specifying locations where the tax exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements; authorizing the Department of Revenue to adopt emergency rules; exempting from the sales and use tax the retail sale of certain tools during a specified timeframe; specifying locations where the tax exemptions do not apply; authorizing the Department of Revenue to adopt emergency rules; requiring certain counties to use specified tax revenue for affordable housing; providing requirements for housing financed with such revenue; providing for distribution of such funds; authorizing the Department of Revenue to adopt emergency rules for specified provisions; providing for future repeal; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 786

Representative Clemons in the Chair.

Yeas—88

Abbott	Chaney	Leek	Rommel
Altman	Clemons	López, J.	Roth
Amesty	Cross	Lopez, V.	Rudman
Anderson	Duggan	Maney	Salzman
Andrade	Edmonds	Massullo	Shoaf
Baker	Esposito	McClain	Silvers
Bankson	Fabricio	McClure	Sirois
Basabe	Fine	Melo	Skidmore
Bell	Garcia	Michael	Smith
Beltran	Garrison	Mooney	Snyder
Benjamin	Giallombardo	Overdorf	Stark
Berfield	Gonzalez Pittman	Payne	Steele
Black	Gossett-Seidman	Perez	Stevenson
Borrero	Grant	Persons-Mulicka	Temple
Botana	Gregory	Plakon	Tomkow
Brackett	Griffitts	Plasencia	Trabulsy
Brannan	Holcomb	Porras	Tramont
Buchanan	Hunschofsky	Redondo	Truenow
Busatta Cabrera	Jacques	Renner	Tuck
Canady	Killebrew	Rizo	Woodson
Caruso	Koster	Roach	Yarkosky
Chamberlin	LaMarca	Robinson, W.	Yeager

Nays—17

Antone	Campbell	Franklin	Joseph
Arrington	Daley	Gottlieb	Keen
Bartleman	Driskell	Harris	Rayner
Bracy Davis	Eskamani	Hinson	Tant

Valdés

Votes after roll call:
Yeas—Barnaby, Waldron
Nays—Gantt, Robinson, F.

Explanation of Vote for Sequence Number 786

As the Ranking Member of the Ways & Means Committee, I hate voting no on the tax package. Unfortunately, this tax package -- as currently written -- overwhelmingly benefits corporations over consumers. The one major consumer element is relief on some property insurance taxes, but even that may lead to $20 refund per policyholder. Which is a meager amount when compared to the skyrocketing property insurance rates that Florida families are facing. I filed an amendment on combined reporting, which would dramatically improve Florida's regressive tax structure. That amendment failed but we will try, try, again.

Rep. Anna V. Eskamani
District 42

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1195—A bill to be entitled An act relating to millage rates; amending s. 200.065, F.S.; prohibiting certain increases in the millage rate from going into effect until it has been approved by a specified vote; authorizing the Department of Revenue to adopt emergency rules; providing for future expiration of such authority; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 787

Representative Clemons in the Chair.

Yeas—85

Abbott	Chaney	Lopez, V.	Rudman
Altman	Clemons	Maney	Salzman
Amesty	Daniels	Massullo	Shoaf
Anderson	Duggan	McClain	Sirois
Andrade	Esposito	McClure	Smith
Baker	Fabricio	Melo	Snyder
Bankson	Fine	Michael	Stark
Basabe	Garcia	Mooney	Steele
Bell	Garrison	Overdorf	Stevenson
Beltran	Giallombardo	Payne	Tant
Berfield	Gonzalez Pittman	Perez	Temple
Black	Gossett-Seidman	Persons-Mulicka	Tomkow
Borrero	Grant	Plakon	Trabulsy
Botana	Gregory	Plasencia	Tramont
Brackett	Griffitts	Porras	Truenow
Brannan	Holcomb	Redondo	Tuck
Buchanan	Jacques	Renner	Waldron
Busatta Cabrera	Killebrew	Rizo	Yarkosky
Campbell	Koster	Roach	Yeager
Canady	LaMarca	Robinson, W.	
Caruso	Leek	Rommel	
Chamberlin	López, J.	Roth	

Nays—21

Antone	Eskamani	Hunschofsky	Valdés
Arrington	Franklin	Joseph	Williams
Benjamin	Gantt	Keen	Woodson
Bracy Davis	Gottlieb	Rayner	
Cross	Harris	Silvers	
Driskell	Hinson	Skidmore	

Votes after roll call:
Yeas—Barnaby
Nays—Bartleman, Robinson, F.

So the bill passed, as amended, and was immediately certified to the Senate.

Special Orders

Consideration of **CS/HB 499** was temporarily postponed.

Consideration of **CS/CS/HB 185** was temporarily postponed.

CS/CS/HB 7021—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; providing an exception to background screening requirements for certain licensed physicians and nurses; amending s. 394.459, F.S.; specifying a timeframe for recording restrictions in a patient's clinical file; requiring that such recorded restriction be immediately served on certain parties; conforming a provision to changes made by the act; amending s. 394.4598, F.S.; authorizing certain psychiatric nurses to consult with guardian advocates for purposes of obtaining consent for treatment; amending s. 394.4599, F.S.; revising written notice requirements relating to filing petitions for involuntary services; amending s. 394.461, F.S.; authorizing the state to establish that a transfer evaluation was performed by providing the court with a copy of the evaluation before the close of the state's case-in-chief; prohibiting the court from considering substantive information in the transfer evaluation; providing an exception; revising reporting requirements; amending s. 394.4615, F.S.; allowing a patient's legal custodian to authorize the release of his or her clinical records; conforming provisions to changes made by the act; amending s. 394.462, F.S.; authorizing a county to include alternative funding arrangements for transporting individuals to designated receiving facilities in the county's transportation plan; amending s. 394.4625, F.S.; revising requirements relating to voluntary admissions to a facility for examination and treatment; requiring certain treating psychiatric nurses to document specified information in a patient's clinical record within a specified timeframe; requiring clinical psychologists who make determinations of involuntary placement at certain mental health facilities to have specified clinical experience; authorizing certain psychiatric nurses to order emergency treatment for certain patients; conforming provisions to changes made by the act; amending s. 394.463, F.S.; authorizing, rather than requiring, law enforcement officers to take certain persons into custody for involuntary examinations; requiring a law enforcement officer to provide a parent or legal guardian of a minor being transported to certain facilities with specified facility information; providing an exception; requiring written reports by law enforcement officers to contain certain information; requiring the Louis de la Parte Florida Mental Health Institute to collect and analyze certain documents and use them to prepare annual reports; providing requirements for such reports; requiring the institute to post such reports on its website by a specified date; requiring the department to post a specified report on its website; revising requirements for releasing a patient from a receiving facility; revising requirements for petitions for involuntary services; requiring the department and the Agency for Health Care Administration to analyze certain data, identify patterns and trends, and make recommendations to decrease avoidable admissions; authorizing recommendations to be addressed in a specified manner; requiring the institute to publish a specified report on its website and submit such report to the Governor and Legislature by a certain date; amending s. 394.4655, F.S.; defining the term "involuntary outpatient placement"; authorizing a specified court to order an individual to involuntary outpatient treatment; removing provisions relating to criteria, retention of a patient, and petition for involuntary outpatient services and court proceedings relating to involuntary outpatient services; amending s. 394.467, F.S.; providing definitions; revising requirements for ordering a person for involuntary services and treatment, petitions for involuntary service, appointment of counsel, and continuances of hearings, respectively; requiring clinical psychologists to have specified clinical experience in order to recommend involuntary services; authorizing certain psychiatric nurses to recommend involuntary services for mental health treatment; revising the conditions under which a court may waive the requirement for a patient to be present at an involuntary inpatient placement hearing; authorizing the court to permit witnesses to attend and testify remotely at the hearing through specified means; providing requirements for a witness to attend and testify remotely;

requiring facilities to make certain clinical records available to a state attorney within a specified timeframe; specifying that such records remain confidential and may not be used for certain purposes; requiring the court to allow certain testimony from specified persons; revising the length of time a court may require a patient to receive services; requiring facilities to discharge patients when they no longer meet the criteria for involuntary inpatient treatment; prohibiting courts from ordering individuals with developmental disabilities to be involuntarily placed in a state treatment facility; requiring courts to refer such individuals, and authorizing courts to refer certain other individuals, to specified agencies for evaluation and services; providing requirements for service plan modifications, noncompliance with involuntary outpatient services, and discharge, respectively; revising requirements for the procedure for continued involuntary services and return to facilities, respectively; amending s. 394.468, F.S.; revising requirements for discharge planning and procedures; providing requirements for the discharge transition process; creating s. 394.4915, F.S.; establishing the Office of Children's Behavioral Health Ombudsman within the Department of Children and Families for a specified purpose; providing responsibilities of the office; requiring the department and managing entities to include specified information in a specified manner on their websites; amending ss. 394.495 and 394.496, F.S.; conforming provisions to changes made by the act; amending s. 394.499, F.S.; revising eligibility requirements for children's crisis stabilization unit/juvenile addictions receiving facility services; amending s. 394.875, F.S.; authorizing certain psychiatric nurses to provide certain services; removing a limitation on the size of a crisis stabilization unit; removing a requirement for the department to implement a certain demonstration project; creating s. 394.90826, F.S.; requiring the Department of Health and the Agency for Health Care Administration to jointly establish behavioral health interagency collaboratives throughout the state for specified purposes; providing objectives and membership for each regional collaborative; requiring the department to define the regions to be served; providing requirements for the entities represented in each collaborative; amending s. 394.9085, F.S.; conforming a cross-reference to changes made by the act; amending s. 397.305, F.S.; revising the purpose to include the most appropriate environment for substance abuse services; amending s. 397.311, F.S.; revising definitions; amending s. 397.401, F.S.; prohibiting certain service providers from exceeding their licensed capacity by more than a specified percentage or for more than a specified number of days; amending s. 397.4073, F.S.; providing an exception to background screening requirements for certain licensed physicians and nurses; amending s. 397.501, F.S.; revising notice requirements for the right to counsel; amending s. 397.581, F.S.; revising actions that constitute unlawful activities relating to assessment and treatment; providing penalties; amending s. 397.675, F.S.; revising the criteria for involuntary admissions for purposes of assessment and stabilization, and for involuntary treatment; amending s. 397.6751, F.S.; revising service provider responsibilities relating to involuntary admissions; amending s. 397.681, F.S.; revising where involuntary treatment petitions for substance abuse impaired persons may be filed specifying requirements for the court to allow a waiver of the respondent's right to counsel relating to petitions for involuntary treatment; revising the circumstances under which courts are required to appoint counsel for respondents without regard to respondents' wishes; renumbering and amending s. 397.693, F.S.; revising the circumstances under which a person may be the subject of court-ordered involuntary treatment; renumbering and amending s. 397.695, F.S.; authorizing the court or clerk of the court to waive or prohibit any service of process fees for petitioners determined to be indigent; renumbering and amending s. 397.6951, F.S.; revising the information required to be included in a petition for involuntary treatment services; authorizing a petitioner to include a certificate or report of a qualified professional with such petition; requiring such certificate or report to contain certain information; requiring that certain additional information be included if an emergency exists; renumbering and amending s. 397.6955, F.S.; revising when the office of criminal conflict and civil regional counsel represents a person in the filing of a petition for involuntary services and when a hearing must be held on such petition; requiring a law enforcement agency to effect service for initial treatment hearings; providing an exception; amending s. 397.6818, F.S.; authorizing the court to take certain actions and issue certain orders regarding a respondent's involuntary assessment if emergency circumstances exist; providing a specified timeframe for taking such actions; amending s. 397.6957, F.S.; expanding the exemption from the requirement that a respondent be present at a hearing on a petition for involuntary treatment services; authorizing the court to order drug tests and to permit witnesses to attend and testify remotely at the hearing through certain means; removing a provision requiring the court to appoint a guardian advocate under certain circumstances; prohibiting a respondent from being involuntarily ordered into treatment unless certain requirements are met; providing requirements relating to involuntary assessment and stabilization orders; providing requirements relating to involuntary treatment hearings; requiring that the assessment of a respondent occur before a specified time unless certain requirements are met; authorizing service providers to petition the court in writing for an extension of the observation period; providing service requirements for such petitions; authorizing the service provider to continue to hold the respondent if the court grants the petition; requiring a qualified professional to transmit his or her report to the clerk of the court within a specified timeframe; requiring the clerk of the court to enter the report into the court file; providing requirements for the report; providing that the report's filing satisfies the requirements for release of certain individuals if it contains admission and discharge information; providing for the petition's dismissal under certain circumstances; authorizing the court to order certain persons to take a respondent into custody and transport him or her to or from certain service providers and the court; revising the petitioner's burden of proof in the hearing; authorizing the court to initiate involuntary proceedings and have the respondent evaluated by the Agency for Persons with Disabilities under certain circumstances; requiring that, if a treatment order is issued, it must include certain findings; amending s. 397.697, F.S.; requiring that an individual meet certain requirements to qualify for involuntary outpatient treatment; revising the jurisdiction of the court with respect to certain orders entered in a case; specifying that certain hearings may be set by either the motion of a party or under the court's own authority; requiring a certain institute to receive and maintain copies of certain documents and use them to prepare annual reports; providing requirements for such reports; requiring the institute to post such reports on its website and provide copies of such reports to the department and the Legislature by a specified date; amending s. 397.6971, F.S.; revising when an individual receiving involuntary treatment services may be determined eligible for discharge; conforming provisions to changes made by the act; amending s. 397.6975, F.S.; authorizing certain entities to file a petition for renewal of an involuntary treatment services order; revising the timeframe during which the court is required to schedule a hearing; amending s. 397.6977, F.S.; providing requirements for discharge planning and procedures for a respondent's release from involuntary treatment services; repealing ss. 397.6811, 397.6814, 397.6815, 397.6819, 397.6821, 397.6822, and 397.6978, F.S., relating to involuntary assessment and stabilization and the appointment of guardian advocates, respectively; amending s. 916.13, F.S.; requiring the Department of Children and Families to complete and submit a competency evaluation report to the circuit court to determine if a defendant adjudicated incompetent to proceed meets the criteria for involuntary civil commitment if it is determined that the defendant will not or is unlikely to regain competency; defining the term "competency evaluation report to the circuit court"; requiring a qualified professional to sign such report under penalty of perjury; providing requirements for such report; authorizing a defendant who meets the criteria for involuntary examination and court witnesses to appear remotely for a hearing; amending ss. 40.29, 394.455, 409.972, 464.012, 744.2007, and 916.107, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

—was read the second time by title.

Representative Maney offered the following:

(Amendment Bar Code: 238169)

Amendment 1 (with title amendment)—Remove lines 335-2636 and insert:

1. Notice that the petition for~~:~~

~~a.~~ involuntary services ~~inpatient treatment~~ pursuant to s. 394.4655 or s. 394.467 has been filed with the circuit or county court, as applicable, and the address of such court ~~in the county in which the individual is hospitalized and the address of such court; or~~

~~b. Involuntary outpatient services pursuant to s. 394.4655 has been filed with the criminal county court, as defined in s. 394.4655(1), or the circuit court, as applicable, in the county in which the individual is hospitalized and the address of such court~~.

2. Notice that the office of the public defender has been appointed to represent the individual in the proceeding, if the individual is not otherwise represented by counsel.

3. The date, time, and place of the hearing and the name of each examining expert and every other person expected to testify in support of continued detention.

4. Notice that the individual, the individual's guardian, guardian advocate, health care surrogate or proxy, or representative, or the administrator may apply for a change of venue for the convenience of the parties or witnesses or because of the condition of the individual.

5. Notice that the individual is entitled to an independent expert examination and, if the individual cannot afford such an examination, that the court will provide for one.

Section 5. Subsection (2) and paragraph (d) of subsection (4) of section 394.461, Florida Statutes, are amended to read:

394.461 Designation of receiving and treatment facilities and receiving systems.—The department is authorized to designate and monitor receiving facilities, treatment facilities, and receiving systems and may suspend or withdraw such designation for failure to comply with this part and rules adopted under this part. The department may issue a conditional designation for up to 60 days to allow the implementation of corrective measures. Unless designated by the department, facilities are not permitted to hold or treat involuntary patients under this part.

(2) TREATMENT FACILITY.—The department may designate any state-owned, state-operated, or state-supported facility as a state treatment facility. A civil patient shall not be admitted to a state treatment facility without previously undergoing a transfer evaluation. Before the close of the state's case-in-chief in ~~a court~~ hearing for involuntary placement ~~in a state treatment facility~~, the state may establish that the transfer evaluation was performed and the document was properly executed by providing the court with a copy of the transfer evaluation. The court may not ~~shall receive and~~ consider the substantive information ~~documented~~ in the transfer evaluation unless the evaluator testifies at the hearing. Any other facility, including a private facility or a federal facility, may be designated as a treatment facility by the department, provided that such designation is agreed to by the appropriate governing body or authority of the facility.

(4) REPORTING REQUIREMENTS.—

(d) The department shall issue an annual report based on the data required pursuant to this subsection. The report shall include individual facilities' data, as well as statewide totals. The report shall be posted on the department's website ~~submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives~~.

Section 6. Paragraph (a) of subsection (2) and subsection (3) of section 394.4615, Florida Statutes, is amended to read:

394.4615 Clinical records; confidentiality.—

(2) The clinical record shall be released when:

(a) The patient or the patient's guardian or legal custodian authorizes the release. The guardian, ~~or~~ guardian advocate, or legal custodian shall be provided access to the appropriate clinical records of the patient. The patient or the patient's guardian, ~~or~~ guardian advocate, or legal custodian may authorize the release of information and clinical records to appropriate persons to ensure the continuity of the patient's health care or mental health care. A receiving facility must document that, within 24 hours of admission, individuals admitted on a voluntary basis have been provided with the option to authorize the release of information from their clinical record to the individual's health care surrogate or proxy, attorney, representative, or other known emergency contact.

(3) Information from the clinical record may be released in the following circumstances:

(a) When a patient has communicated to a service provider a specific threat to cause serious bodily injury or death to an identified or a readily available person, if the service provider reasonably believes, or should reasonably believe according to the standards of his or her profession, that the patient has the apparent intent and ability to imminently or immediately carry out such threat. When such communication has been made, the administrator may authorize the release of sufficient information to provide adequate warning to the person threatened with harm by the patient.

(b) When the administrator of the facility or secretary of the department deems release to a qualified researcher as defined in administrative rule, an aftercare treatment provider, or an employee or agent of the department is necessary for treatment of the patient, maintenance of adequate records, compilation of treatment data, aftercare planning, or evaluation of programs.

For the purpose of determining whether a person meets the criteria for involuntary services ~~outpatient placement~~ or for preparing the proposed services ~~treatment~~ plan pursuant to s. 394.4655 or s. 394.467 ~~s. 394.4655~~, the clinical record may be released to the state attorney, the public defender or the patient's private legal counsel, the court, and to the appropriate mental health professionals, including the service provider under s. 394.4655 or s. 394.467 ~~identified in s. 394.4655(7)(b)2.~~, in accordance with state and federal law.

Section 7. Section 394.462, Florida Statutes, is amended to read:

394.462 Transportation.—A transportation plan shall be developed and implemented by each county in collaboration with the managing entity in accordance with this section. A county may enter into a memorandum of understanding with the governing boards of nearby counties to establish a shared transportation plan. When multiple counties enter into a memorandum of understanding for this purpose, the counties shall notify the managing entity and provide it with a copy of the agreement. The transportation plan shall describe methods of transport to a facility within the designated receiving system for individuals subject to involuntary examination under s. 394.463 or involuntary admission under s. 397.6772, s. 397.679, s. 397.6798, or s. 397.6957 ~~s. 397.6811~~, and may identify responsibility for other transportation to a participating facility when necessary and agreed to by the facility. The plan may rely on emergency medical transport services or private transport companies, as appropriate. The plan shall comply with the transportation provisions of this section and ss. 397.6772, 397.6795, ~~397.6822,~~ and 397.697.

(1) TRANSPORTATION TO A RECEIVING FACILITY.—

(a) Each county shall designate a single law enforcement agency within the county, or portions thereof, to take a person into custody upon the entry of an ex parte order or the execution of a certificate for involuntary examination by an authorized professional and to transport that person to the appropriate facility within the designated receiving system pursuant to a transportation plan.

(b)1. The designated law enforcement agency may decline to transport the person to a receiving facility only if:

a. The jurisdiction designated by the county has contracted on an annual basis with an emergency medical transport service or private transport company for transportation of persons to receiving facilities pursuant to this section at the sole cost of the county or as otherwise provided in the transportation plan developed by the county; and

b. The law enforcement agency and the emergency medical transport service or private transport company agree that the continued presence of law enforcement personnel is not necessary for the safety of the person or others.

2. The entity providing transportation may seek reimbursement for transportation expenses. The party responsible for payment for such transportation is the person receiving the transportation. The county shall seek reimbursement from the following sources in the following order:

a. From a private or public third-party payor, if the person receiving the transportation has applicable coverage.

b. From the person receiving the transportation.

c. From a financial settlement for medical care, treatment, hospitalization, or transportation payable or accruing to the injured party.

(c) A company that transports a patient pursuant to this subsection is considered an independent contractor and is solely liable for the safe and dignified transport of the patient. Such company must be insured and provide no less than $100,000 in liability insurance with respect to the transport of patients.

(d) Any company that contracts with a governing board of a county to transport patients shall comply with the applicable rules of the department to ensure the safety and dignity of patients.

(e) When a law enforcement officer takes custody of a person pursuant to this part, the officer may request assistance from emergency medical personnel if such assistance is needed for the safety of the officer or the person in custody.

(f) When a member of a mental health overlay program or a mobile crisis response service is a professional authorized to initiate an involuntary examination pursuant to s. 394.463 or s. 397.675 and that professional evaluates a person and determines that transportation to a receiving facility is needed, the service, at its discretion, may transport the person to the facility or may call on the law enforcement agency or other transportation arrangement best suited to the needs of the patient.

(g) When any law enforcement officer has custody of a person based on either noncriminal or minor criminal behavior that meets the statutory guidelines for involuntary examination pursuant to s. 394.463, the law enforcement officer shall transport the person to the appropriate facility within the designated receiving system pursuant to a transportation plan. Persons who meet the statutory guidelines for involuntary admission pursuant to s. 397.675 may also be transported by law enforcement officers to the extent resources are available and as otherwise provided by law. Such persons shall be transported to an appropriate facility within the designated receiving system pursuant to a transportation plan.

(h) When any law enforcement officer has arrested a person for a felony and it appears that the person meets the statutory guidelines for involuntary examination or placement under this part, such person must first be processed in the same manner as any other criminal suspect. The law enforcement agency shall thereafter immediately notify the appropriate facility within the designated receiving system pursuant to a transportation plan. The receiving facility shall be responsible for promptly arranging for the examination and treatment of the person. A receiving facility is not required to admit a person charged with a crime for whom the facility determines and documents that it is unable to provide adequate security, but shall provide examination and treatment to the person where he or she is held or by telehealth.

(i) If the appropriate law enforcement officer believes that a person has an emergency medical condition as defined in s. 395.002, the person may be first transported to a hospital for emergency medical treatment, regardless of whether the hospital is a designated receiving facility.

(j) The costs of transportation, evaluation, hospitalization, and treatment incurred under this subsection by persons who have been arrested for violations of any state law or county or municipal ordinance may be recovered as provided in s. 901.35.

(k) The appropriate facility within the designated receiving system pursuant to a transportation plan must accept persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county, for involuntary examination pursuant to s. 394.463.

(l) The appropriate facility within the designated receiving system pursuant to a transportation plan must provide persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county, pursuant to s. 397.675, a basic screening or triage sufficient to refer the person to the appropriate services.

(m) Each law enforcement agency designated pursuant to paragraph (a) shall establish a policy that reflects a single set of protocols for the safe and secure transportation and transfer of custody of the person. Each law enforcement agency shall provide a copy of the protocols to the managing entity.

(n) When a jurisdiction has entered into a contract with an emergency medical transport service or a private transport company for transportation of persons to facilities within the designated receiving system, such service or company shall be given preference for transportation of persons from nursing homes, assisted living facilities, adult day care centers, or adult family-care homes, unless the behavior of the person being transported is such that transportation by a law enforcement officer is necessary.

(o) This section may not be construed to limit emergency examination and treatment of incapacitated persons provided in accordance with s. 401.445.

(2) TRANSPORTATION TO A TREATMENT FACILITY.—

(a) If neither the patient nor any person legally obligated or responsible for the patient is able to pay for the expense of transporting a voluntary or involuntary patient to a treatment facility, the transportation plan established by the governing board of the county or counties must specify how the hospitalized patient will be transported to, from, and between facilities in a safe and dignified manner.

(b) A company that transports a patient pursuant to this subsection is considered an independent contractor and is solely liable for the safe and dignified transportation of the patient. Such company must be insured and provide no less than $100,000 in liability insurance with respect to the transport of patients.

(c) A company that contracts with one or more counties to transport patients in accordance with this section shall comply with the applicable rules of the department to ensure the safety and dignity of patients.

(d) County or municipal law enforcement and correctional personnel and equipment may not be used to transport patients adjudicated incapacitated or found by the court to meet the criteria for involuntary services ~~placement~~ pursuant to s. 394.467, except in small rural counties where there are no cost-efficient alternatives.

(3) TRANSFER OF CUSTODY.—Custody of a person who is transported pursuant to this part, along with related documentation, shall be relinquished to a responsible individual at the appropriate receiving or treatment facility.

Section 8. Paragraphs (a) and (f) of subsection (1) and subsection (5) of section 394.4625, Florida Statutes, are amended to read:

394.4625 Voluntary admissions.—

(1) AUTHORITY TO RECEIVE PATIENTS.—

(a) A facility may receive for observation, diagnosis, or treatment any adult ~~person 18 years of age or older~~ who applies by express and informed consent for admission or any minor ~~person age 17 or younger~~ whose parent or legal guardian applies for admission. Such person may be admitted to the facility if found to show evidence of mental illness and to be suitable for treatment, and:

1. If the person is an adult, is found~~,~~ to be competent to provide express and informed consent; or

2. If the person is a minor, the parent or legal guardian provides express and informed consent and the facility performs~~, and to be suitable for treatment, such person 18 years of age or older may be admitted to the facility. A person age 17 or younger may be admitted only after~~ a clinical review to verify the voluntariness of the minor's assent.

(f) Within 24 hours after admission of a voluntary patient, the treating ~~admitting~~ physician or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist shall document in the patient's clinical record that the patient is able to give express and informed consent for admission. If the patient is not able to give express and informed consent for admission, the facility shall either discharge the patient or transfer the patient to involuntary status pursuant to subsection (5).

(5) TRANSFER TO INVOLUNTARY STATUS.—When a voluntary patient, or an authorized person on the patient's behalf, makes a request for discharge, the request for discharge, unless freely and voluntarily rescinded, must be communicated to a physician, clinical psychologist with at least 3 years of postdoctoral experience in the practice of clinical psychology, or psychiatrist as quickly as possible, but not later than 12 hours after the request is made. If the patient meets the criteria for involuntary placement, the administrator of the facility must file with the court a petition for involuntary placement, within 2 court working days after the request for discharge is made. If the petition is not filed within 2 court working days, the patient shall be discharged. Pending the filing of the petition, the patient may be held and emergency treatment rendered in the least restrictive manner, upon the ~~written~~ order of a physician or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, if it is determined that such treatment is necessary for the safety of the patient or others.

Section 9. Subsection (1), paragraphs (a), (e), (f), (g), and (h) of subsection (2), and subsection (4) of section 394.463, Florida Statutes, are amended to read:

394.463 Involuntary examination.—

(1) CRITERIA.—A person may be taken to a receiving facility for involuntary examination if there is reason to believe that the person has a mental illness and because of his or her mental illness:

(a)1. The person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination; or

2. The person is unable to determine for himself or herself whether examination is necessary; and

(b)1. Without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and it is not apparent that such harm may be avoided through the help of willing, able, and responsible family members or friends or the provision of other services; or

2. There is a substantial likelihood that without care or treatment the person will cause serious bodily harm to himself or herself or others in the near future, as evidenced by recent behavior.

(2) INVOLUNTARY EXAMINATION.—

(a) An involuntary examination may be initiated by any one of the following means:

1. A circuit or county court may enter an ex parte order stating that a person appears to meet the criteria for involuntary examination and specifying the findings on which that conclusion is based. The ex parte order for involuntary examination must be based on written or oral sworn testimony that includes specific facts that support the findings. If other less restrictive means are not available, such as voluntary appearance for outpatient evaluation, a law enforcement officer, or other designated agent of the court, shall take the person into custody and deliver him or her to an appropriate, or the nearest, facility within the designated receiving system pursuant to s. 394.462 for involuntary examination. The order of the court shall be made a part of the patient's clinical record. A fee may not be charged for the filing of an order under this subsection. A facility accepting the patient based on this order must send a copy of the order to the department within 5 working days. The order may be submitted electronically through existing data systems, if available. The order shall be valid only until the person is delivered to the facility or for the period specified in the order itself, whichever comes first. If a time limit is not specified in the order, the order is valid for 7 days after the date that the order was signed.

2. A law enforcement officer may ~~shall~~ take a person who appears to meet the criteria for involuntary examination into custody and deliver the person or have him or her delivered to an appropriate, or the nearest, facility within the designated receiving system pursuant to s. 394.462 for examination. A law enforcement officer transporting a person pursuant to this section ~~subparagraph~~ shall restrain the person in the least restrictive manner available and appropriate under the circumstances. If transporting a minor and the parent or legal guardian of the minor is present, before departing, the law enforcement officer shall provide the parent or legal guardian of the minor with the name, address, and contact information for the facility within the designated receiving system to which the law enforcement officer is transporting the minor, subject to any safety and welfare concerns for the minor. The officer shall execute a written report detailing the circumstances under which the person was taken into custody, which must be made a part of the patient's clinical record. The report must include all emergency contact information for the person that is readily accessible to the law enforcement officer, including information available through electronic databases maintained by the Department of Law Enforcement or by the Department of Highway Safety and Motor Vehicles. Such emergency contact information may be used by a receiving facility only for the purpose of informing listed emergency contacts of a patient's whereabouts pursuant to s. 119.0712(2)(d). Any facility accepting the patient based on this report must send a copy of the report to the department within 5 working days.

3. A physician, a physician assistant, a clinical psychologist, a psychiatric nurse, an advanced practice registered nurse registered under s. 464.0123, a mental health counselor, a marriage and family therapist, or a clinical social worker may execute a certificate stating that he or she has examined a person within the preceding 48 hours and finds that the person appears to meet the criteria for involuntary examination and stating the observations upon which that conclusion is based. If other less restrictive means, such as voluntary appearance for outpatient evaluation, are not available, a law enforcement officer shall take into custody the person named in the certificate and deliver him or her to the appropriate, or nearest, facility within the designated receiving system pursuant to s. 394.462 for involuntary examination. The law enforcement officer shall execute a written report detailing the circumstances under which the person was taken into custody and include all emergency contact information required under subparagraph 2. ~~The report must include all emergency contact information for the person that is readily accessible to the law enforcement officer, including information available through electronic databases maintained by the Department of Law Enforcement or by the Department of Highway Safety and Motor Vehicles.~~ Such emergency contact information may be used by a receiving facility only for the purpose of informing listed emergency contacts of a patient's whereabouts pursuant to s. 119.0712(2)(d). The report and certificate shall be made a part of the patient's clinical record. Any facility accepting the patient based on this certificate must send a copy of the certificate to the department within 5 working days. The document may be submitted electronically through existing data systems, if applicable.

When sending the order, report, or certificate to the department, a facility shall, at a minimum, provide information about which action was taken regarding the patient under paragraph (g), which information shall also be made a part of the patient's clinical record.

(e) The department shall receive and maintain the copies of ex parte orders, involuntary ~~outpatient~~ services orders issued pursuant to ss. 394.4655 and 394.467 ~~s. 394.4655, involuntary inpatient placement orders issued pursuant to s. 394.467~~, professional certificates, law enforcement officers' reports, and reports relating to the transportation of patients. These documents shall be considered part of the clinical record, governed by the provisions of s. 394.4615. These documents shall be provided to the Louis de la Parte Florida Mental Health Institute established under s. 1004.44 by the department and used by the institute to prepare annual reports analyzing the data obtained from these documents, without including the personal identifying information of the patient. The information in the reports may include, but need not be limited to, a state level analysis of involuntary examinations, including a description of demographic characteristics of individuals and the geographic locations of involuntary examinations; counts of the number of involuntary examinations at each receiving facility; and reporting and analysis of trends for involuntary examinations within the state. The report shall also include counts of and provide demographic, geographic, and other relevant information about individuals with a developmental disability, as defined in s. 393.063, or a traumatic brain injury or dementia who were taken to a receiving facility for involuntary examination pursuant to s. 394.463 and determined not to have a co-occurring mental illness. The institute ~~identifying patients, and~~ shall post the reports on its website and provide copies of such reports to the ~~department, the~~ President of the Senate, the Speaker of the House of Representatives, and the minority leaders of the Senate and the House of Representatives by November 30 of each year.

(f) A patient must ~~shall~~ be examined by a physician or a clinical psychologist, or by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist at a facility without unnecessary delay to determine if the criteria for involuntary services are met. Such examination shall include, but not be limited to, consideration of the patient's treatment history at the facility and any information regarding the patient's condition and behavior provided by knowledgeable individuals. Repeated admittance for involuntary examination despite implementation of appropriate discharge plans may be evidence that criteria under subparagraph (1)(b)1. are met. For purposes of this paragraph, the term "repeated admittance" means three or more admissions into the facility within the immediately preceding 12 months. An individual's basic needs being served while admitted to the facility may not be considered evidence that criteria under subparagraph (1)(b)1. are met. Emergency treatment may be provided upon the order of a physician or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist if the physician or

psychiatric nurse determines that such treatment is necessary for the safety of the patient or others. The patient may not be released by the receiving facility or its contractor without the documented approval of a psychiatrist or a clinical psychologist or, if the receiving facility is owned or operated by a hospital, health system, or nationally accredited community mental health center, the release may also be approved by a psychiatric nurse performing within the framework of an established protocol with a psychiatrist, or an attending emergency department physician with experience in the diagnosis and treatment of mental illness after completion of an involuntary examination pursuant to this subsection. A psychiatric nurse may not approve the release of a patient if the involuntary examination was initiated by a psychiatrist unless the release is approved by the initiating psychiatrist. The release may be approved through telehealth.

(g) The examination period must be for up to 72 hours and begins when a patient arrives at the receiving facility. For a minor, the examination shall be initiated within 12 hours after the patient's arrival at the facility. Within the examination period, one of the following actions must be taken, based on the individual needs of the patient:

1. The patient shall be released, unless he or she is charged with a crime, in which case the patient shall be returned to the custody of a law enforcement officer;

2. The patient shall be released, subject to subparagraph 1., for voluntary outpatient treatment;

3. The patient, unless he or she is charged with a crime, shall be asked to give express and informed consent to placement as a voluntary patient and, if such consent is given, the patient shall be admitted as a voluntary patient; or

4. A petition for involuntary services shall be filed in the circuit court ~~if inpatient treatment is deemed necessary~~ or with the ~~criminal~~ county court, as defined in s. 394.4655(1), as applicable. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. The ~~When a~~ petition ~~is to be filed for involuntary outpatient placement, it~~ shall be filed by one of the petitioners specified in s. 394.467, and the court shall dismiss an untimely filed petition ~~s. 394.4655(4)(a)~~. ~~A petition for involuntary inpatient placement shall be filed by the facility administrator.~~ If a patient's 72-hour examination period ends on a weekend or holiday, including the hours before the ordinary business hours on the morning of the next working day, and the receiving facility:

a. Intends to file a petition for involuntary services, such patient may be held at the ~~a receiving~~ facility through the next working day thereafter and the ~~such~~ petition ~~for involuntary services~~ must be filed no later than such date. If the ~~receiving~~ facility fails to file the ~~a~~ petition by ~~for involuntary services at~~ the ordinary close of business on the next working day, the patient shall be released from the receiving facility following approval pursuant to paragraph (f).

b. Does not intend to file a petition for involuntary services, the ~~a~~ receiving facility may postpone release of a patient until the next working day thereafter only if a qualified professional documents that adequate discharge planning and procedures in accordance with s. 394.468, and approval pursuant to paragraph (f), are not possible until the next working day.

(h) A person for whom an involuntary examination has been initiated who is being evaluated or treated at a hospital for an emergency medical condition specified in s. 395.002 must be examined by a facility within the examination period specified in paragraph (g). The examination period begins when the patient arrives at the hospital and ceases when the attending physician documents that the patient has an emergency medical condition. If the patient is examined at a hospital providing emergency medical services by a professional qualified to perform an involuntary examination and is found as a result of that examination not to meet the criteria for involuntary ~~outpatient~~ services pursuant to s. 394.467 ~~s. 394.4655(2) or involuntary inpatient placement pursuant to s. 394.467(1)~~, the patient may be offered voluntary outpatient or inpatient services ~~or placement~~, if appropriate, or released directly from the hospital providing emergency medical services. The finding by the professional that the patient has been examined and does not meet the criteria for involuntary ~~inpatient~~ services ~~or involuntary outpatient placement~~ must be entered into the patient's clinical record. This paragraph is not intended to prevent a hospital providing emergency medical services from appropriately transferring a patient to another hospital before stabilization if the requirements of s. 395.1041(3)(c) have been met.

(4) DATA ANALYSIS.—

(a) The department shall provide the ~~Using~~ data collected under paragraph (2)(a) and s. 1006.07(10), and child welfare data related to involuntary examinations, to the Louis de la Parte Florida Mental Health Institute established under s. 1004.44. The Agency for Health Care Administration shall provide Medicaid data to the institute, requested by the institute, related to involuntary examination of children enrolled in Medicaid for the purpose of administering the program and improving service provision for such children. The department and agency shall enter into any necessary agreements with the institute to provide such data. The institute shall use such data to ~~the department shall~~, at a minimum, analyze data on both the initiation of involuntary examinations of children and the initiation of involuntary examinations of students who are removed from a school; identify any patterns or trends and cases in which involuntary examinations are repeatedly initiated on the same child or student; study root causes for such patterns, trends, or repeated involuntary examinations; and make recommendations to encourage the use of alternatives to eliminate inappropriate initiations of such examinations.

(b) The institute shall analyze service data on individuals who are high utilizers of crisis stabilization services provided in designated receiving facilities, and shall, at a minimum, identify any patterns or trends and make recommendations to decrease avoidable admissions. Recommendations may be addressed in the department's contracts with the behavioral health managing entities and in the contracts between the Agency for Health Care Administration and the Medicaid managed medical assistance plans.

(c) The institute ~~department~~ shall publish ~~submit~~ a report on its findings and recommendations on its website and submit the report to the Governor, the President of the Senate, ~~and~~ the Speaker of the House of Representatives, the department, and the Agency for Health Care Administration by November 1 of each odd-numbered year.

Section 10. Section 394.4655, Florida Statutes, is amended to read:

394.4655 Orders to involuntary outpatient placement ~~services~~.—

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

~~(a) "Court" means a circuit court or a criminal county court.~~

(a)~~(b)~~ "~~Criminal~~ County court" means a county court exercising its original jurisdiction in a misdemeanor case under s. 34.01.

(b) "Involuntary outpatient placement" means involuntary outpatient services as defined in s. 394.467.

(2) A court or a county court may order an individual to involuntary outpatient placement under s. 394.467. ~~CRITERIA FOR INVOLUNTARY OUTPATIENT SERVICES. A person may be ordered to involuntary outpatient services upon a finding of the court, by clear and convincing evidence, that the person meets all of the following criteria:~~

~~(a) The person is 18 years of age or older.~~

~~(b) The person has a mental illness.~~

~~(c) The person is unlikely to survive safely in the community without supervision, based on a clinical determination.~~

~~(d) The person has a history of lack of compliance with treatment for mental illness.~~

~~(e) The person has:~~

~~1. At least twice within the immediately preceding 36 months been involuntarily admitted to a receiving or treatment facility as defined in s. 394.455, or has received mental health services in a forensic or correctional facility. The 36-month period does not include any period during which the person was admitted or incarcerated; or~~

~~2. Engaged in one or more acts of serious violent behavior toward self or others, or attempts at serious bodily harm to himself or herself or others, within the preceding 36 months.~~

~~(f) The person is, as a result of his or her mental illness, unlikely to voluntarily participate in the recommended treatment plan and has refused voluntary services for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary or is unable to determine for himself or herself whether services are necessary.~~

~~(g) In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services in order to prevent a~~

relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well-being as set forth in s. 394.463(1).

(h) It is likely that the person will benefit from involuntary outpatient services.

(i) All available, less restrictive alternatives that would offer an opportunity for improvement of his or her condition have been judged to be inappropriate or unavailable.

(3) INVOLUNTARY OUTPATIENT SERVICES.

(a)1. A patient who is being recommended for involuntary outpatient services by the administrator of the facility where the patient has been examined may be retained by the facility after adherence to the notice procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services are met. However, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services certificate that authorizes the facility to retain the patient pending completion of a hearing. The certificate must be made a part of the patient's clinical record.

2. If the patient has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the facility while awaiting the hearing for involuntary outpatient services. Before filing a petition for involuntary outpatient services, the administrator of the facility or a designated department representative must identify the service provider that will have primary responsibility for service provision under an order for involuntary outpatient services, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.

3. The service provider shall prepare a written proposed treatment plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The treatment plan must specify the likely level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. Service providers may select and supervise other individuals to implement specific aspects of the treatment plan. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. The service provider must certify to the court in the proposed plan whether sufficient services for improvement and stabilization are currently available and whether the service provider agrees to provide those services. If the service provider certifies that the services in the proposed treatment plan are not available, the petitioner may not file the petition. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.

(b) If a patient in involuntary inpatient placement meets the criteria for involuntary outpatient services, the administrator of the facility may, before the expiration of the period during which the facility is authorized to retain the patient, recommend involuntary outpatient services. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services are met. However, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services certificate, and the certificate must be made a part of the patient's clinical record.

(c)1. The administrator of the treatment facility shall provide a copy of the involuntary outpatient services certificate and a copy of the state mental health discharge form to the managing entity in the county where the patient will be residing. For persons who are leaving a state mental health treatment facility, the petition for involuntary outpatient services must be filed in the county where the patient will be residing.

2. The service provider that will have primary responsibility for service provision shall be identified by the designated department representative before the order for involuntary outpatient services and must, before filing a petition for involuntary outpatient services, certify to the court whether the services recommended in the patient's discharge plan are available and whether the service provider agrees to provide those services. The service provider must develop with the patient, or the patient's guardian advocate, if appointed, a treatment or service plan that addresses the needs identified in the discharge plan. The plan must be deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in this chapter, who consults with, or is employed or contracted by, the service provider.

3. If the service provider certifies that the services in the proposed treatment or service plan are not available, the petitioner may not file the petition. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.

(4) PETITION FOR INVOLUNTARY OUTPATIENT SERVICES.

(a) A petition for involuntary outpatient services may be filed by:

1. The administrator of a receiving facility; or

2. The administrator of a treatment facility.

(b) Each required criterion for involuntary outpatient services must be alleged and substantiated in the petition for involuntary outpatient services. A copy of the certificate recommending involuntary outpatient services completed by a qualified professional specified in subsection (3) must be attached to the petition. A copy of the proposed treatment plan must be attached to the petition. Before the petition is filed, the service provider shall certify that the services in the proposed plan are available. If the necessary services are not available, the petition may not be filed. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.

(c) The petition for involuntary outpatient services must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside. When the petition has been filed, the clerk of the court shall provide copies of the petition and the proposed treatment plan to the department, the managing entity, the patient, the patient's guardian or representative, the state attorney, and the public defender or the patient's private counsel. A fee may not be charged for filing a petition under this subsection.

(5) APPOINTMENT OF COUNSEL. Within 1 court working day after the filing of a petition for involuntary outpatient services, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of the appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, or the patient is discharged from involuntary outpatient services. An attorney who represents the patient must be provided access to the patient, witnesses, and records relevant to the presentation of the patient's

case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(6) CONTINUANCE OF HEARING.—The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. The continuance shall be for a period of up to 4 weeks.

(7) HEARING ON INVOLUNTARY OUTPATIENT SERVICES.—

(a)1. The court shall hold the hearing on involuntary outpatient services within 5 working days after the filing of the petition, unless a continuance is granted. The hearing must be held in the county where the petition is filed, must be as convenient to the patient as is consistent with orderly procedure, and must be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient and if the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding.

2. The court may appoint a magistrate to preside at the hearing. One of the professionals who executed the involuntary outpatient services certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall ensure that one is provided, as otherwise provided by law. The independent expert's report is confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(b)1. If the court concludes that the patient meets the criteria for involuntary outpatient services pursuant to subsection (2), the court shall issue an order for involuntary outpatient services. The court order shall be for a period of up to 90 days. The order must specify the nature and extent of the patient's mental illness. The order of the court and the treatment plan must be made part of the patient's clinical record. The service provider shall discharge a patient from involuntary outpatient services when the order expires or any time the patient no longer meets the criteria for involuntary placement. Upon discharge, the service provider shall send a certificate of discharge to the court.

2. The court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services. A copy of the order must be sent to the managing entity by the service provider within 1 working day after it is received from the court. The order may be submitted electronically through existing data systems. After the order for involuntary services is issued, the service provider and the patient may modify the treatment plan. For any material modification of the treatment plan to which the patient or, if one is appointed, the patient's guardian advocate agrees, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (3).

3. If, in the clinical judgment of a physician, the patient has failed or has refused to comply with the treatment ordered by the court, and, in the clinical judgment of the physician, efforts were made to solicit compliance and the patient may meet the criteria for involuntary examination, a person may be brought to a receiving facility pursuant to s. 394.463. If, after examination, the patient does not meet the criteria for involuntary inpatient placement pursuant to s. 394.467, the patient must be discharged from the facility. The involuntary outpatient services order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient services or until the order expires. The service provider must determine whether modifications should be made to the existing treatment plan and must attempt to continue to engage the patient in treatment. For any material modification of the treatment plan to which the patient or the patient's guardian advocate, if applicable, agrees, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (3).

(c) If, at any time before the conclusion of the initial hearing on involuntary outpatient services, it appears to the court that the person does not meet the criteria for involuntary outpatient services under this section but, instead, meets the criteria for involuntary inpatient placement, the court may order the person admitted for involuntary inpatient examination under s. 394.463. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings are governed by chapter 397.

(d) At the hearing on involuntary outpatient services, the court shall consider testimony and evidence regarding the patient's competence to consent to services. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598. The guardian advocate shall be appointed or discharged in accordance with s. 394.4598.

(e) The administrator of the receiving facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient services. Such documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a psychologist or a clinical social worker.

(8) PROCEDURE FOR CONTINUED INVOLUNTARY OUTPATIENT SERVICES.—

(a)1. If the person continues to meet the criteria for involuntary outpatient services, the service provider shall, at least 10 days before the expiration of the period during which the treatment is ordered for the person, file in the court that issued the order for involuntary outpatient services a petition for continued involuntary outpatient services. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.

2. The existing involuntary outpatient services order remains in effect until disposition on the petition for continued involuntary outpatient services.

3. A certificate shall be attached to the petition which includes a statement from the person's physician or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary services, and an individualized plan of continued treatment.

4. The service provider shall develop the individualized plan of continued treatment in consultation with the patient or the patient's guardian advocate, if applicable. When the petition has been filed, the clerk of the court shall provide copies of the certificate and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.

(b) Within 1 court working day after the filing of a petition for continued involuntary outpatient services, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed or the court order expires or the patient is discharged from involuntary outpatient services. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(c) Hearings on petitions for continued involuntary outpatient services must be before the court that issued the order for involuntary outpatient services. The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7), except that the time period included in

~~paragraph (2)(c) is not applicable in determining the appropriateness of additional periods of involuntary outpatient placement.~~

~~(d) Notice of the hearing must be provided as set forth in s. 394.4599. The patient and the patient's attorney may agree to a period of continued outpatient services without a court hearing.~~

~~(e) The same procedure must be repeated before the expiration of each additional period the patient is placed in treatment.~~

~~(f) If the patient has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. Section 394.4598 governs the discharge of the guardian advocate if the patient's competency to consent to treatment has been restored.~~

Section 11. Section 394.467, Florida Statutes, is amended to read:

394.467 Involuntary inpatient placement and involuntary outpatient services.—

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

(a) "Court" means a circuit court or, for commitments only to involuntary outpatient services, a county court as defined in s 394.4655.

(b) "Involuntary inpatient placement" means placement in a secure receiving or treatment facility providing stabilization and treatment services to a person 18 years of age or older who does not voluntarily consent to services under this chapter, or a minor who does not voluntarily assent to services under this chapter.

(c) "Involuntary outpatient services" means services provided in the community to a person who does not voluntarily consent to or participate in services under this chapter.

(d) "Services plan" means an individualized plan detailing the recommended behavioral health services and supports based on a thorough assessment of the needs of the patient, to safeguard and enhance the patient's health and well-being in the community.

(2)~~(1)~~ CRITERIA FOR INVOLUNTARY SERVICES.—A person may be ordered by a court to be provided ~~for~~ involuntary services ~~inpatient placement for treatment~~ upon a finding of the court, by clear and convincing evidence, that the person meets the following criteria:

(a) Involuntary outpatient services.—A person ordered to involuntary outpatient services must meet the following criteria:

1. The person has a mental illness and because of his or her mental illness:

a. Is unlikely to voluntarily participate in a recommended services plan and has refused voluntary services for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary; or

b. He or she is unable to determine for himself or herself whether services are necessary.

2. The person is unlikely to survive safely in the community without supervision, based on a clinical determination.

3. The person has a history of lack of compliance with treatment for mental illness.

4. In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well-being as set forth in s. 394.463(1).

5. It is likely that the person will benefit from involuntary outpatient services.

6. All available less restrictive alternatives that would offer an opportunity for improvement of the person's condition have been deemed to be inappropriate or unavailable.

(b) Involuntary inpatient placement.—A person ordered to involuntary inpatient placement must meet the following criteria:

1.~~(a)~~ The person ~~He or she~~ has a mental illness and because of his or her mental illness:

a.~~1.a.~~ He or she has refused voluntary inpatient placement for treatment after sufficient and conscientious explanation and disclosure of the purpose of ~~inpatient placement for~~ treatment; or

b. ~~He or she~~ Is unable to determine for himself or herself whether inpatient placement is necessary; and

2.a. He or she is incapable of surviving alone or with the help of willing, able, and responsible family or friends, including available alternative services, and, without treatment, is likely to suffer from neglect or refuse to care for himself or herself, and such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; or

b. Without treatment, there is a substantial likelihood that in the near future the person ~~he or she~~ will inflict serious bodily harm on self or others, as evidenced by recent behavior causing, attempting to cause, or threatening to cause such harm; and

(c)~~(b)~~ All available less restrictive treatment alternatives that would offer an opportunity for improvement of the person's ~~his or her~~ condition have been deemed ~~judged~~ to be inappropriate or unavailable.

(3)~~(2)~~ RECOMMENDATION FOR INVOLUNTARY SERVICES AND ~~ADMISSION TO A~~ TREATMENT ~~FACILITY~~.—A patient may be recommended for involuntary inpatient placement, involuntary outpatient services, or a combination of both.

(a) A patient may be retained by the ~~a~~ facility that examined the patient for involuntary services until the completion of the patient's court hearing ~~or involuntarily placed in a treatment facility~~ upon the recommendation of the administrator of the facility where the patient has been examined and after adherence to the notice and hearing procedures provided in s. 394.4599. However, if a patient who is being recommended for only involuntary outpatient services has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the facility while awaiting the hearing for involuntary outpatient services.

(b) The recommendation that the involuntary services criteria reasonably appear to have been met must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist with at least 3 years of clinical experience, ~~or~~ another psychiatrist, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, who ~~both of whom have~~ personally examined the patient ~~within the preceding 72 hours, that the criteria for involuntary inpatient placement are met~~. For involuntary inpatient placement, the patient must have been examined within the preceding 72 hours. For involuntary outpatient services the patient must have been examined within the preceding 30 days.

(c) If ~~However, if the administrator certifies that~~ a psychiatrist, a ~~or~~ clinical psychologist with at least 3 years of clinical experience, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist is not available to provide a ~~the~~ second opinion, the petitioner must certify as such and the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a clinical psychologist, or ~~by~~ a psychiatric nurse.

(d) Any opinion authorized in this subsection may be conducted through a face-to-face or in-person examination, ~~in person,~~ or by electronic means. Recommendations for involuntary services must be ~~Such recommendation shall be~~ entered on a petition for involuntary services ~~inpatient placement certificate~~, which shall be made a part of the patient's clinical record. The filing of the petition ~~that~~ authorizes the facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

(4)~~(3)~~ PETITION FOR INVOLUNTARY SERVICES ~~INPATIENT PLACEMENT~~.—

(a) A petition for involuntary services may be filed by:

1. The administrator of a receiving ~~the~~ facility;

2. The administrator of a treatment facility; or

3. A service provider who is treating the person being petitioned.

(b) A ~~shall file a~~ petition for involuntary inpatient placement, or inpatient placement followed by outpatient services, must be filed in the court in the county where the patient is located.

(c) A petition for involuntary outpatient services must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside.

(d)1. The petitioner must state in the petition:

a. Whether the petitioner is recommending inpatient placement, outpatient services, or both.

b. The length of time recommended for each type of involuntary services.

c. The reasons for the recommendation.

2. If recommending involuntary outpatient services, or a combination of involuntary inpatient placement and outpatient services, the petitioner must identify the service provider that has agreed to provide services for the person under an order for involuntary outpatient services, unless he or she is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.

3. When recommending an order to involuntary outpatient services, the petitioner shall prepare a written proposed services plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The services plan must specify the likely needed level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. If the services in the proposed services plan are not available, the petitioner may not file the petition. The petitioner must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested service. The service provider who accepts the patient for involuntary outpatient services is responsible for the development of a comprehensive treatment plan.

(e) Each required criterion for the recommended involuntary services must be alleged and substantiated in the petition. A copy of the recommended services plan, if applicable, must be attached to the petition. The court must accept petitions and other documentation with electronic signatures.

(f) When the petition has been filed ~~Upon filing~~, the clerk of the court shall provide copies of the petition and the recommended services plan, if applicable, to the department, the managing entity, the patient, the patient's guardian or representative, ~~and~~ the state attorney, and the public defender or the patient's private counsel ~~of the judicial circuit in which the patient is located~~. A fee may not be charged for the filing of a petition under this subsection.

(g) If the service provider is petitioning for involuntary outpatient services, and the provider's patient is not in a receiving or treatment facility, the petition shall be heard and processed in accordance with the requirements of this section, subject to the following exceptions:

1. Unless a continuance is granted, the petition must be heard no later than 10 court working days after its filing;

2. The service provider must provide a copy of its patient's clinical records, examination report recommending outpatient services, and services plan to the court, state attorney, and the patient's attorney; and

3. There is proof that the respondent has been served, and the court may continue the case for lack of service.

(5)~~(4)~~ APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary services ~~inpatient placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel or ineligible. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, the patient is discharged from involuntary services, or the public defender is otherwise discharged by the court. Any attorney who represents ~~representing~~ the patient shall be provided ~~have~~ access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(6)~~(5)~~ CONTINUANCE OF HEARING.—The patient and the state are independently ~~is~~ entitled~~, with the concurrence of the patient's counsel,~~ to seek a ~~at least one~~ continuance of the hearing. The patient shall be granted a request for an initial continuance for up to 7 calendar days. The patient may request additional continuances for up to 21 calendar days in total, which shall only be granted by a showing of good cause and due diligence by the patient and the patient's counsel before requesting the continuance. The state may request one continuance of up to 7 calendar days, which shall only be granted by a showing of good cause and due diligence by the state before requesting the continuance. The state's failure to timely review any readily available document or failure to attempt to contact a known witness does not warrant a continuance ~~4 weeks~~.

(7)~~(6)~~ HEARING ON INVOLUNTARY SERVICES ~~INPATIENT PLACEMENT~~.—

(a)1. The court shall hold a ~~the~~ hearing on the involuntary services petition ~~inpatient placement~~ within 5 court working days after the filing of the petition, unless a continuance is granted.

2. The court must hold any hearing on involuntary outpatient services in the county where the petition is filed. A hearing on involuntary inpatient placement, or a combination of involuntary inpatient placement and involuntary outpatient services, ~~Except for good cause documented in the court file, the hearing~~ must be held in the county or the facility, as appropriate, where the patient is located, except for good cause documented in the court file.

3. A hearing on involuntary services must be as convenient to the patient as is consistent with orderly procedure, and shall be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient, or the patient knowingly, intelligently, and voluntarily waives his or her right to be present, and if the patient's counsel does not object, the court may waive the attendance ~~presence~~ of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding. The facility or service provider shall make the patient's clinical records available to the state attorney and the patient's attorney so that the state can evaluate and prepare its case. However, these records shall remain confidential, and the state attorney may not use any record obtained under this part for criminal investigation or prosecution purposes, or for any purpose other than the patient's civil commitment under this chapter ~~petitioning facility administrator, as the real party in interest in the proceeding~~.

(b)~~3.~~ The court may appoint a magistrate to preside at the hearing. The hearing may be an in-person or remote proceeding. The parties and witnesses may remotely attend and, as appropriate, testify at the hearing under oath via audio-video teleconference. A witness intending to remotely attend and testify must provide the parties with all relevant documents by the close of business on the day before the hearing. One of the professionals who executed the ~~petition for~~ involuntary services ~~inpatient placement~~ certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall ensure that one is provided, as otherwise provided for by law. The independent expert's report is confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from persons, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(c)~~(b)~~ At the hearing, the court shall consider testimony and evidence regarding the patient's competence to consent to services and treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.

(8) ORDERS OF THE COURT.—

(a)1. If the court concludes that the patient meets the criteria for involuntary services, the court may order a patient to involuntary inpatient placement, involuntary outpatient services, or a combination of involuntary services depending on the criteria met and which type of involuntary services best meet the needs of the patient. However, if the court orders the patient to involuntary outpatient services, the court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. The petitioner must notify the managing entity if the requested services are not

available. The managing entity must document such efforts to obtain the requested services. A copy of the order must be sent to the managing entity by the service provider within 1 working day after it is received from the court.

2. If the court orders the patient to involuntary outpatient services, the patient must be monitored by a social worker or case manager of the outpatient provider, or a willing, able, and responsible individual appointed by the court who must inform the court, the state attorney, and the patient's attorney of any failure by the patient to comply with his or her outpatient treatment.

3. The order must specify the nature and extent of the patient's mental illness and the reasons the appropriate involuntary services criteria are satisfied.

4. An order for only involuntary outpatient services, involuntary inpatient placement, or of a combination of involuntary services may be for a period of up to 6 months.

5. An order for a combination of involuntary services shall specify the length of time the patient shall be ordered for involuntary inpatient placement and involuntary outpatient services.

6. The order of the court and the patient's services plan, if applicable, must be made part of the patient's clinical record.

(b) If the court orders a patient into involuntary inpatient placement, the court ~~it~~ may order that the patient be retained at a receiving facility while awaiting transfer transferred to a treatment facility, or~~,~~ if the patient is at a treatment facility, that the patient be retained there or be treated at any other appropriate facility, or that the patient receive services~~,~~ on an involuntary basis, for up to ~~90 days~~. ~~However, any order for involuntary mental health services in a treatment facility may be for up to~~ 6 months. ~~The order shall specify the nature and extent of the patient's mental illness.~~ The court may not order an individual with a developmental disability as defined in s. 393.063 or a traumatic brain injury or dementia who lacks a co-occurring mental illness to be involuntarily placed in a state treatment facility. ~~The facility shall discharge a patient any time the patient no longer meets the criteria for involuntary inpatient placement, unless the patient has transferred to voluntary status.~~

(c) If at any time before the conclusion of a ~~the~~ hearing on involuntary services, ~~inpatient placement~~ it appears to the court that the patient ~~person does not meet the criteria for involuntary inpatient placement under this section, but~~ instead meets the criteria for involuntary ~~outpatient services, the court may order the person evaluated for involuntary outpatient services pursuant to s. 394.4655. The petition and hearing procedures set forth in s. 394.4655 shall apply. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary~~ admission or treatment pursuant to s. 397.675, then the court may order the person to be admitted for involuntary assessment ~~for a period of 5 days~~ pursuant to s. 397.6757 ~~s. 397.6811~~. Thereafter, all proceedings are governed by chapter 397.

~~(d) At the hearing on involuntary inpatient placement, the court shall consider testimony and evidence regarding the patient's competence to consent to treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.~~

(d)~~(c)~~ The administrator of the petitioning facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient services or the administrator of a treatment facility if the patient is ordered for involuntary inpatient placement~~, whether by civil or criminal court~~. The documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a psychiatric nurse, a clinical psychologist, a marriage and family therapist, a mental health counselor, or a clinical social worker. The administrator of a treatment facility may refuse admission to any patient directed to its facilities on an involuntary basis, whether by civil or criminal court order, who is not accompanied by adequate orders and documentation.

(e) In cases resulting in an order for involuntary outpatient services, the court shall retain jurisdiction over the case and the parties for entry of further orders as circumstances may require, including, but not limited to, monitoring compliance with treatment or ordering inpatient treatment to stabilize a person who decompensates while under court-ordered outpatient treatment and meets the commitment criteria of s. 394.467.

(9) SERVICES PLAN MODIFICATION—After the order for involuntary outpatient services is issued, the service provider and the patient may modify the services plan as provided by department rule.

(10) NONCOMPLIANCE WITH INVOLUNTARY OUTPATIENT SERVICES.—

(a) If, in the clinical judgment of a physician, a psychiatrist, a clinical psychologist with at least 3 years of clinical experience, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, a patient receiving involuntary outpatient services has failed or has refused to comply with the services plan ordered by the court, and efforts were made to solicit compliance, the service provider must report such noncompliance to the court. The involuntary outpatient services order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient services or until the order expires. The service provider must determine whether modifications should be made to the existing services plan and must attempt to continue to engage the patient in treatment. For any material modification of the services plan to which the patient or the patient's guardian advocate, if applicable, agrees, the service provider shall send notice of the modification to the court. Any material modifications of the services plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (4).

(b) A county court may not use incarceration as a sanction for noncompliance with the services plan, but it may order an individual evaluated for possible inpatient placement if there is significant, or are multiple instances of, noncompliance.

(11)~~(7)~~ PROCEDURE FOR CONTINUED INVOLUNTARY SERVICES ~~INPATIENT PLACEMENT~~.—

(a) A petition for continued involuntary services shall be filed if the patient continues to meets the criteria for involuntary services.

(b)1. If a patient receiving involuntary outpatient services continues to meet the criteria for involuntary outpatient services, the service provider shall file in the court that issued the initial order for involuntary outpatient services a petition for continued involuntary outpatient services.

2. If a patient in involuntary inpatient placement

~~(a) Hearings on petitions for continued involuntary inpatient placement of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the administrative law judge is final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.~~

~~(b) If the patient~~ continues to meet the criteria for involuntary services ~~inpatient placement~~ and is being treated at a receiving ~~treatment~~ facility, the administrator shall, before the expiration of the period the receiving ~~treatment~~ facility is authorized to retain the patient, file in the court that issued the initial order for involuntary inpatient placement, a petition requesting authorization for continued involuntary services ~~inpatient placement~~. The administrator may petition for inpatient or outpatient services.

3. If a patient in inpatient placement continues to meet the criteria for involuntary services and is being treated at a treatment facility, the administrator shall, before expiration of the period the treatment facility is authorized to retain the patient, file a petition requesting authorization for continued involuntary services. The administrator may petition for inpatient or outpatient services. Hearings on petitions for continued involuntary services of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the judge is final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.

4. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.

5. The existing involuntary services order shall remain in effect until disposition on the petition for continued involuntary services.

(c) The petition ~~request~~ must be accompanied by a statement from the patient's physician, psychiatrist, psychiatric nurse, or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary services ~~involuntarily placed~~, and an individualized plan of continued treatment developed in consultation with the patient or the patient's guardian advocate, if applicable. If the petition is for involuntary outpatient services, it must comply with the requirements of subparagraph (4)(d)3. When the petition has been filed, the clerk of the court shall provide copies of the petition and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.

(d) The court shall appoint counsel to represent the person who is the subject of the petition for continued involuntary services in accordance to the provisions set forth in subsection (5), unless the person is otherwise represented by counsel or ineligible.

(e) Hearings on petitions for continued involuntary outpatient services must be before the court that issued the order for involuntary outpatient services. However, the patient and the patient's attorney may agree to a period of continued outpatient services without a court hearing.

(f) Hearings on petitions for continued involuntary inpatient placement in receiving facilities, or involuntary outpatient services following involuntary inpatient services, must be held in the county or the facility, as appropriate, where the patient is located.

(g) The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7).

(h) Notice of the hearing must be provided as set forth ~~provided~~ in s. 394.4599.

(i) If a patient's attendance at the hearing is voluntarily waived, the ~~administrative law~~ judge must determine that the patient knowingly, intelligently, and voluntarily waived his or her right to be present, ~~waiver is knowing and voluntary~~ before waiving the presence of the patient from all or a portion of the hearing. Alternatively, if at the hearing the ~~administrative law~~ judge finds that attendance at the hearing is not consistent with the best interests of the patient, the ~~administrative law~~ judge may waive the presence of the patient from all or any portion of the hearing, unless the patient, through counsel, objects to the waiver of presence. The testimony in the hearing must be under oath~~,~~ and the proceedings must be recorded.

~~(c) Unless the patient is otherwise represented or is ineligible, he or she shall be represented at the hearing on the petition for continued involuntary inpatient placement by the public defender of the circuit in which the facility is located.~~

(j)~~(d)~~ If at a hearing it is shown that the patient continues to meet the criteria for involuntary services ~~inpatient placement~~, the court ~~administrative law judge~~ shall issue an ~~sign the~~ order for continued involuntary outpatient services, ~~inpatient placement for up to 90 days. However, any order for~~ involuntary inpatient placement, or ~~mental health services in~~ a combination of involuntary services ~~treatment facility may be~~ for up to 6 months. The same procedure shall be repeated before the expiration of each additional period the patient is retained.

(k) If the patient has been ordered to undergo involuntary services and has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. If the patient's competency to consent to treatment is restored, the discharge of the guardian advocate shall be governed by s. 394.4598. If the patient has been ordered to undergo involuntary inpatient placement only and the patient's competency to consent to treatment is restored, the administrative law judge may issue a recommended order, to the court that found the patient incompetent to consent to treatment, that the patient's competence be restored and that any guardian advocate previously appointed be discharged.

(l)~~(e)~~ If continued involuntary inpatient placement is necessary for a patient in involuntary inpatient placement who was admitted while serving a criminal sentence, but his or her sentence is about to expire, or for a minor involuntarily placed, but who is about to reach the age of 18, the administrator shall petition the administrative law judge for an order authorizing continued involuntary inpatient placement. The procedure required in this subsection must be followed before the expiration of each additional period the patient is involuntarily receiving services.

(12)~~(8)~~ RETURN TO FACILITY.—If a patient has been ordered to undergo involuntary inpatient placement ~~involuntarily held~~ at a receiving or treatment facility under this part and leaves the facility without the administrator's authorization, the administrator may authorize a search for the patient and his or her return to the facility. The administrator may request the assistance of a law enforcement agency in this regard.

(13) DISCHARGE.—The patient shall be discharged upon expiration of the court order or at any time the patient no longer meets the criteria for involuntary services, unless the patient has transferred to voluntary status. Upon discharge, the service provider or facility shall send a certificate of discharge to the court.

Section 12. Subsection (2) of section 394.468, Florida Statutes, is amended and subsection (3) is added to that section to read:

394.468 Admission and discharge procedures.—

(2) Discharge planning and procedures for any patient's release from a receiving facility or treatment facility must include and document the patient's needs, and actions to address such needs, for ~~consideration of~~, at a minimum:

(a) Follow-up behavioral health appointments;

(b) Information on how to obtain prescribed medications; and

(c) Information pertaining to:

1. Available living arrangements;

2. Transportation; and

(d) Referral to:

1. Care coordination services. The patient must be referred for care coordination services if the patient meets the criteria as a member of a priority population as determined by the department under s. 394.9082(3)(c) and is in need of such services.

2.~~3.~~ Recovery support opportunities under s. 394.4573(2)(l), including, but not limited to, connection to a peer specialist.

(3) During the discharge transition process and while the patient is present unless determined inappropriate by a physician or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist a receiving facility shall coordinate, face-to-face or through electronic means, discharge plans to a less restrictive community behavioral health provider, a peer specialist, a case manager, or a care coordination service. The transition process must, at a minimum, include all of the following criteria:

(a) Implementation of policies and procedures outlining strategies for how the receiving facility will comprehensively address the needs of patients who demonstrate a high use of receiving facility services to avoid or reduce future use of crisis stabilization services. For any such patient, policies and procedures must include, at a minimum, a review of the effectiveness of previous discharge plans created by the facility for the patient, and the new discharge plan must address problems experienced with implementation of previous discharge plans.

(b) Developing and including in discharge paperwork a personalized crisis prevention plan that identifies stressors, early warning signs or symptoms, and strategies to deal with crisis.

(c) Requiring a staff member to seek to engage a family member, legal guardian, legal representative, or natural support in discharge planning and meet face to face or through electronic means to review the discharge instructions, including prescribed medications, follow-up appointments, and any other recommended services or follow-up resources, and document the outcome of such meeting.

(d) When the recommended level of care at discharge is not immediately available to the patient, the receiving facility must, at a minimum, initiate a referral to an appropriate provider to meet the needs of the patient to continue care until the recommended level of care is available.

Section 13. Section 394.4915, Florida Statutes, is created to read:

394.4915 Office of Children's Behavioral Health Ombudsman.-The Office of Children's Behavioral Health Ombudsman is established within the department for the purpose of being a central point to receive complaints on behalf of children and adolescents with behavioral health disorders receiving state-funded services and use such information to improve the child and

adolescent mental health treatment and support system. The department and managing entities shall include information about and contact information for the office placed prominently on their websites on easily accessible web pages related to children and adolescent behavioral health services. To the extent permitted by available resources, the office shall, at a minimum:

(1) Receive and direct to the appropriate contact within the department, the Agency for Health Care Administration, or the appropriate organizations providing behavioral health services complaints from children and adolescents and their families about the child and adolescent mental health treatment and support system.

(2) Maintain records of complaints received and the actions taken.

(3) Be a resource to identify and explain relevant policies or procedures to children, adolescents, and their families about the child and adolescent mental health treatment and support system.

(4) Provide recommendations to the department to address systemic problems within the child and adolescent mental health treatment and support system that are leading to complaints. The department shall include an analysis of complaints and recommendations in the report required under s. 394.4573.

(5) Engage in functions that may improve the child and adolescent mental health treatment and support system.

Section 14. Subsection (3) of section 394.495, Florida Statutes, is amended to read:

394.495 Child and adolescent mental health system of care; programs and services.—

(3) Assessments must be performed by:

(a) A clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455 ~~professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~;

(b) A professional licensed under chapter 491; or

(c) A person who is under the direct supervision of a clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455, ~~qualified professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~ or a professional licensed under chapter 491.

Section 15. Subsection (5) of section 394.496, Florida Statutes, is amended to read:

394.496 Service planning.—

(5) A clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455, ~~professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~ or a professional licensed under chapter 491 must be included among those persons developing the services plan.

Section 16. Paragraph (a) of subsection (2) of section 394.499, Florida Statutes, is amended to read:

394.499 Integrated children's crisis stabilization unit/juvenile addictions receiving facility services.—

(2) Children eligible to receive integrated children's crisis stabilization unit/juvenile addictions receiving facility services include:

(a) A minor whose parent makes ~~person under 18 years of age for whom~~ voluntary application based on the parent's express and informed consent, and the requirements of s. 394.4625(1)(a) are met ~~is made by his or her guardian, if such person is found to show evidence of mental illness and to be suitable for treatment pursuant to s. 394.4625. A person under 18 years of age may be admitted for integrated facility services only after a hearing to verify that the consent to admission is voluntary~~.

Section 17. Paragraphs (a) and (d) of subsection (1) of section 394.875, Florida Statutes, are amended to read:

394.875 Crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; authorized services; license required.—

(1)(a) The purpose of a crisis stabilization unit is to stabilize and redirect a client to the most appropriate and least restrictive community setting available, consistent with the client's needs. Crisis stabilization units may screen, assess, and admit for stabilization persons who present themselves to the unit and persons who are brought to the unit under s. 394.463. Clients may be provided 24-hour observation, medication prescribed by a physician, ~~or~~ psychiatrist, or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, and other appropriate services. Crisis stabilization units shall provide services regardless of the client's ability to pay ~~and shall be limited in size to a maximum of 30 beds~~.

~~(d) The department is directed to implement a demonstration project in circuit 18 to test the impact of expanding beds authorized in crisis stabilization units from 30 to 50 beds. Specifically, the department is directed to authorize existing public or private crisis stabilization units in circuit 18 to expand bed capacity to a maximum of 50 beds and to assess the impact such expansion would have on the availability of crisis stabilization services to clients.~~

Section 18. Section 394.90826, Florida Statutes, is created to read:

394.90826 Behavioral Health Interagency Collaboration.-

(1) The department and the Agency for Health Care Administration shall jointly establish behavioral health interagency collaboratives throughout the state with the goal of identifying and addressing ongoing challenges within the behavioral health system at the local level to improve the accessibility, availability, and quality of behavioral health services. The objectives of the regional collaboratives are to:

(a) Facilitate enhanced interagency communication and collaboration.

(b) Develop and promote regional strategies tailored to address community-level challenges in the behavioral health system.

(2) The regional collaborative membership shall at a minimum be composed of representatives from all of the following, serving the region:

(a) Department of Children and Families.

(b) Agency for Health Care Administration.

(c) Agency for Persons with Disabilities.

(d) Department of Elder Affairs.

(e) Department of Health.

(f) Department of Education.

(g) School districts.

(h) Area Agencies on Aging.

(i) Community-based care lead agencies, as defined in s. 409.986(3)(d).

(j) Managing entities, as defined in s. 394.9082(2).

(k) Behavioral health services providers.

(l) Hospitals.

(m) Medicaid Managed Medical Assistance Plans.

(n) Police departments.

(o) Sheriffs' Offices.

(3) Each regional collaborative shall define the objectives of that collaborative based upon the specific needs of the region and local communities located within the region, to achieve the specified goals.

(4) The department shall define the region to be served by each collaborative and shall be responsible for facilitating meetings.

(5) All entities represented on the regional collaboratives shall provide assistance as appropriate and reasonably necessary to fulfill the goals of the regional collaboratives.

Section 19. Subsection (6) of section 394.9085, Florida Statutes, is amended to read:

394.9085 Behavioral provider liability.—

(6) For purposes of this section, the terms "detoxification ~~services~~," "addictions receiving facility," and "receiving facility" have the same meanings as those provided in ss. 397.311(26)(a)4. ~~397.311(26)(a)3.~~, 397.311(26)(a)1., and 394.455(40), respectively.

Section 20. Subsection (3) of section 397.305, Florida Statutes, is amended to read:

397.305 Legislative findings, intent, and purpose.—

(3) It is the purpose of this chapter to provide for a comprehensive continuum of accessible and quality substance abuse prevention, intervention, clinical treatment, and recovery support services in the most appropriate and least restrictive environment which promotes long-term recovery while protecting and respecting the rights of individuals, primarily through community-based private not-for-profit providers working with local governmental programs involving a wide range of agencies from both the public and private sectors.

Section 21. Subsections (19) and (23) of section 397.311, Florida Statutes, are amended to read:

397.311 Definitions.—As used in this chapter, except part VIII, the term:

(19) "Impaired" or "substance abuse impaired" means having a substance use disorder or a condition involving the use of alcoholic beverages, illicit or prescription drugs, or any psychoactive or mood-altering substance in such a manner as to induce mental, emotional, or physical problems or ~~and~~ cause socially dysfunctional behavior.

(23) "Involuntary treatment services" means an array of behavioral health services that may be ordered by the court for persons with substance abuse impairment or co-occurring substance abuse impairment and mental health disorders.

Section 22. Subsection (6) is added to section 397.401, Florida Statutes, to read:

397.401 License required; penalty; injunction; rules waivers.—

(6) A service provider operating an addictions receiving facility or providing detoxification on a nonhospital inpatient basis may not exceed its licensed capacity by more than 10 percent and may not exceed their licensed capacity for more than 3 consecutive working days or for more than 7 days in 1 month.

Section 23. Paragraph (i) is added to subsection (1) of section 397.4073, Florida Statutes, to read:

397.4073 Background checks of service provider personnel.—

(1) PERSONNEL BACKGROUND CHECKS; REQUIREMENTS AND EXCEPTIONS.—

(i) Any physician licensed under chapter 458 or chapter 459 or a nurse licensed under chapter 464 who was required to undergo background screening by the Department of Health as part of his or her initial licensure or the renewal of licensure, and who has an active and unencumbered license, is not subject to background screening pursuant to this section.

Section 24. Subsection (8) of section 397.501, Florida Statutes, is amended to read:

397.501 Rights of individuals.—Individuals receiving substance abuse services from any service provider are guaranteed protection of the rights specified in this section, unless otherwise expressly provided, and service providers must ensure the protection of such rights.

(8) RIGHT TO COUNSEL.—Each individual must be informed that he or she has the right to be represented by counsel in any judicial ~~involuntary~~ proceeding for involuntary ~~assessment, stabilization, or~~ treatment services and that he or she, or if the individual is a minor his or her parent, legal guardian, or legal custodian, may apply immediately to the court to have an attorney appointed if he or she cannot afford one.

Section 25. Section 397.581, Florida Statutes, is amended to read:

397.581 Unlawful activities relating to assessment and treatment; penalties.—

(1) A person may not knowingly and willfully:

(a) Furnish ~~furnishing~~ false information for the purpose of obtaining emergency or other involuntary admission of another person ~~for any person is a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000~~.

(b)~~(2)~~ Cause or otherwise secure, or conspire with or assist another to cause or secure ~~Causing or otherwise securing, or conspiring with or assisting another to cause or secure, without reason for believing a person to be impaired,~~ any emergency or other involuntary procedure of another ~~for the~~ person under false pretenses ~~is a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000~~.

(c)~~(3)~~ Cause, or conspire with or assist another to cause, without lawful justification ~~Causing, or conspiring with or assisting another to cause~~, the denial to any person of any right accorded pursuant to this chapter.

(2) A person who violates subsection (1) commits ~~is~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000.

Section 26. Section 397.675, Florida Statutes, is amended to read:

397.675 Criteria for involuntary admissions, including protective custody, emergency admission, and other involuntary assessment, involuntary treatment, and alternative involuntary assessment for minors, for purposes of assessment and stabilization, and for involuntary treatment.—A person meets the criteria for involuntary admission if there is good faith reason to believe that the person is substance abuse impaired or has a substance use disorder and a co-occurring mental health disorder and, because of such impairment or disorder:

(1) Has lost the power of self-control with respect to substance abuse; and

(2)(a) Is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; or

(b) Without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing, able, and responsible family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.

Section 27. Subsection (1) of section 397.6751, Florida Statutes, is amended to read:

397.6751 Service provider responsibilities regarding involuntary admissions.—

(1) It is the responsibility of the service provider to:

(a) Ensure that a person who is admitted to a licensed service component meets the admission criteria specified in s. 397.675;

(b) Ascertain whether the medical and behavioral conditions of the person, as presented, are beyond the safe management capabilities of the service provider;

(c) Provide for the admission of the person to the service component that represents the most appropriate and least restrictive available setting that is responsive to the person's treatment needs;

(d) Verify that the admission of the person to the service component does not result in a census in excess of its licensed service capacity;

(e) Determine whether the cost of services is within the financial means of the person or those who are financially responsible for the person's care; and

(f) Take all necessary measures to ensure that each individual in treatment is provided with a safe environment, and to ensure that each individual whose medical condition or behavioral problem becomes such that he or she cannot be safely managed by the service component is discharged and referred to a more appropriate setting for care.

Section 28. Section 397.681, Florida Statutes, is amended to read:

397.681 Involuntary petitions; general provisions; court jurisdiction and right to counsel.—

(1) JURISDICTION.—The courts have jurisdiction of ~~involuntary assessment and stabilization petitions and~~ involuntary treatment petitions for substance abuse impaired persons, and such petitions must be filed with the clerk of the court in the county where the person is located. The clerk of the court may not charge a fee for the filing of a petition under this section. The chief judge may appoint a general or special magistrate to preside over all or part of the proceedings. The alleged impaired person is named as the respondent.

(2) RIGHT TO COUNSEL.—A respondent has the right to counsel at every stage of a judicial proceeding relating to a petition for his or her ~~involuntary assessment and a petition for his or her~~ involuntary treatment for substance abuse impairment; however, the respondent may waive that right if the respondent is present and the court finds that such waiver is made knowingly, intelligently, and voluntarily. A respondent who desires counsel and is unable to afford private counsel has the right to court-appointed counsel and to the benefits of s. 57.081. If the court believes that the respondent needs or desires the assistance of counsel, the court shall appoint such counsel for the respondent without regard to the respondent's wishes. If the respondent is a minor not otherwise represented in the proceeding, the court shall immediately appoint a guardian ad litem to act on the minor's behalf.

Section 29. Section 397.693, Florida Statutes, is renumbered as 397.68111, Florida Statutes, and amended to read:

397.68111 ~~397.693~~ Involuntary treatment.—A person may be the subject of a petition for court-ordered involuntary treatment pursuant to this part~~,~~ if that person:

(1) Reasonably appears to meet ~~meets~~ the criteria for involuntary admission provided in s. 397.675; ~~and:~~

(2)~~(1)~~ Has been placed under protective custody pursuant to s. 397.677 within the previous 10 days;

(3)~~(2)~~ Has been subject to an emergency admission pursuant to s. 397.679 within the previous 10 days; or

(4)~~(3)~~ Has been assessed by a qualified professional within 30 ~~5~~ days~~;~~

~~(4) Has been subject to involuntary assessment and stabilization pursuant to s. 397.6818 within the previous 12 days; or~~

~~(5) Has been subject to alternative involuntary admission pursuant to s. 397.6822 within the previous 12 days~~.

Section 30. Section 397.695, Florida Statutes, is renumbered as section 397.68112, Florida Statutes, and amended to read:

397.68112 ~~397.695~~ Involuntary services; persons who may petition.—

(1) If the respondent is an adult, a petition for involuntary treatment services may be filed by the respondent's spouse or legal guardian, any relative, a service provider, or an adult who has direct personal knowledge of the respondent's substance abuse impairment and his or her prior course of assessment and treatment.

(2) If the respondent is a minor, a petition for involuntary treatment services may be filed by a parent, legal guardian, or service provider.

(3) The court may prohibit, or a law enforcement agency may waive, any service of process fees if a petitioner is determined to be indigent.

Section 31. Section 397.6951, Florida Statutes, is renumbered as 397.68141, Florida Statutes, and amended to read: 397.68141 ~~397.6951~~ Contents of petition for involuntary treatment services.—A petition for involuntary services must contain the name of the respondent; the name of the petitioner ~~or petitioners~~; the relationship between the respondent and the petitioner; the name of the respondent's attorney, if known; ~~the findings and recommendations of the assessment performed by the qualified professional;~~ and the factual allegations presented by the petitioner establishing the need for involuntary ~~outpatient~~ services for substance abuse impairment. The factual allegations must demonstrate:

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired;

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless the court orders the involuntary services; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

(4) The petition may be accompanied by a certificate or report of a qualified professional who examined the respondent within 30 days before the petition was filed. The certificate or report must include the qualified professional's findings relating to his or her assessment of the patient and his or her treatment recommendations. If the respondent was not assessed before the filing of a treatment petition or refused to submit to an evaluation, the lack of assessment or refusal must be noted in the petition.

(5) If there is an emergency, the petition must also describe the respondent's exigent circumstances and include a request for an ex parte assessment and stabilization order that must be executed pursuant to s. 397.68151.

Section 32. Section 397.6955, Florida Statutes, is renumbered as section 397.68151, Florida Statutes, and amended to read:

397.68151 ~~397.6955~~ Duties of court upon filing of petition for involuntary services.—

(1) Upon the filing of a petition for involuntary services for a substance abuse impaired person with the clerk of the court, the court shall immediately determine whether the respondent is represented by an attorney or whether the appointment of counsel for the respondent is appropriate. If the court appoints counsel for the person, the clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel, created pursuant to s. 27.511, of the appointment. The office of criminal conflict and civil regional counsel shall represent the person until the petition is dismissed, the court order expires, ~~or~~ the person is discharged from involuntary treatment services, or the office is otherwise discharged by the court. An attorney that represents the person named in the petition shall have access to the person, witnesses, and records relevant to the presentation of the person's case and shall represent the interests of the person, regardless of the source of payment to the attorney.

(2) The court shall schedule a hearing to be held on the petition within 10 court working ~~5~~ days unless a continuance is granted. The court may appoint a magistrate to preside at the hearing.

(3) A copy of the petition and notice of the hearing must be provided to the respondent; the respondent's parent, guardian, or legal custodian, in the case of a minor; the respondent's attorney, if known; the petitioner; the respondent's spouse or guardian, if applicable; and such other persons as the court may direct. If the respondent is a minor, a copy of the petition and notice of the hearing must be personally delivered to the respondent. The clerk ~~court~~ shall also issue a summons to the person whose admission is sought and unless a circuit court's chief judge authorizes disinterested private process servers to serve parties under this chapter, a law enforcement agency must effect such service on the person whose admission is sought for the initial treatment hearing.

Section 33. Section 397.6818, Florida Statutes, is amended to read:

397.6818 Court determination.—

(1) When the petitioner asserts that emergency circumstances exist, or when upon review of the petition the court determines that an emergency exists, the court may rely solely on the contents of the petition and, without the appointment of an attorney, enter an ex parte order for the respondent's involuntary assessment and stabilization which must be executed during the period when the hearing on the petition for treatment is pending.

(2) The court may further order a law enforcement officer or another designated agent of the court to:

(a) Take the respondent into custody and deliver him or her for evaluation to either the nearest appropriate licensed service provider or a licensed service provider designated by the court.

(b) Serve the respondent with the notice of hearing and a copy of the petition.

(3) The service provider may not hold the respondent for longer than 72 hours of observation, unless:

(a) The service provider seeks additional time under s. 397.6957(1)(c) and the court, after a hearing, grants that motion;

(b) The respondent shows signs of withdrawal, or a need to be either detoxified or treated for a medical condition, which shall extend the amount of time the respondent may be held for observation until the issue is resolved but no later than the scheduled hearing date, absent a court-approved extension; or

(c) The original or extended observation period ends on a weekend or holiday, including the hours before the ordinary business hours of the following workday morning, in which case the provider may hold the respondent until the next court working day.

(4) If the ex parte order was not executed by the initial hearing date, it shall be deemed void. However, should the respondent not appear at the hearing for any reason, including lack of service, and upon reviewing the petition, testimony, and evidence presented, the court reasonably believes the respondent meets this chapter's commitment criteria and that a substance abuse emergency exists, the court may issue or reissue an ex parte assessment and stabilization order that is valid for 90 days. If the respondent's location is known at the time of the hearing, the court:

(a) Shall continue the case for no more than 10 court working days; and

(b) May order a law enforcement officer or another designated agent of the court to:

1. Take the respondent into custody and deliver him or her for evaluation to either the nearest appropriate licensed service provider or a licensed service provider designated by the court; and

2. If a hearing date is set, serve the respondent with notice of the rescheduled hearing and a copy of the involuntary treatment petition if the respondent has not already been served.

Otherwise, the petitioner must inform the court that the respondent has been assessed so that the court may schedule a hearing as soon as is practicable. However, if the respondent has not been assessed within 90 days, the court must dismiss the case. ~~At the hearing initiated in accordance with s. 397.6811(1), the court shall hear all relevant testimony. The respondent must be present unless the court has reason to believe that his or her presence is likely to be injurious to him or her, in which event the court shall appoint a guardian advocate to represent the respondent. The respondent has the right to examination by a court-appointed qualified professional. After hearing all the evidence, the court shall determine whether there is a reasonable basis to believe the respondent meets the involuntary admission criteria of s. 397.675.~~

~~(1) Based on its determination, the court shall either dismiss the petition or immediately enter an order authorizing the involuntary assessment and stabilization of the respondent; or, if in the course of the hearing the court has reason to believe that the respondent, due to mental illness other than or in addition to substance abuse impairment, is likely to injure himself or herself or another if allowed to remain at liberty, the court may initiate involuntary proceedings under the provisions of part I of chapter 394.~~

~~(2) If the court enters an order authorizing involuntary assessment and stabilization, the order shall include the court's findings with respect to the availability and appropriateness of the least restrictive alternatives and the need for the appointment of an attorney to represent the respondent, and may designate the specific licensed service provider to perform the involuntary assessment and stabilization of the respondent. The respondent may choose the licensed service provider to deliver the involuntary assessment where possible and appropriate.~~

~~(3) If the court finds it necessary, it may order the sheriff to take the respondent into custody and deliver him or her to the licensed service provider specified in the court order or, if none is specified, to the nearest appropriate licensed service provider for involuntary assessment.~~

~~(4) The order is valid only for the period specified in the order or, if a period is not specified, for 7 days after the order is signed.~~

Section 34. Section 397.6957, Florida Statutes, is amended to read:

397.6957 Hearing on petition for involuntary treatment services.—

(1)(a) The respondent must be present at a hearing on a petition for involuntary treatment services~~,~~ unless the court finds that he or she knowingly, intelligently, and voluntarily waives his or her right to be present or, upon receiving proof of service and evaluating the circumstances of the case, that his or her presence is inconsistent with his or her best interests or is likely to be injurious to self or others. The court shall hear and review all relevant evidence, including testimony from individuals such as family members familiar with the respondent's prior history and how it relates to his or her current condition, and the ~~review of~~ results of the assessment completed by the qualified professional in connection with this chapter. The court may also order drug tests. The hearing may be an in-person or remote proceeding. The parties and witnesses may remotely attend and, as appropriate, testify at the hearing under oath via audio-video telecommunications technology. A witness intending to remotely attend and testify must provide the parties with all relevant documents by the close of business on the day before the hearing ~~the respondent's protective custody, emergency admission, involuntary assessment, or alternative involuntary admission. The respondent must be present unless the court finds that his or her presence is likely to be injurious to himself or herself or others, in which event the court must appoint a guardian advocate to act in behalf of the respondent throughout the proceedings~~.

(b) A respondent may not be involuntarily ordered into treatment under this chapter without a clinical assessment being performed, unless he or she is present in court and expressly waives the assessment. In nonemergency situations, if the respondent was not, or had previously refused to be, assessed by a qualified professional and, based on the petition, testimony, and evidence presented, it reasonably appears that the respondent qualifies for involuntary treatment services, the court shall issue an involuntary assessment and stabilization order to determine the appropriate level of treatment the respondent requires. Additionally, in cases where an assessment was attached to the petition, the respondent may request, or the court on its own motion may order, an independent assessment by a court-appointed or otherwise agreed upon qualified professional. The respondent shall be informed by the court of the right to an independent assessment. If an assessment order is issued, it is valid for 90 days, and if the respondent is present or there is either proof of service or his or her location is known, the involuntary treatment hearing shall be continued for no more than 10 court working days. Otherwise, the petitioner must inform the court that the respondent has been assessed so that the court may schedule a hearing as soon as is practicable. The assessment must occur before the new hearing date, and if there is evidence indicating that the respondent will not voluntarily appear at the forthcoming hearing or is a danger to self or others, the court may enter a preliminary order committing the respondent to an appropriate treatment facility for further evaluation until the date of the rescheduled hearing. However, if after 90 days the respondent remains unassessed, the court shall dismiss the case.

(c)1. The respondent's assessment by a qualified professional must occur within 72 hours after his or her arrival at a licensed service provider unless the respondent shows signs of withdrawal or a need to be either detoxified or treated for a medical condition, which shall extend the amount of time the respondent may be held for observation until such issue is resolved but no later than the scheduled hearing date, absent a court-approved extension. If the respondent is a minor, such assessment must be initiated within the first 12 hours of the minor's admission to the facility. The service provider may also move to extend the 72 hours of observation by petitioning the court in writing for additional time. The service provider must furnish copies of such motion to all parties in accordance with applicable confidentiality requirements, and after a hearing, the court may grant additional time. If the court grants the service provider's petition, the service provider may continue to hold the respondent, and if the original or extended observation period ends on a weekend or holiday, including the hours before the ordinary business hours of the following workday morning, the provider may hold the respondent until the next court working day.

2. No later than the ordinary close of business on the day before the hearing, the qualified professional shall transmit, in accordance with any applicable confidentiality requirements, his or her clinical assessment to the clerk of the court, who shall enter it into the court file. The report must contain a recommendation on the level of substance abuse treatment the respondent requires, if any, and the relevant information on which the qualified professional's findings are based. This document must further note whether the respondent has any co-occurring mental health or other treatment needs. For adults subject to an involuntary assessment, the report's filing with the court satisfies s. 397.6758 if it also contains the respondent's admission and discharge information. The qualified professional's failure to include a treatment recommendation, much like a recommendation of no treatment, shall result in the petition's dismissal.

(2) The petitioner has the burden of proving by clear and convincing evidence that:

(a) The respondent is substance abuse impaired and has a history of lack of compliance with treatment for substance abuse; and

(b) Because of such impairment the respondent is unlikely to voluntarily participate in the recommended services or is unable to determine for himself or herself whether services are necessary and:

1. Without services, the respondent is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that there is a substantial likelihood that without services the respondent will cause serious bodily harm to himself, herself, or another in the near future, as evidenced by recent behavior; or

2. The respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

(3) ~~One of the qualified professionals who executed the involuntary services certificate must be a witness. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant~~

~~under state law, regarding the respondent's prior history and how that prior history relates to the person's current condition. The~~ Testimony in the hearing must be taken under oath, and the proceedings must be recorded. The respondent ~~patient~~ may refuse to testify at the hearing.

(4) If at any point during the hearing the court has reason to believe that the respondent, due to mental illness other than or in addition to substance abuse impairment, meets the involuntary commitment provisions of part I of chapter 394, the court may initiate involuntary examination proceedings under such provisions.

(5)~~(4)~~ At the conclusion of the hearing the court shall either dismiss the petition or order the respondent to receive involuntary treatment services from his or her chosen licensed service provider if possible and appropriate. Any treatment order must include findings regarding the respondent's need for treatment and the appropriateness of other less restrictive alternatives.

Section 35. Section 397.697, Florida Statutes, is amended to read:

397.697 Court determination; effect of court order for involuntary services.—

(1)(a) When the court finds that the conditions for involuntary treatment services have been proved by clear and convincing evidence, it may order the respondent to receive involuntary treatment services from a publicly funded licensed service provider for a period not to exceed 90 days. The court may also order a respondent to undergo treatment through a privately funded licensed service provider if the respondent has the ability to pay for the treatment, or if any person on the respondent's behalf voluntarily demonstrates a willingness and an ability to pay for the treatment. If the court finds it necessary, it may direct the sheriff to take the respondent into custody and deliver him or her to the licensed service provider specified in the court order, or to the nearest appropriate licensed service provider, for involuntary treatment services. When the conditions justifying involuntary treatment services no longer exist, the individual must be released as provided in s. 397.6971. When the conditions justifying involuntary treatment services are expected to exist after 90 days of treatment services, a renewal of the involuntary services order may be requested pursuant to s. 397.6975 before the end of the 90-day period.

(b) To qualify for involuntary outpatient treatment, an individual must be supported by a social worker or case manager of a licensed service provider, or a willing, able, and responsible individual appointed by the court who shall inform the court and parties if the respondent fails to comply with his or her outpatient program. In addition, unless the respondent has been involuntarily ordered into inpatient treatment under this chapter at least twice during the last 36 months, or demonstrates the ability to substantially comply with the outpatient treatment while waiting for residential placement to become available, he or she must receive an assessment from a qualified professional or licensed physician expressly recommending outpatient services, such services must be available in the county in which the respondent is located, and it must appear likely that the respondent will follow a prescribed outpatient care plan.

(2) In all cases resulting in an order for involuntary treatment services, the court shall retain jurisdiction over the case and the parties for the entry of such further orders as the circumstances may require, including, but not limited to, monitoring compliance with treatment, changing the treatment modality, or initiating contempt of court proceedings for violating any valid order issued pursuant to this chapter. Hearings under this section may be set by motion of the parties or under the court's own authority, and the motion and notice of hearing for these ancillary proceedings, which include, but are not limited to, civil contempt, must be served in accordance with relevant court procedural rules. The court's requirements for notification of proposed release must be included in the original order.

(3) An involuntary treatment services order also authorizes the licensed service provider to require the individual to receive treatment services that will benefit him or her, including treatment services at any licensable service component of a licensed service provider.

(4) If the court orders involuntary treatment services, a copy of the order must be sent to the managing entity, the department, and the Louis de la Parte Florida Institute established under s. 1004.44, within 1 working day after it is received from the court. Documents may be submitted electronically through ~~though~~ existing data systems, if applicable.

(5) The department and the institute established under s. 1004.44, shall also receive and maintain copies of the involuntary assessment and treatment orders issued pursuant to ss. 397.68151, 397.6818, and 397.6957; the qualified professional assessments; the professional certificates; and the law enforcement officers' protective custody reports. The institute established under s. 1004.44 shall use such documents to prepare annual reports

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

Remove lines 55-101 and insert:

providing requirements for an examination to determine if the report on its website; criteria for involuntary services are met; defining the term "repeated admittance"; revising requirements for releasing a patient from a receiving facility; revising requirements for petitions for involuntary services; requiring the department and the Agency for Health Care Administration to analyze certain data, identify patterns and trends, and make recommendations to decrease avoidable admissions; authorizing recommendations to be addressed in a specified manner; requiring the institute to publish a specified report on its website and submit such report to the Governor and Legislature by a certain date; amending s. 394.4655, F.S.; defining the term "involuntary outpatient placement"; authorizing a specified court to order an individual to involuntary outpatient treatment; removing provisions relating to criteria, retention of a patient, and petition for involuntary outpatient services and court proceedings relating to involuntary outpatient services; amending s. 394.467, F.S.; providing definitions; revising requirements for ordering a person for involuntary services and treatment, petitions for involuntary services, appointment of counsel, and continuances of hearings, respectively; requiring clinical psychologists to have specified clinical experience in order to recommend involuntary services; authorizing certain psychiatric nurses to recommend involuntary services for mental health treatment; revising the conditions under which a court may waive the requirement for a patient to be present at an involuntary inpatient placement hearing; authorizing the court to permit witnesses to attend and testify remotely at the hearing through specified means; providing requirements for a witness to attend and testify remotely; requiring facilities to make certain clinical records available to a state attorney within a specified timeframe; specifying that such records remain confidential and may not be used for certain purposes; requiring the court to allow certain testimony from specified persons; revising the length of time a court may require a patient to receive services; requiring facilities to discharge patients when they no longer meet the criteria for involuntary inpatient treatment; prohibiting courts from ordering individuals with developmental disabilities to be involuntarily placed in a state treatment facility; requiring courts to refer such individuals, and authorizing courts to refer certain other individuals, to specified agencies for evaluation and services under certain circumstances; providing for a court to retain jurisdiction over specified cases;

Rep. Maney moved the adoption of the amendment.

Representative Maney offered the following:

(Amendment Bar Code: 473603)

Amendment 1 (with title amendment) to Amendment 1 (238169) (with title amendment)—Remove lines 524-2181 of the amendment and insert:

with the ~~criminal~~ county court, ~~as defined in s. 394.4655(1),~~ as applicable. When inpatient treatment is deemed necessary, the least restrictive treatment consistent with the optimum improvement of the patient's condition shall be made available. The ~~When a~~ petition ~~is to be filed for involuntary outpatient placement, it~~ shall be filed by one of the petitioners specified in s. 394.467, and the court shall dismiss an untimely filed petition ~~s. 394.4655(4)(a). A petition for involuntary inpatient placement shall be filed by the facility administrator.~~ If a patient's 72-hour examination period ends on a weekend or holiday, including the hours before the ordinary business hours on the morning of the next working day, and the receiving facility:

a. Intends to file a petition for involuntary services, such patient may be held at the ~~a receiving~~ facility through the next working day thereafter and the ~~such~~ petition ~~for involuntary services~~ must be filed no later than such date. If

the ~~receiving~~ facility fails to file the ~~a~~ petition by ~~for involuntary services at~~ the ordinary close of business on the next working day, the patient shall be released from the receiving facility following approval pursuant to paragraph (f).

b. Does not intend to file a petition for involuntary services, the ~~a~~ receiving facility may postpone release of a patient until the next working day thereafter only if a qualified professional documents that adequate discharge planning and procedures in accordance with s. 394.468, and approval pursuant to paragraph (f), are not possible until the next working day.

(h) A person for whom an involuntary examination has been initiated who is being evaluated or treated at a hospital for an emergency medical condition specified in s. 395.002 must be examined by a facility within the examination period specified in paragraph (g). The examination period begins when the patient arrives at the hospital and ceases when the attending physician documents that the patient has an emergency medical condition. If the patient is examined at a hospital providing emergency medical services by a professional qualified to perform an involuntary examination and is found as a result of that examination not to meet the criteria for involuntary ~~outpatient~~ services pursuant to s. 394.467 ~~s. 394.4655(2) or involuntary inpatient placement pursuant to s. 394.467(1)~~, the patient may be offered voluntary outpatient or inpatient services ~~or placement~~, if appropriate, or released directly from the hospital providing emergency medical services. The finding by the professional that the patient has been examined and does not meet the criteria for involuntary ~~inpatient~~ services ~~or involuntary outpatient placement~~ must be entered into the patient's clinical record. This paragraph is not intended to prevent a hospital providing emergency medical services from appropriately transferring a patient to another hospital before stabilization if the requirements of s. 395.1041(3)(c) have been met.

(4) DATA ANALYSIS.—

(a) The department shall provide the ~~Using~~ data collected under paragraph (2)(a) and s. 1006.07(10), and child welfare data related to involuntary examinations, to the Louis de la Parte Florida Mental Health Institute established under s. 1004.44. The Agency for Health Care Administration shall provide Medicaid data to the institute, requested by the institute, related to involuntary examination of children enrolled in Medicaid for the purpose of administering the program and improving service provision for such children. The department and agency shall enter into any necessary agreements with the institute to provide such data. The institute shall use such data to ~~the department shall~~, at a minimum, analyze data on both the initiation of involuntary examinations of children and the initiation of involuntary examinations of students who are removed from a school; identify any patterns or trends and cases in which involuntary examinations are repeatedly initiated on the same child or student; study root causes for such patterns, trends, or repeated involuntary examinations; and make recommendations to encourage the use of alternatives to eliminate inappropriate initiations of such examinations.

(b) The institute shall analyze service data on individuals who are high utilizers of crisis stabilization services provided in designated receiving facilities, and shall, at a minimum, identify any patterns or trends and make recommendations to decrease avoidable admissions. Recommendations may be addressed in the department's contracts with the behavioral health managing entities and in the contracts between the Agency for Health Care Administration and the Medicaid managed medical assistance plans.

(c) The institute ~~department~~ shall publish ~~submit~~ a report on its findings and recommendations on its website and submit the report to the Governor, the President of the Senate, ~~and~~ the Speaker of the House of Representatives, the department, and the Agency for Health Care Administration by November 1 of each odd-numbered year.

Section 10. Section 394.4655, Florida Statutes, is amended to read:

394.4655 Orders to involuntary outpatient placement ~~services~~.—

(1) DEFINITIONS.—As used in this section, the term "involuntary outpatient placement" means involuntary outpatient services as defined in s. 394.467.~~:~~

~~(a) "Court" means a circuit court or a criminal county court.~~

~~(b) "Criminal County court" means a county court exercising its original jurisdiction in a misdemeanor case under s. 34.01.~~

(2) A court or a county court may order an individual to involuntary outpatient placement under s. 394.467. ~~CRITERIA FOR INVOLUNTARY OUTPATIENT SERVICES. A person may be ordered to involuntary outpatient services upon a finding of the court, by clear and convincing evidence, that the person meets all of the following criteria:~~

~~(a) The person is 18 years of age or older.~~

~~(b) The person has a mental illness.~~

~~(c) The person is unlikely to survive safely in the community without supervision, based on a clinical determination.~~

~~(d) The person has a history of lack of compliance with treatment for mental illness.~~

~~(e) The person has:~~

~~1. At least twice within the immediately preceding 36 months been involuntarily admitted to a receiving or treatment facility as defined in s. 394.455, or has received mental health services in a forensic or correctional facility. The 36 month period does not include any period during which the person was admitted or incarcerated; or~~

~~2. Engaged in one or more acts of serious violent behavior toward self or others, or attempts at serious bodily harm to himself or herself or others, within the preceding 36 months.~~

~~(f) The person is, as a result of his or her mental illness, unlikely to voluntarily participate in the recommended treatment plan and has refused voluntary services for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary or is unable to determine for himself or herself whether services are necessary.~~

~~(g) In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well being as set forth in s. 394.463(1).~~

~~(h) It is likely that the person will benefit from involuntary outpatient services.~~

~~(i) All available, less restrictive alternatives that would offer an opportunity for improvement of his or her condition have been judged to be inappropriate or unavailable.~~

~~(3) INVOLUNTARY OUTPATIENT SERVICES.~~

~~(a)1. A patient who is being recommended for involuntary outpatient services by the administrator of the facility where the patient has been examined may be retained by the facility after adherence to the notice procedures provided in s. 394.4599. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services are met. However, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face to face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services certificate that authorizes the facility to retain the patient pending completion of a hearing. The certificate must be made a part of the patient's clinical record.~~

~~2. If the patient has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the facility while awaiting the hearing for involuntary outpatient services. Before filing a petition for involuntary outpatient services, the administrator of the facility or a designated department representative must identify the service provider that will have primary responsibility for service provision under an order for involuntary outpatient services, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.~~

3. The service provider shall prepare a written proposed treatment plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The treatment plan must specify the likely level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. Service providers may select and supervise other individuals to implement specific aspects of the treatment plan. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. The service provider must certify to the court in the proposed plan whether sufficient services for improvement and stabilization are currently available and whether the service provider agrees to provide those services. If the service provider certifies that the services in the proposed treatment plan are not available, the petitioner may not file the petition. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.

(b) If a patient in involuntary inpatient placement meets the criteria for involuntary outpatient services, the administrator of the facility may, before the expiration of the period during which the facility is authorized to retain the patient, recommend involuntary outpatient services. The recommendation must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist or another psychiatrist, both of whom have personally examined the patient within the preceding 72 hours, that the criteria for involuntary outpatient services are met. However, if the administrator certifies that a psychiatrist or clinical psychologist is not available to provide the second opinion, the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a physician assistant who has at least 3 years' experience and is supervised by such licensed physician or a psychiatrist, a clinical social worker, or by a psychiatric nurse. Any second opinion authorized in this subparagraph may be conducted through a face-to-face examination, in person or by electronic means. Such recommendation must be entered on an involuntary outpatient services certificate, and the certificate must be made a part of the patient's clinical record.

(c)1. The administrator of the treatment facility shall provide a copy of the involuntary outpatient services certificate and a copy of the state mental health discharge form to the managing entity in the county where the patient will be residing. For persons who are leaving a state mental health treatment facility, the petition for involuntary outpatient services must be filed in the county where the patient will be residing.

2. The service provider that will have primary responsibility for service provision shall be identified by the designated department representative before the order for involuntary outpatient services and must, before filing a petition for involuntary outpatient services, certify to the court whether the services recommended in the patient's discharge plan are available and whether the service provider agrees to provide those services. The service provider must develop with the patient, or the patient's guardian advocate, if appointed, a treatment or service plan that addresses the needs identified in the discharge plan. The plan must be deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in this chapter, who consults with, or is employed or contracted by, the service provider.

3. If the service provider certifies that the services in the proposed treatment or service plan are not available, the petitioner may not file the petition. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.

(4) PETITION FOR INVOLUNTARY OUTPATIENT SERVICES.—

(a) A petition for involuntary outpatient services may be filed by:

1. The administrator of a receiving facility; or

2. The administrator of a treatment facility.

(b) Each required criterion for involuntary outpatient services must be alleged and substantiated in the petition for involuntary outpatient services. A copy of the certificate recommending involuntary outpatient services completed by a qualified professional specified in subsection (3) must be attached to the petition. A copy of the proposed treatment plan must be attached to the petition. Before the petition is filed, the service provider shall certify that the services in the proposed plan are available. If the necessary services are not available, the petition may not be filed. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services.

(c) The petition for involuntary outpatient services must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside. When the petition has been filed, the clerk of the court shall provide copies of the petition and the proposed treatment plan to the department, the managing entity, the patient, the patient's guardian or representative, the state attorney, and the public defender or the patient's private counsel. A fee may not be charged for filing a petition under this subsection.

(5) APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary outpatient services, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of the appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, or the patient is discharged from involuntary outpatient services. An attorney who represents the patient must be provided access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(6) CONTINUANCE OF HEARING.—The patient is entitled, with the concurrence of the patient's counsel, to at least one continuance of the hearing. The continuance shall be for a period of up to 4 weeks.

(7) HEARING ON INVOLUNTARY OUTPATIENT SERVICES.—

(a)1. The court shall hold the hearing on involuntary outpatient services within 5 working days after the filing of the petition, unless a continuance is granted. The hearing must be held in the county where the petition is filed, must be as convenient to the patient as is consistent with orderly procedure, and must be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient and if the patient's counsel does not object, the court may waive the presence of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding.

2. The court may appoint a magistrate to preside at the hearing. One of the professionals who executed the involuntary outpatient services certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall ensure that one is provided, as otherwise provided by law. The independent expert's report is confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from individuals, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(b)1. If the court concludes that the patient meets the criteria for involuntary outpatient services pursuant to subsection (2), the court shall issue an order for involuntary outpatient services. The court order shall be for a period of up to 90 days. The order must specify the nature and extent of the patient's mental illness. The order of the court and the treatment plan must be made part of the patient's clinical record. The service provider shall discharge a patient from involuntary outpatient services when the order expires or any time the patient no longer meets the criteria for involuntary placement. Upon discharge, the service provider shall send a certificate of discharge to the court.

~~2. The court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. The service provider must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services. A copy of the order must be sent to the managing entity by the service provider within 1 working day after it is received from the court. The order may be submitted electronically through existing data systems. After the order for involuntary services is issued, the service provider and the patient may modify the treatment plan. For any material modification of the treatment plan to which the patient or, if one is appointed, the patient's guardian advocate agrees, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (3).~~

~~3. If, in the clinical judgment of a physician, the patient has failed or has refused to comply with the treatment ordered by the court, and, in the clinical judgment of the physician, efforts were made to solicit compliance and the patient may meet the criteria for involuntary examination, a person may be brought to a receiving facility pursuant to s. 394.463. If, after examination, the patient does not meet the criteria for involuntary inpatient placement pursuant to s. 394.467, the patient must be discharged from the facility. The involuntary outpatient services order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient services or until the order expires. The service provider must determine whether modifications should be made to the existing treatment plan and must attempt to continue to engage the patient in treatment. For any material modification of the treatment plan to which the patient or the patient's guardian advocate, if applicable, agrees, the service provider shall send notice of the modification to the court. Any material modifications of the treatment plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (3).~~

~~(c) If, at any time before the conclusion of the initial hearing on involuntary outpatient services, it appears to the court that the person does not meet the criteria for involuntary outpatient services under this section but, instead, meets the criteria for involuntary inpatient placement, the court may order the person admitted for involuntary inpatient examination under s. 394.463. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary admission pursuant to s. 397.675, the court may order the person to be admitted for involuntary assessment for a period of 5 days pursuant to s. 397.6811. Thereafter, all proceedings are governed by chapter 397.~~

~~(d) At the hearing on involuntary outpatient services, the court shall consider testimony and evidence regarding the patient's competence to consent to services. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598. The guardian advocate shall be appointed or discharged in accordance with s. 394.4598.~~

~~(e) The administrator of the receiving facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient services. Such documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a psychologist or a clinical social worker.~~

~~(8) PROCEDURE FOR CONTINUED INVOLUNTARY OUTPATIENT SERVICES.—~~

~~(a)1. If the person continues to meet the criteria for involuntary outpatient services, the service provider shall, at least 10 days before the expiration of the period during which the treatment is ordered for the person, file in the court that issued the order for involuntary outpatient services a petition for continued involuntary outpatient services. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.~~

~~2. The existing involuntary outpatient services order remains in effect until disposition on the petition for continued involuntary outpatient services.~~

~~3. A certificate shall be attached to the petition which includes a statement from the person's physician or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary services, and an individualized plan of continued treatment.~~

~~4. The service provider shall develop the individualized plan of continued treatment in consultation with the patient or the patient's guardian advocate, if applicable. When the petition has been filed, the clerk of the court shall provide copies of the certificate and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.~~

~~(b) Within 1 court working day after the filing of a petition for continued involuntary outpatient services, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed or the court order expires or the patient is discharged from involuntary outpatient services. Any attorney representing the patient shall have access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.~~

~~(c) Hearings on petitions for continued involuntary outpatient services must be before the court that issued the order for involuntary outpatient services. The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7), except that the time period included in paragraph (2)(c) is not applicable in determining the appropriateness of additional periods of involuntary outpatient placement.~~

~~(d) Notice of the hearing must be provided as set forth in s. 394.4599. The patient and the patient's attorney may agree to a period of continued outpatient services without a court hearing.~~

~~(e) The same procedure must be repeated before the expiration of each additional period the patient is placed in treatment.~~

~~(f) If the patient has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. Section 394.4598 governs the discharge of the guardian advocate if the patient's competency to consent to treatment has been restored.~~

Section 11. Section 394.467, Florida Statutes, is amended to read:

394.467 Involuntary inpatient placement and involuntary outpatient services.—

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

(a) "Court" means a circuit court or, for commitments only to involuntary outpatient services as defined in s. 394.4655, a county court.

(b) "Involuntary inpatient placement" means placement in a secure receiving or treatment facility providing stabilization and treatment services to a person 18 years of age or older who does not voluntarily consent to services under this chapter, or a minor who does not voluntarily assent to services under this chapter.

(c) "Involuntary outpatient services" means services provided in the community to a person who does not voluntarily consent to or participate in services under this chapter.

(d) "Services plan" means an individualized plan detailing the recommended behavioral health services and supports based on a thorough assessment of the needs of the patient, to safeguard and enhance the patient's health and well-being in the community.

(2)~~(1)~~ CRITERIA FOR INVOLUNTARY SERVICES.—A person may be ordered by a court to be provided ~~for~~ involuntary services ~~inpatient placement for treatment~~ upon a finding of the court, by clear and convincing evidence, that the person meets the following criteria:

(a) Involuntary outpatient services.—A person ordered to involuntary outpatient services must meet the following criteria:

1. The person has a mental illness and because of his or her mental illness:

a. Is unlikely to voluntarily participate in a recommended services plan and has refused voluntary services for treatment after sufficient and conscientious explanation and disclosure of why the services are necessary; or

b. He or she is unable to determine for himself or herself whether services are necessary.

2. The person is unlikely to survive safely in the community without supervision, based on a clinical determination.

3. The person has a history of lack of compliance with treatment for mental illness.

4. In view of the person's treatment history and current behavior, the person is in need of involuntary outpatient services in order to prevent a relapse or deterioration that would be likely to result in serious bodily harm to himself or herself or others, or a substantial harm to his or her well-being as set forth in s. 394.463(1).

5. It is likely that the person will benefit from involuntary outpatient services.

6. All available less restrictive alternatives that would offer an opportunity for improvement of the person's condition have been deemed to be inappropriate or unavailable.

(b) Involuntary inpatient placement.—A person ordered to involuntary inpatient placement must meet the following criteria:

1.~~(a)~~ The person ~~He or she~~ has a mental illness and because of his or her mental illness:

a.~~1.a.~~ He or she has refused voluntary inpatient placement for treatment after sufficient and conscientious explanation and disclosure of the purpose of ~~inpatient placement for~~ treatment; or

b. ~~He or she~~ Is unable to determine for himself or herself whether inpatient placement is necessary; and

2.a. He or she is incapable of surviving alone or with the help of willing, able, and responsible family or friends, including available alternative services, and, without treatment, is likely to suffer from neglect or refuse to care for himself or herself, and such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; or

b. Without treatment, there is a substantial likelihood that in the near future the person ~~he or she~~ will inflict serious bodily harm on self or others, as evidenced by recent behavior causing, attempting to cause, or threatening to cause such harm; and

(c)~~(b)~~ All available less restrictive treatment alternatives that would offer an opportunity for improvement of the person's ~~his or her~~ condition have been deemed ~~judged~~ to be inappropriate or unavailable.

(3)~~(2)~~ RECOMMENDATION FOR INVOLUNTARY SERVICES AND ~~ADMISSION TO A~~ TREATMENT ~~FACILITY~~.—A patient may be recommended for involuntary inpatient placement, involuntary outpatient services, or a combination of both.

(a) A patient may be retained by the ~~a~~ facility that examined the patient for involuntary services until the completion of the patient's court hearing ~~or involuntarily placed in a treatment facility~~ upon the recommendation of the administrator of the facility where the patient has been examined and after adherence to the notice and hearing procedures provided in s. 394.4599. However, if a patient who is being recommended for only involuntary outpatient services has been stabilized and no longer meets the criteria for involuntary examination pursuant to s. 394.463(1), the patient must be released from the facility while awaiting the hearing for involuntary outpatient services.

(b) The recommendation that the involuntary services criteria reasonably appear to have been met must be supported by the opinion of a psychiatrist and the second opinion of a clinical psychologist with at least 3 years of clinical experience, ~~or~~ another psychiatrist, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, who ~~both of whom have~~ personally examined the patient ~~within the preceding 72 hours, that the criteria for involuntary inpatient placement are met~~. For involuntary inpatient placement, the patient must have been examined within the preceding 72 hours. For involuntary outpatient services the patient must have been examined within the preceding 30 days.

(c) If ~~However, if the administrator certifies that~~ a psychiatrist, a ~~or~~ clinical psychologist with at least 3 years of clinical experience, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist is not available to provide a ~~the~~ second opinion, the petitioner must certify as such and the second opinion may be provided by a licensed physician who has postgraduate training and experience in diagnosis and treatment of mental illness, a clinical psychologist, or ~~by~~ a psychiatric nurse.

(d) Any opinion authorized in this subsection may be conducted through a face-to-face or in-person examination, ~~in person,~~ or by electronic means. Recommendations for involuntary services must be ~~Such recommendation shall be~~ entered on a petition for involuntary services ~~inpatient placement certificate~~, which shall be made a part of the patient's clinical record. The filing of the petition ~~that~~ authorizes the facility to retain the patient pending transfer to a treatment facility or completion of a hearing.

(4)~~(3)~~ PETITION FOR INVOLUNTARY SERVICES ~~INPATIENT PLACEMENT~~.—

(a) A petition for involuntary services may be filed by:

1. The administrator of a receiving ~~the~~ facility;

2. The administrator of a treatment facility; or

3. A service provider who is treating the person being petitioned.

(b) A ~~shall file a~~ petition for involuntary inpatient placement, or inpatient placement followed by outpatient services, must be filed in the court in the county where the patient is located.

(c) A petition for involuntary outpatient services must be filed in the county where the patient is located, unless the patient is being placed from a state treatment facility, in which case the petition must be filed in the county where the patient will reside.

(d)1. The petitioner must state in the petition:

a. Whether the petitioner is recommending inpatient placement, outpatient services, or both.

b. The length of time recommended for each type of involuntary services.

c. The reasons for the recommendation.

2. If recommending involuntary outpatient services, or a combination of involuntary inpatient placement and outpatient services, the petitioner must identify the service provider that has agreed to provide services for the person under an order for involuntary outpatient services, unless he or she is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment, in which case the individual, if eligible, may be ordered to involuntary treatment pursuant to the existing psychiatric treatment relationship.

3. When recommending an order to involuntary outpatient services, the petitioner shall prepare a written proposed services plan in consultation with the patient or the patient's guardian advocate, if appointed, for the court's consideration for inclusion in the involuntary outpatient services order that addresses the nature and extent of the mental illness and any co-occurring substance use disorder that necessitate involuntary outpatient services. The services plan must specify the likely needed level of care, including the use of medication, and anticipated discharge criteria for terminating involuntary outpatient services. The services in the plan must be deemed clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker who consults with, or is employed or contracted by, the service provider. If the services in the proposed services plan are not available, the petitioner may not file the petition. The petitioner must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested service. The service provider who accepts the patient for involuntary outpatient services is responsible for the development of a comprehensive treatment plan.

(e) Each required criterion for the recommended involuntary services must be alleged and substantiated in the petition. A copy of the recommended services plan, if applicable, must be attached to the petition. The court must accept petitions and other documentation with electronic signatures.

(f) When the petition has been filed ~~Upon filing~~, the clerk of the court shall provide copies of the petition and the recommended services plan, if applicable, to the department, the managing entity, the patient, the patient's guardian or representative, ~~and~~ the state attorney, and the public defender or the patient's private counsel ~~of the judicial circuit in which the patient is located~~. A fee may not be charged for the filing of a petition under this subsection.

(g) If the service provider is petitioning for involuntary outpatient services, and the provider's patient is not in a receiving or treatment facility, the petition shall be heard and processed in accordance with the requirements of this section, subject to the following exceptions:

1. Unless a continuance is granted, the petition must be heard no later than 10 court working days after its filing;

2. The service provider must provide a copy of its patient's clinical records, examination report recommending outpatient services, and services plan to the court, state attorney, and the patient's attorney; and

3. There is proof that the respondent has been served, and the court may continue the case for lack of service.

(5)~~(4)~~ APPOINTMENT OF COUNSEL.—Within 1 court working day after the filing of a petition for involuntary services ~~inpatient placement~~, the court shall appoint the public defender to represent the person who is the subject of the petition, unless the person is otherwise represented by counsel or ineligible. The clerk of the court shall immediately notify the public defender of such appointment. The public defender shall represent the person until the petition is dismissed, the court order expires, the patient is discharged from involuntary services, or the public defender is otherwise discharged by the court. Any attorney who represents ~~representing~~ the patient shall be provided ~~have~~ access to the patient, witnesses, and records relevant to the presentation of the patient's case and shall represent the interests of the patient, regardless of the source of payment to the attorney.

(6)~~(5)~~ CONTINUANCE OF HEARING.—The patient and the state are independently ~~is~~ entitled~~, with the concurrence of the patient's counsel,~~ to seek a ~~at least one~~ continuance of the hearing. The patient shall be granted a request for an initial continuance for up to 7 calendar days. The patient may request additional continuances for up to 21 calendar days in total, which shall only be granted by a showing of good cause and due diligence by the patient and the patient's counsel before requesting the continuance. The state may request one continuance of up to 7 calendar days, which shall only be granted by a showing of good cause and due diligence by the state before requesting the continuance. The state's failure to timely review any readily available document or failure to attempt to contact a known witness does not warrant a continuance ~~4 weeks~~.

(7)~~(6)~~ HEARING ON INVOLUNTARY SERVICES ~~INPATIENT PLACEMENT~~.—

(a)1. The court shall hold a ~~the~~ hearing on the involuntary services petition ~~inpatient placement~~ within 5 court working days after the filing of the petition, unless a continuance is granted.

2. The court must hold any hearing on involuntary outpatient services in the county where the petition is filed. A hearing on involuntary inpatient placement, or a combination of involuntary inpatient placement and involuntary outpatient services, ~~Except for good cause documented in the court file, the hearing~~ must be held in the county or the facility, as appropriate, where the patient is located, except for good cause documented in the court file.

3. A hearing on involuntary services must be as convenient to the patient as is consistent with orderly procedure, and shall be conducted in physical settings not likely to be injurious to the patient's condition. If the court finds that the patient's attendance at the hearing is not consistent with the best interests of the patient, or the patient knowingly, intelligently, and voluntarily waives his or her right to be present, and if the patient's counsel does not object, the court may waive the attendance ~~presence~~ of the patient from all or any portion of the hearing. The state attorney for the circuit in which the patient is located shall represent the state, rather than the petitioner, as the real party in interest in the proceeding. The facility or service provider shall make the patient's clinical records available to the state attorney and the patient's attorney so that the state can evaluate and prepare its case. However, these records shall remain confidential, and the state attorney may not use any record obtained under this part for criminal investigation or prosecution purposes, or for any purpose other than the patient's civil commitment under this chapter ~~petitioning facility administrator, as the real party in interest in the proceeding~~.

(b)~~3.~~ The court may appoint a magistrate to preside at the hearing. The state attorney and witnesses may remotely attend and, as appropriate, testify at the hearing under oath via audio-video teleconference. A witness intending to remotely attend and testify must provide the parties with all relevant documents by the close of business on the day before the hearing. One of the professionals who executed the ~~petition for~~ involuntary services ~~inpatient placement~~ certificate shall be a witness. The patient and the patient's guardian or representative shall be informed by the court of the right to an independent expert examination. If the patient cannot afford such an examination, the court shall ensure that one is provided, as otherwise provided for by law. The independent expert's report is confidential and not discoverable, unless the expert is to be called as a witness for the patient at the hearing. The court shall allow testimony from persons, including family members, deemed by the court to be relevant under state law, regarding the person's prior history and how that prior history relates to the person's current condition. The testimony in the hearing must be given under oath, and the proceedings must be recorded. The patient may refuse to testify at the hearing.

(c)~~(b)~~ At the hearing, the court shall consider testimony and evidence regarding the patient's competence to consent to services and treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.

(8) ORDERS OF THE COURT.—

(a)1. If the court concludes that the patient meets the criteria for involuntary services, the court may order a patient to involuntary inpatient placement, involuntary outpatient services, or a combination of involuntary services depending on the criteria met and which type of involuntary services best meet the needs of the patient. However, if the court orders the patient to involuntary outpatient services, the court may not order the department or the service provider to provide services if the program or service is not available in the patient's local community, if there is no space available in the program or service for the patient, or if funding is not available for the program or service. The petitioner must notify the managing entity if the requested services are not available. The managing entity must document such efforts to obtain the requested services. A copy of the order must be sent to the managing entity by the service provider within 1 working day after it is received from the court.

2. If the court orders the patient to involuntary outpatient services, the patient must be monitored by a social worker or case manager of the outpatient provider, or a willing, able, and responsible individual appointed by the court who must inform the court, the state attorney, and the patient's attorney of any failure by the patient to comply with his or her outpatient treatment.

3. The order must specify the nature and extent of the patient's mental illness and the reasons the appropriate involuntary services criteria are satisfied.

4. An order for only involuntary outpatient services, involuntary inpatient placement, or of a combination of involuntary services may be for a period of up to 6 months.

5. An order for a combination of involuntary services shall specify the length of time the patient shall be ordered for involuntary inpatient placement and involuntary outpatient services.

6. The order of the court and the patient's services plan, if applicable, must be made part of the patient's clinical record.

(b) If the court orders a patient into involuntary inpatient placement, the court ~~it~~ may order that the patient be retained at a receiving facility while awaiting transfer transferred to a treatment facility, or~~,~~ if the patient is at a treatment facility, that the patient be retained there or be treated at any other appropriate facility, or that the patient receive services~~,~~ on an involuntary basis, for up to ~~90 days~~. ~~However, any order for involuntary mental health services in a treatment facility may be for up to~~ 6 months. ~~The order shall specify the nature and extent of the patient's mental illness.~~ The court may not order an individual with a developmental disability as defined in s. 393.063 or a traumatic brain injury or dementia who lacks a co-occurring mental illness to be involuntarily placed in a state treatment facility. ~~The facility shall discharge a patient any time the patient no longer meets the criteria for involuntary inpatient placement, unless the patient has transferred to voluntary status.~~

(c) If at any time before the conclusion of a ~~the~~ hearing on involuntary services, ~~inpatient placement~~ it appears to the court that the patient ~~person does not meet the criteria for involuntary inpatient placement under this section, but~~ instead meets the criteria for involuntary ~~outpatient services, the~~

~~court may order the person evaluated for involuntary outpatient services pursuant to s. 394.4655. The petition and hearing procedures set forth in s. 394.4655 shall apply. If the person instead meets the criteria for involuntary assessment, protective custody, or involuntary~~ admission or treatment pursuant to s. 397.675, then the court may order the person to be admitted for involuntary assessment ~~for a period of 5 days~~ pursuant to s. 397.6757 ~~s. 397.6811~~. Thereafter, all proceedings are governed by chapter 397.

~~(d) At the hearing on involuntary inpatient placement, the court shall consider testimony and evidence regarding the patient's competence to consent to treatment. If the court finds that the patient is incompetent to consent to treatment, it shall appoint a guardian advocate as provided in s. 394.4598.~~

(d)~~(c)~~ The administrator of the petitioning facility or the designated department representative shall provide a copy of the court order and adequate documentation of a patient's mental illness to the service provider for involuntary outpatient services or the administrator of a treatment facility if the patient is ordered for involuntary inpatient placement~~, whether by civil or criminal court~~. The documentation must include any advance directives made by the patient, a psychiatric evaluation of the patient, and any evaluations of the patient performed by a psychiatric nurse, a clinical psychologist, a marriage and family therapist, a mental health counselor, or a clinical social worker. The administrator of a treatment facility may refuse admission to any patient directed to its facilities on an involuntary basis, whether by civil or criminal court order, who is not accompanied by adequate orders and documentation.

(e) In cases resulting in an order for involuntary outpatient services, the court shall retain jurisdiction over the case and the parties for entry of further orders as circumstances may require, including, but not limited to, monitoring compliance with treatment or ordering inpatient treatment to stabilize a person who decompensates while under court-ordered outpatient treatment and meets the commitment criteria of s. 394.467.

(9) SERVICES PLAN MODIFICATION—After the order for involuntary outpatient services is issued, the service provider and the patient may modify the services plan as provided by department rule.

(10) NONCOMPLIANCE WITH INVOLUNTARY OUTPATIENT SERVICES.—

(a) If, in the clinical judgment of a physician, a psychiatrist, a clinical psychologist with at least 3 years of clinical experience, or a psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, a patient receiving involuntary outpatient services has failed or has refused to comply with the services plan ordered by the court, and efforts were made to solicit compliance, the service provider must report such noncompliance to the court. The involuntary outpatient services order shall remain in effect unless the service provider determines that the patient no longer meets the criteria for involuntary outpatient services or until the order expires. The service provider must determine whether modifications should be made to the existing services plan and must attempt to continue to engage the patient in treatment. For any material modification of the services plan to which the patient or the patient's guardian advocate, if applicable, agrees, the service provider shall send notice of the modification to the court. Any material modifications of the services plan which are contested by the patient or the patient's guardian advocate, if applicable, must be approved or disapproved by the court consistent with subsection (4).

(b) A county court may not use incarceration as a sanction for noncompliance with the services plan, but it may order an individual evaluated for possible inpatient placement if there is significant, or are multiple instances of, noncompliance.

(11)~~(7)~~ PROCEDURE FOR CONTINUED INVOLUNTARY SERVICES ~~INPATIENT PLACEMENT~~.—

(a) A petition for continued involuntary services shall be filed if the patient continues to meets the criteria for involuntary services.

(b)1. If a patient receiving involuntary outpatient services continues to meet the criteria for involuntary outpatient services, the service provider shall file in the court that issued the initial order for involuntary outpatient services a petition for continued involuntary outpatient services.

2. If a patient in involuntary inpatient placement

~~(a) Hearings on petitions for continued involuntary inpatient placement of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the administrative law judge is final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.~~

~~(b) If the patient~~ continues to meet the criteria for involuntary services ~~inpatient placement~~ and is being treated at a receiving ~~treatment~~ facility, the administrator shall, before the expiration of the period the receiving ~~treatment~~ facility is authorized to retain the patient, file in the court that issued the initial order for involuntary inpatient placement, a petition requesting authorization for continued involuntary services ~~inpatient placement~~. The administrator may petition for inpatient or outpatient services.

3. If a patient in inpatient placement continues to meet the criteria for involuntary services and is being treated at a treatment facility, the administrator shall, before expiration of the period the treatment facility is authorized to retain the patient, file a petition requesting authorization for continued involuntary services. The administrator may petition for inpatient or outpatient services. Hearings on petitions for continued involuntary services of an individual placed at any treatment facility are administrative hearings and must be conducted in accordance with s. 120.57(1), except that any order entered by the judge is final and subject to judicial review in accordance with s. 120.68. Orders concerning patients committed after successfully pleading not guilty by reason of insanity are governed by s. 916.15.

4. The court shall immediately schedule a hearing on the petition to be held within 15 days after the petition is filed.

5. The existing involuntary services order shall remain in effect until disposition on the petition for continued involuntary services.

(c) The petition ~~request~~ must be accompanied by a statement from the patient's physician, psychiatrist, psychiatric nurse, or clinical psychologist justifying the request, a brief description of the patient's treatment during the time he or she was receiving involuntary services ~~involuntarily placed~~, and an individualized plan of continued treatment developed in consultation with the patient or the patient's guardian advocate, if applicable. If the petition is for involuntary outpatient services, it must comply with the requirements of subparagraph (4)(d)3. When the petition has been filed, the clerk of the court shall provide copies of the petition and the individualized plan of continued services to the department, the patient, the patient's guardian advocate, the state attorney, and the patient's private counsel or the public defender.

(d) The court shall appoint counsel to represent the person who is the subject of the petition for continued involuntary services in accordance to the provisions set forth in subsection (5), unless the person is otherwise represented by counsel or ineligible.

(e) Hearings on petitions for continued involuntary outpatient services must be before the court that issued the order for involuntary outpatient services. However, the patient and the patient's attorney may agree to a period of continued outpatient services without a court hearing.

(f) Hearings on petitions for continued involuntary inpatient placement in receiving facilities, or involuntary outpatient services following involuntary inpatient services, must be held in the county or the facility, as appropriate, where the patient is located.

(g) The court may appoint a magistrate to preside at the hearing. The procedures for obtaining an order pursuant to this paragraph must meet the requirements of subsection (7).

(h) Notice of the hearing must be provided as set forth ~~provided~~ in s. 394.4599.

(i) If a patient's attendance at the hearing is voluntarily waived, the ~~administrative law~~ judge must determine that the patient knowingly, intelligently, and voluntarily waived his or her right to be present, ~~waiver is knowing and voluntary~~ before waiving the presence of the patient from all or a portion of the hearing. Alternatively, if at the hearing the ~~administrative law~~ judge finds that attendance at the hearing is not consistent with the best interests of the patient, the ~~administrative law~~ judge may waive the presence of the patient from all or any portion of the hearing, unless the patient, through

counsel, objects to the waiver of presence. The testimony in the hearing must be under oath; and the proceedings must be recorded.

~~(c) Unless the patient is otherwise represented or is ineligible, he or she shall be represented at the hearing on the petition for continued involuntary inpatient placement by the public defender of the circuit in which the facility is located.~~

(j)~~(d)~~ If at a hearing it is shown that the patient continues to meet the criteria for involuntary services ~~inpatient placement~~, the court ~~administrative law judge~~ shall issue an ~~sign the~~ order for continued involuntary outpatient services, ~~inpatient placement for up to 90 days. However, any order for~~ involuntary inpatient placement, or ~~mental health services in~~ a combination of involuntary services ~~treatment facility may be~~ for up to 6 months. The same procedure shall be repeated before the expiration of each additional period the patient is retained.

(k) If the patient has been ordered to undergo involuntary services and has previously been found incompetent to consent to treatment, the court shall consider testimony and evidence regarding the patient's competence. If the patient's competency to consent to treatment is restored, the discharge of the guardian advocate shall be governed by s. 394.4598. If the patient has been ordered to undergo involuntary inpatient placement only and the patient's competency to consent to treatment is restored, the administrative law judge may issue a recommended order, to the court that found the patient incompetent to consent to treatment, that the patient's competence be restored and that any guardian advocate previously appointed be discharged.

(l)~~(e)~~ If continued involuntary inpatient placement is necessary for a patient in involuntary inpatient placement who was admitted while serving a criminal sentence, but his or her sentence is about to expire, or for a minor involuntarily placed, but who is about to reach the age of 18, the administrator shall petition the administrative law judge for an order authorizing continued involuntary inpatient placement.

The procedure required in this subsection must be followed before the expiration of each additional period the patient is involuntarily receiving services.

(12)~~(8)~~ RETURN TO FACILITY.—If a patient has been ordered to undergo involuntary inpatient placement ~~involuntarily held~~ at a receiving or treatment facility under this part and leaves the facility without the administrator's authorization, the administrator may authorize a search for the patient and his or her return to the facility. The administrator may request the assistance of a law enforcement agency in this regard.

(13) DISCHARGE.—The patient shall be discharged upon expiration of the court order or at any time the patient no longer meets the criteria for involuntary services, unless the patient has transferred to voluntary status. Upon discharge, the service provider or facility shall send a certificate of discharge to the court.

Section 12. Subsection (2) of section 394.468, Florida Statutes, is amended and subsection (3) is added to that section to read:

394.468 Admission and discharge procedures.—

(2) Discharge planning and procedures for any patient's release from a receiving facility or treatment facility must include and document the patient's needs, and actions to address such needs, for ~~consideration of~~, at a minimum:

(a) Follow-up behavioral health appointments;

(b) Information on how to obtain prescribed medications; and

(c) Information pertaining to:

1. Available living arrangements;

2. Transportation; and

(d) Referral to:

1. Care coordination services. The patient must be referred for care coordination services if the patient meets the criteria as a member of a priority population as determined by the department under s. 394.9082(3)(c) and is in need of such services.

2.~~3.~~ Recovery support opportunities under s. 394.4573(2)(l), including, but not limited to, connection to a peer specialist.

(3) During the discharge transition process and while the patient is present unless determined inappropriate by a physician or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist a receiving facility shall coordinate, face-to-face or through electronic means, discharge plans to a less restrictive community behavioral health provider, a peer specialist, a case manager, or a care coordination service. The transition process must, at a minimum, include all of the following criteria:

(a) Implementation of policies and procedures outlining strategies for how the receiving facility will comprehensively address the needs of patients who demonstrate a high use of receiving facility services to avoid or reduce future use of crisis stabilization services. For any such patient, policies and procedures must include, at a minimum, a review of the effectiveness of previous discharge plans created by the facility for the patient, and the new discharge plan must address problems experienced with implementation of previous discharge plans.

(b) Developing and including in discharge paperwork a personalized crisis prevention plan that identifies stressors, early warning signs or symptoms, and strategies to deal with crisis.

(c) Requiring a staff member to seek to engage a family member, legal guardian, legal representative, or natural support in discharge planning and meet face to face or through electronic means to review the discharge instructions, including prescribed medications, follow-up appointments, and any other recommended services or follow-up resources, and document the outcome of such meeting.

(d) When the recommended level of care at discharge is not immediately available to the patient, the receiving facility must, at a minimum, initiate a referral to an appropriate provider to meet the needs of the patient to continue care until the recommended level of care is available.

Section 13. Section 394.4915, Florida Statutes, is created to read:

394.4915 Office of Children's Behavioral Health Ombudsman.-The Office of Children's Behavioral Health Ombudsman is established within the department for the purpose of being a central point to receive complaints on behalf of children and adolescents with behavioral health disorders receiving state-funded services and use such information to improve the child and adolescent mental health treatment and support system. The department and managing entities shall include information about and contact information for the office placed prominently on their websites on easily accessible web pages related to children and adolescent behavioral health services. To the extent permitted by available resources, the office shall, at a minimum:

(1) Receive and direct to the appropriate contact within the department, the Agency for Health Care Administration, or the appropriate organizations providing behavioral health services complaints from children and adolescents and their families about the child and adolescent mental health treatment and support system.

(2) Maintain records of complaints received and the actions taken.

(3) Be a resource to identify and explain relevant policies or procedures to children, adolescents, and their families about the child and adolescent mental health treatment and support system.

(4) Provide recommendations to the department to address systemic problems within the child and adolescent mental health treatment and support system that are leading to complaints. The department shall include an analysis of complaints and recommendations in the report required under s. 394.4573.

(5) Engage in functions that may improve the child and adolescent mental health treatment and support system.

Section 14. Subsection (3) of section 394.495, Florida Statutes, is amended to read:

394.495 Child and adolescent mental health system of care; programs and services.—

(3) Assessments must be performed by:

(a) A clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455 ~~professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~;

(b) A professional licensed under chapter 491; or

(c) A person who is under the direct supervision of a clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455, ~~qualified professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~ or a professional licensed under chapter 491.

Section 15. Subsection (5) of section 394.496, Florida Statutes, is amended to read:

394.496 Service planning.—

(5) A clinical psychologist, clinical social worker, physician, psychiatric nurse, or psychiatrist, as those terms are defined in s. 394.455, ~~professional as defined in s. 394.455(5), (7), (33), (36), or (37)~~ or a professional licensed under chapter 491 must be included among those persons developing the services plan.

Section 16. Paragraph (a) of subsection (2) of section 394.499, Florida Statutes, is amended to read:

394.499 Integrated children's crisis stabilization unit/juvenile addictions receiving facility services.—

(2) Children eligible to receive integrated children's crisis stabilization unit/juvenile addictions receiving facility services include:

(a) A minor whose parent makes ~~person under 18 years of age for whom~~ voluntary application based on the parent's express and informed consent, and the requirements of s. 394.4625(1)(a) are met ~~is made by his or her guardian, if such person is found to show evidence of mental illness and to be suitable for treatment pursuant to s. 394.4625. A person under 18 years of age may be admitted for integrated facility services only after a hearing to verify that the consent to admission is voluntary~~.

Section 17. Paragraphs (a) and (d) of subsection (1) of section 394.875, Florida Statutes, are amended to read:

394.875 Crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; authorized services; license required.—

(1)(a) The purpose of a crisis stabilization unit is to stabilize and redirect a client to the most appropriate and least restrictive community setting available, consistent with the client's needs. Crisis stabilization units may screen, assess, and admit for stabilization persons who present themselves to the unit and persons who are brought to the unit under s. 394.463. Clients may be provided 24-hour observation, medication prescribed by a physician, ~~or~~ psychiatrist, or psychiatric nurse practicing within the framework of an established protocol with a psychiatrist, and other appropriate services. Crisis stabilization units shall provide services regardless of the client's ability to pay ~~and shall be limited in size to a maximum of 30 beds~~.

~~(d) The department is directed to implement a demonstration project in circuit 18 to test the impact of expanding beds authorized in crisis stabilization units from 30 to 50 beds. Specifically, the department is directed to authorize existing public or private crisis stabilization units in circuit 18 to expand bed capacity to a maximum of 50 beds and to assess the impact such expansion would have on the availability of crisis stabilization services to clients.~~

Section 18. Section 394.90826, Florida Statutes, is created to read:

394.90826 Behavioral Health Interagency Collaboration.-

(1) The department and the Agency for Health Care Administration shall jointly establish behavioral health interagency collaboratives throughout the state with the goal of identifying and addressing ongoing challenges within the behavioral health system at the local level to improve the accessibility, availability, and quality of behavioral health services. The objectives of the regional collaboratives are to:

(a) Facilitate enhanced interagency communication and collaboration.

(b) Develop and promote regional strategies tailored to address community-level challenges in the behavioral health system.

(2) The regional collaborative membership shall at a minimum be composed of representatives from all of the following, serving the region:

(a) Department of Children and Families.

(b) Agency for Health Care Administration.

(c) Agency for Persons with Disabilities.

(d) Department of Elder Affairs.

(e) Department of Health.

(f) Department of Education.

(g) School districts.

(h) Area Agencies on Aging.

(i) Community-based care lead agencies, as defined in s. 409.986(3)(d).

(j) Managing entities, as defined in s. 394.9082(2).

(k) Behavioral health services providers.

(l) Hospitals.

(m) Medicaid Managed Medical Assistance Plans.

(n) Police departments.

(o) Sheriffs' Offices.

(3) Each regional collaborative shall define the objectives of that collaborative based upon the specific needs of the region and local communities located within the region, to achieve the specified goals.

(4) The department shall define the region to be served by each collaborative and shall be responsible for facilitating meetings.

(5) All entities represented on the regional collaboratives shall provide assistance as appropriate and reasonably necessary to fulfill the goals of the regional collaboratives.

Section 19. Subsection (6) of section 394.9085, Florida Statutes, is amended to read:

394.9085 Behavioral provider liability.—

(6) For purposes of this section, the terms "detoxification ~~services~~," "addictions receiving facility," and "receiving facility" have the same meanings as those provided in ss. 397.311(26)(a)4. ~~397.311(26)(a)3.~~, 397.311(26)(a)1., and 394.455(40), respectively.

Section 20. Subsection (3) of section 397.305, Florida Statutes, is amended to read:

397.305 Legislative findings, intent, and purpose.—

(3) It is the purpose of this chapter to provide for a comprehensive continuum of accessible and quality substance abuse prevention, intervention, clinical treatment, and recovery support services in the most appropriate and least restrictive environment which promotes long-term recovery while protecting and respecting the rights of individuals, primarily through community-based private not-for-profit providers working with local governmental programs involving a wide range of agencies from both the public and private sectors.

Section 21. Subsections (19) and (23) of section 397.311, Florida Statutes, are amended to read:

397.311 Definitions.—As used in this chapter, except part VIII, the term:

(19) "Impaired" or "substance abuse impaired" means having a substance use disorder or a condition involving the use of alcoholic beverages, illicit or prescription drugs, or any psychoactive or mood-altering substance in such a manner as to induce mental, emotional, or physical problems or ~~and~~ cause socially dysfunctional behavior.

(23) "Involuntary treatment services" means an array of behavioral health services that may be ordered by the court for persons with substance abuse impairment or co-occurring substance abuse impairment and mental health disorders.

Section 22. Subsection (6) is added to section 397.401, Florida Statutes, to read:

397.401 License required; penalty; injunction; rules waivers.—

(6) A service provider operating an addictions receiving facility or providing detoxification on a nonhospital inpatient basis may not exceed its licensed capacity by more than 10 percent and may not exceed their licensed capacity for more than 3 consecutive working days or for more than 7 days in 1 month.

Section 23. Paragraph (i) is added to subsection (1) of section 397.4073, Florida Statutes, to read:

397.4073 Background checks of service provider personnel.—

(1) PERSONNEL BACKGROUND CHECKS; REQUIREMENTS AND EXCEPTIONS.—

(i) Any physician licensed under chapter 458 or chapter 459 or a nurse licensed under chapter 464 who was required to undergo background screening by the Department of Health as part of his or her initial licensure or the renewal of licensure, and who has an active and unencumbered license, is not subject to background screening pursuant to this section.

Section 24. Subsection (8) of section 397.501, Florida Statutes, is amended to read:

397.501 Rights of individuals.—Individuals receiving substance abuse services from any service provider are guaranteed protection of the rights specified in this section, unless otherwise expressly provided, and service providers must ensure the protection of such rights.

(8) RIGHT TO COUNSEL.—Each individual must be informed that he or she has the right to be represented by counsel in any judicial ~~involuntary~~ proceeding for involuntary ~~assessment, stabilization, or~~ treatment services and that he or she, or if the individual is a minor his or her parent, legal

guardian, or legal custodian, may apply immediately to the court to have an attorney appointed if he or she cannot afford one.

Section 25. Section 397.581, Florida Statutes, is amended to read:

397.581 Unlawful activities relating to assessment and treatment; penalties.—

(1) A person may not knowingly and willfully:

(a) Furnish ~~furnishing~~ false information for the purpose of obtaining emergency or other involuntary admission of another person ~~for any person is a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000~~.

(b)~~(2)~~ Cause or otherwise secure, or conspire with or assist another to cause or secure ~~Causing or otherwise securing, or conspiring with or assisting another to cause or secure, without reason for believing a person to be impaired,~~ any emergency or other involuntary procedure of another ~~for the~~ person under false pretenses ~~is a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000~~.

(c)~~(3)~~ Cause, or conspire with or assist another to cause, without lawful justification ~~Causing, or conspiring with or assisting another to cause~~, the denial to any person of any right accorded pursuant to this chapter.

(2) A person who violates subsection (1) commits ~~is~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 and by a fine not exceeding $5,000.

Section 26. Section 397.675, Florida Statutes, is amended to read:

397.675 Criteria for involuntary admissions, including protective custody, emergency admission, and other involuntary assessment, involuntary treatment, and alternative involuntary assessment for minors, for purposes of assessment and stabilization, and for involuntary treatment.—A person meets the criteria for involuntary admission if there is good faith reason to believe that the person is substance abuse impaired or has a substance use disorder and a co-occurring mental health disorder and, because of such impairment or disorder:

(1) Has lost the power of self-control with respect to substance abuse; and

(2)(a) Is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; or

(b) Without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing, able, and responsible family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.

Section 27. Subsection (1) of section 397.6751, Florida Statutes, is amended to read:

397.6751 Service provider responsibilities regarding involuntary admissions.—

(1) It is the responsibility of the service provider to:

(a) Ensure that a person who is admitted to a licensed service component meets the admission criteria specified in s. 397.675;

(b) Ascertain whether the medical and behavioral conditions of the person, as presented, are beyond the safe management capabilities of the service provider;

(c) Provide for the admission of the person to the service component that represents the most appropriate and least restrictive available setting that is responsive to the person's treatment needs;

(d) Verify that the admission of the person to the service component does not result in a census in excess of its licensed service capacity;

(e) Determine whether the cost of services is within the financial means of the person or those who are financially responsible for the person's care; and

(f) Take all necessary measures to ensure that each individual in treatment is provided with a safe environment, and to ensure that each individual whose medical condition or behavioral problem becomes such that he or she cannot be safely managed by the service component is discharged and referred to a more appropriate setting for care.

Section 28. Section 397.681, Florida Statutes, is amended to read:

397.681 Involuntary petitions; general provisions; court jurisdiction and right to counsel.—

(1) JURISDICTION.—The courts have jurisdiction of ~~involuntary assessment and stabilization petitions and~~ involuntary treatment petitions for substance abuse impaired persons, and such petitions must be filed with the clerk of the court in the county where the person is located. The clerk of the court may not charge a fee for the filing of a petition under this section. The chief judge may appoint a general or special magistrate to preside over all or part of the proceedings. The alleged impaired person is named as the respondent.

(2) RIGHT TO COUNSEL.—A respondent has the right to counsel at every stage of a judicial proceeding relating to a petition for his or her ~~involuntary assessment and a petition for his or her~~ involuntary treatment for substance abuse impairment; however, the respondent may waive that right if the respondent is present and the court finds that such waiver is made knowingly, intelligently, and voluntarily. A respondent who desires counsel and is unable to afford private counsel has the right to court-appointed counsel and to the benefits of s. 57.081. If the court believes that the respondent needs or desires the assistance of counsel, the court shall appoint such counsel for the respondent without regard to the respondent's wishes. If the respondent is a minor not otherwise represented in the proceeding, the court shall immediately appoint a guardian ad litem to act on the minor's behalf.

Section 29. Section 397.693, Florida Statutes, is renumbered as 397.68111, Florida Statutes, and amended to read:

397.68111 ~~397.693~~ Involuntary treatment.—A person may be the subject of a petition for court-ordered involuntary treatment pursuant to this part~~,~~ if that person:

(1) Reasonably appears to meet ~~meets~~ the criteria for involuntary admission provided in s. 397.675; ~~and:~~

(2)~~(1)~~ Has been placed under protective custody pursuant to s. 397.677 within the previous 10 days;

(3)~~(2)~~ Has been subject to an emergency admission pursuant to s. 397.679 within the previous 10 days; or

(4)~~(3)~~ Has been assessed by a qualified professional within 30 ~~5~~ days~~;~~

~~(4) Has been subject to involuntary assessment and stabilization pursuant to s. 397.6818 within the previous 12 days; or~~

~~(5) Has been subject to alternative involuntary admission pursuant to s. 397.6822 within the previous 12 days~~.

Section 30. Section 397.695, Florida Statutes, is renumbered as section 397.68112, Florida Statutes, and amended to read:

397.68112 ~~397.695~~ Involuntary services; persons who may petition.—

(1) If the respondent is an adult, a petition for involuntary treatment services may be filed by the respondent's spouse or legal guardian, any relative, a service provider, or an adult who has direct personal knowledge of the respondent's substance abuse impairment and his or her prior course of assessment and treatment.

(2) If the respondent is a minor, a petition for involuntary treatment services may be filed by a parent, legal guardian, or service provider.

(3) The court may prohibit, or a law enforcement agency may waive, any service of process fees if a petitioner is determined to be indigent.

Section 31. Section 397.6951, Florida Statutes, is renumbered as 397.68141, Florida Statutes, and amended to read:

397.68141 ~~397.6951~~ Contents of petition for involuntary treatment services.—A petition for involuntary services must contain the name of the respondent; the name of the petitioner ~~or petitioners~~; the relationship between the respondent and the petitioner; the name of the respondent's attorney, if known; ~~the findings and recommendations of the assessment performed by the qualified professional;~~ and the factual allegations presented by the petitioner establishing the need for involuntary ~~outpatient~~ services for substance abuse impairment. The factual allegations must demonstrate:

(1) The reason for the petitioner's belief that the respondent is substance abuse impaired;

(2) The reason for the petitioner's belief that because of such impairment the respondent has lost the power of self-control with respect to substance abuse; and

(3)(a) The reason the petitioner believes that the respondent has inflicted or is likely to inflict physical harm on himself or herself or others unless the court orders the involuntary services; or

(b) The reason the petitioner believes that the respondent's refusal to voluntarily receive care is based on judgment so impaired by reason of substance abuse that the respondent is incapable of appreciating his or her need for care and of making a rational decision regarding that need for care.

(4) The petition may be accompanied by a certificate or report of a qualified professional who examined the respondent within 30 days before the petition was filed. The certificate or report must include the qualified professional's findings relating to his or her assessment of the patient and his or her treatment recommendations. If the respondent was not assessed before the filing of a treatment petition or refused to submit to an evaluation, the lack of assessment or refusal must be noted in the petition.

(5) If there is an emergency, the petition must also describe the respondent's exigent circumstances and include a request for an ex parte assessment and stabilization order that must be executed pursuant to s. 397.68151.

Section 32. Section 397.6955, Florida Statutes, is renumbered as section 397.68151, Florida Statutes, and amended to read:

397.68151 ~~397.6955~~ Duties of court upon filing of petition for involuntary services.—

(1) Upon the filing of a petition for involuntary services for a substance abuse impaired person with the clerk of the court, the court shall immediately determine whether the respondent is represented by an attorney or whether the appointment of counsel for the respondent is appropriate. If the court appoints counsel for the person, the clerk of the court shall immediately notify the office of criminal conflict and civil regional counsel, created pursuant to s. 27.511, of the appointment. The office of criminal conflict and civil regional counsel shall represent the person until the petition is dismissed, the court order expires, ~~or~~ the person is discharged from involuntary treatment services, or the office is otherwise discharged by the court. An attorney that represents the person named in the petition shall have access to the person, witnesses, and records relevant to the presentation of the person's case and shall represent the interests of the person, regardless of the source of payment to the attorney.

(2) The court shall schedule a hearing to be held on the petition within 10 court working ~~5~~ days unless a continuance is granted. The court may appoint a magistrate to preside at the hearing.

(3) A copy of the petition and notice of the hearing must be provided to the respondent; the respondent's parent, guardian, or legal custodian, in the case of a minor; the respondent's attorney, if known; the petitioner; the respondent's spouse or guardian, if applicable; and such other persons as the court may direct. If the respondent is a minor, a copy of the petition and notice of the hearing must be personally delivered to the respondent. The clerk ~~court~~ shall also issue a summons to the person whose admission is sought and unless a circuit court's chief judge authorizes disinterested private process servers to serve parties under this chapter, a law enforcement agency must effect such service on the person whose admission is sought for the initial treatment hearing.

Section 33. Section 397.6818, Florida Statutes, is amended to read:

397.6818 Court determination.—

(1) When the petitioner asserts that emergency circumstances exist, or when upon review of the petition the court determines that an emergency exists, the court may rely solely on the contents of the petition and, without the appointment of an attorney, enter an ex parte order for the respondent's involuntary assessment and stabilization which must be executed during the period when the hearing on the petition for treatment is pending.

(2) The court may further order a law enforcement officer or another designated agent of the court to:

(a) Take the respondent into custody and deliver him or her for evaluation to either the nearest appropriate licensed service provider or a licensed service provider designated by the court.

(b) Serve the respondent with the notice of hearing and a copy of the petition.

(3) The service provider may not hold the respondent for longer than 72 hours of observation, unless:

(a) The service provider seeks additional time under s. 397.6957(1)(c) and the court, after a hearing, grants that motion;

(b) The respondent shows signs of withdrawal, or a need to be either detoxified or treated for a medical condition, which shall extend the amount of time the respondent may be held for observation until the issue is resolved but no later than the scheduled hearing date, absent a court-approved extension; or

(c) The original or extended observation period ends on a weekend or holiday, including the hours before the ordinary business hours of the following workday morning, in which case the provider may hold the respondent until the next court working day.

(4) If the ex parte order was not executed by the initial hearing date, it shall be deemed void. However, should the respondent not appear at the hearing for any reason, including lack of service, and upon reviewing the petition, testimony, and evidence presented, the court reasonably believes the respondent meets this chapter's commitment criteria and that a substance abuse emergency exists, the court may issue or reissue an ex parte assessment and stabilization order that is valid for 90 days. If the respondent's location is known at the time of the hearing, the court:

(a) Shall continue the case for no more than 10 court working days; and

(b) May order a law enforcement officer or another designated agent of the court to:

1. Take the respondent into custody and deliver him or her for evaluation to either the nearest appropriate licensed service provider or a licensed service provider designated by the court; and

2. If a hearing date is set, serve the respondent with notice of the rescheduled hearing and a copy of the involuntary treatment petition if the respondent has not already been served.

Otherwise, the petitioner must inform the court that the respondent has been assessed so that the court may schedule a hearing as soon as is practicable. However, if the respondent has not been assessed within 90 days, the court must dismiss the case. ~~At the hearing initiated in accordance with s. 397.6811(1), the court shall hear all relevant testimony. The respondent must be present unless the court has reason to believe that his or her presence is likely to be injurious to him or her, in which event the court shall appoint a guardian advocate to represent the respondent. The respondent has the right to examination by a court-appointed qualified professional. After hearing all the evidence, the court shall determine whether there is a reasonable basis to believe the respondent meets the involuntary admission criteria of s. 397.675.~~

~~(1) Based on its determination, the court shall either dismiss the petition or immediately enter an order authorizing the involuntary assessment and stabilization of the respondent; or, if in the course of the hearing the court has reason to believe that the respondent, due to mental illness other than or in addition to substance abuse impairment, is likely to injure himself or herself or another if allowed to remain at liberty, the court may initiate involuntary proceedings under the provisions of part I of chapter 394.~~

~~(2) If the court enters an order authorizing involuntary assessment and stabilization, the order shall include the court's findings with respect to the availability and appropriateness of the least restrictive alternatives and the need for the appointment of an attorney to represent the respondent, and may designate the specific licensed service provider to perform the involuntary assessment and stabilization of the respondent. The respondent may choose the licensed service provider to deliver the involuntary assessment where possible and appropriate.~~

~~(3) If the court finds it necessary, it may order the sheriff to take the respondent into custody and deliver him or her to the licensed service provider specified in the court order or, if none is specified, to the nearest appropriate licensed service provider for involuntary assessment.~~

~~(4) The order is valid only for the period specified in the order or, if a period is not specified, for 7 days after the order is signed.~~

Section 34. Section 397.6957, Florida Statutes, is amended to read:

397.6957 Hearing on petition for involuntary treatment services.—

(1)(a) The respondent must be present at a hearing on a petition for involuntary treatment services~~,~~ unless the court finds that he or she

knowingly, intelligently, and voluntarily waives his or her right to be present or, upon receiving proof of service and evaluating the circumstances of the case, that his or her presence is inconsistent with his or her best interests or is likely to be injurious to self or others. The court shall hear and review all relevant evidence, including testimony from individuals such as family members familiar with the respondent's prior history and how it relates to his or her current condition, and the ~~review of~~ results of the assessment completed by the qualified professional in connection with this chapter. The court may also order drug tests. The state attorney and witnesses may

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

Remove lines 2414-2417 of the amendment and insert:
authorizing the court to permit the state attorney and witnesses to attend and testify remotely at the hearing through specified means; providing requirements for the state attorney and witnesses to attend and testify remotely; requiring facilities to make

Rep. Maney moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1 (238169)**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 7023—A bill to be entitled An act relating to public records and meetings; amending ss. 394.464 and 397.6760, F.S.; specifying that all hearings relating to mental health and substance abuse, respectively, are confidential and closed to the public; providing exceptions; exempting certain information from public records requirements; expanding a public records exemption to include certain petitions and applications; authorizing disclosure of certain confidential and exempt documents to certain service providers; authorizing courts to use a respondent's name for certain purposes; revising applicability to include certain appeals; revising the date for future legislative review and repeal of the exemption; providing public necessity statements; providing a contingent effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/CS/HB 1061** was temporarily postponed.

HB 7089—A bill to be entitled An act relating to health care expenses; amending s. 95.11, F.S.; establishing a 3-year statute of limitations for an action to collect medical debt for services rendered by a health care provider or facility; creating s. 222.26, F.S.; providing additional personal property exemptions from legal process for medical debts resulting from services provided in certain licensed facilities; amending s. 395.301, F.S.; requiring a licensed facility to post on its website a consumer-friendly list of standard charges for a minimum number of shoppable health care services; providing definitions; requiring a licensed facility to provide an estimate to a patient or prospective patient and the patient's health insurer within specified timeframes; requiring a licensed facility to establish an internal grievance process for patients to dispute charges; requiring a facility to make available information necessary for initiating a grievance; requiring a facility to respond to a patient grievance within a specified timeframe; requiring a licensed facility to disclose specified information relating to cost-sharing obligations to certain persons; providing a penalty; creating s. 395.3011, F.S.; defining the term "extraordinary collection action"; prohibiting certain collection activities by a licensed facility; amending s. 624.27, F.S.; revising the definitions of "health care provider"; creating s. 627.446, F.S.; defining the term "health insurer"; requiring each health insurer to provide an insured with an advanced explanation of benefits after receiving a patient estimate from a facility for scheduled services; providing requirements for the advanced explanation of benefits; amending s. 627.6387, F.S.; revising definitions; requiring, rather than authorizing, a health insurer to offer a shared savings incentive program for specified purposes; requiring a health insurer to notify an insured that participation in such program is voluntary and optional; amending ss. 627.6648 and 641.31076, F.S.; providing that a shared savings incentive offered by a health insurer or health maintenance organization constitutes a medical expense for rate development and rate filing purposes; amending ss. 475.01, 475.611, 517.191, 768.28, and 787.061 F.S.; conforming provisions to changes made by the act; providing applicability; providing an effective date.

—was read the second time by title.

Representative Grant offered the following:

(Amendment Bar Code: 709399)

Amendment 1 (with title amendment)—Remove line 130 and insert:
shoppable health care services, or an Internet-based price estimator tool meeting federal standards. If a facility provides fewer

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

Remove line 13 and insert:
services or a price estimator tool meeting certain requirements; providing definitions; requiring a licensed

Rep. Grant moved the adoption of the amendment, which was adopted.

Representative Grant offered the following:

(Amendment Bar Code: 262591)

Amendment 2 (with directory and title amendments)—Remove lines 300-356

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

Remove lines 292-293 and insert:
Section 7. Paragraph (b) of subsection (2) and paragraph (a) of subsection (4) of section

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

Remove lines 35-40 and insert:
amending s. 627.6387, F.S.; revising a definition; providing that a shared savings incentive constitutes a medical expense for rate development and rate filing purposes; amending ss. 627.6648 and

Rep. Grant moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 227—A bill to be entitled An act relating to intravenous vitamin treatment; providing a short title; creating s. 456.0302, F.S.; providing definitions; providing requirements for persons administering intravenous vitamin treatment; requiring the Board of Nursing, the Board of Medicine, and the Board of Osteopathic Medicine to adopt rules establishing procedures to administer intravenous vitamin treatment and emergency protocols; providing penalties; providing applicability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 1349** was temporarily postponed.

CS/HB 865—A bill to be entitled An act relating to youth athletic activities; amending s. 1012.55, F.S.; revising the requirements for certain athletic coaches to include certification in cardiopulmonary resuscitation, first aid, and the use of an automatic external defibrillator; providing requirements for such certification; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1319—A bill to be entitled An act relating to trust funds; creating s. 1004.331, F.S.; creating the Institute of Food and Agricultural Sciences Renovation, Relocation, and Construction Trust Fund for specified purposes; providing that the trust fund is under the jurisdiction of the Board of Governors; requiring the Department of Education to administer the trust fund; authorizing the Board of Trustees of the Internal Improvement Trust Fund, at the request of the University of Florida Board of Trustees, to sell, trade, exchange, or otherwise dispose of specified real property and improvements; requiring such funds to be deposited into the trust fund for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund, at the request of the University of Florida Board of Trustees, to purchase real property or improvements for specified facilities; providing requirements for such sales and trades or exchanges; providing for future review and termination or re-creation of the fund; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 927 was taken up. On motion by Rep. Trabulsy, the House agreed to substitute CS for CS for SB 770 for CS/CS/CS/HB 927 and read CS for CS for SB 770 the second time by title. Under Rule 5.17, the House bill was laid on the table.

CS for CS for SB 770—A bill to be entitled An act relating to improvements to real property; amending s. 163.08, F.S.; deleting provisions relating to legislative findings and intent; defining terms and revising definitions; creating s. 163.081, F.S.; authorizing a program administrator to offer a program for financing qualifying improvements for residential property when authorized by a county or municipality; requiring an authorized program administrator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a county or municipality to deauthorize a program administrator through certain measures; allowing a recorded financing agreement at the time of deauthorization to continue, with an exception; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments; authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of record of the residential property to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information from the property owner before entering into a financing agreement; requiring certain documentation before the financing agreement is approved and recorded; requiring an advisement and notification for certain qualifying improvements; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be executed; requiring an oral, recorded telephone call with the residential property owner to confirm findings and disclosures before the approval of a financing agreement; requiring the residential property owner to provide written notice to the holder or loan servicer of his or her intent to enter into a financing agreement as well as other financial information; requiring that proof of such notice be provided to the program administrator; providing that a certain acceleration provision in an agreement between the residential property owner and mortgagor or lienholder is unenforceable; providing that the lienholder or loan servicer retains certain authority; authorizing a residential property owner, under certain circumstances and within a certain timeframe, to cancel a financing agreement without financial penalty; requiring recording of the financing agreement in a specified timeframe; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on residential property; requiring a program administrator to confirm that the applicable work service has been completed or the final permit for the qualifying improvement has been closed and evidence of substantial completion of construction or improvement has been issued; creating s. 163.082, F.S.; authorizing a program administrator to offer a program for financing qualifying improvements for commercial property when authorized by a county or municipality; requiring an authorized program administrator that administers an authorized program to meet certain requirements; authorizing a county or municipality to enter into an interlocal agreement to implement a program; authorizing a county or municipality to deauthorize a program administrator through certain measures; authorizing a recorded financing agreement at the time of deauthorization to continue, with an exception; authorizing a program administrator to contract with third-party administrators to implement the program; authorizing a program administrator to levy non-ad valorem assessments for a certain purpose; providing for compensation for tax collectors for actual costs incurred to collect non-ad valorem assessments; authorizing a program administrator to incur debt for the purpose of providing financing for qualifying improvements; authorizing the owner of record of the commercial property to apply to the program administrator to finance a qualifying improvement; requiring the program administrator to receive the written consent of current holders or loan servicers of certain mortgages encumbering or secured by commercial property; requiring a program administrator offering a program for financing qualifying improvements to commercial property to certain underwriting criteria; requiring the program administrator to make certain findings before entering into a financing agreement; requiring the program administrator to ascertain certain financial information from the property owner before entering into a financing agreement; requiring the program administrator to document and retain certain findings; requiring certain financing agreement and contract provisions for change orders under certain circumstances; prohibiting a financing agreement from being entered into under certain circumstances; requiring the program administrator to provide certain information before a financing agreement may be executed; requiring any financing agreement executed pursuant to this section be submitted for recording in the public records of the county where the commercial property is located in a specified timeframe; requiring that the recorded agreement provide constructive notice that the non-ad valorem assessment levied on the property is a lien of equal dignity; providing that a lien with a certain acceleration provision is unenforceable; creating the seller's disclosure statements for properties offered for sale which have assessments on them for qualifying improvements; requiring the program administrator to confirm that certain conditions are met before disbursing final funds to a qualifying improvement contractor for qualifying improvements on commercial property; providing construction; creating s. 163.083, F.S.; requiring a county or municipality to establish or approve a process for the registration of a qualifying improvement contractor to install qualifying improvements; requiring certain conditions for a qualifying improvement contractor to participate in a program; prohibiting a third-party administrator from registering as a qualifying improvement contractor; requiring the program administrator to monitor qualifying improvement contractors, enforce certain penalties for a finding of violation, and post certain information online; creating s. 163.084, F.S.; authorizing the program administrator to contract with entities to administer an authorized program; providing certain requirements for a third-party administrator; prohibiting a program administrator from acting as a third-party administrator under certain circumstances; providing an exception; requiring the program administrator to include in its contract with the third-party administrator the right to perform annual reviews of the administrator; authorizing the program administrator to take certain actions if the program administrator finds that the third-party administrator has committed a violation of its contract; authorizing a program administrator to terminate an agreement with a third-party administrator under certain circumstances; providing for the continuation of

certain financing agreements after the termination or suspension of the third-party administrator, with an exception; creating s. 163.085, F.S.; requiring that, in communicating with the property owner, the program administrator, qualifying improvement contractor, or third-party administrator comply with certain requirements; prohibiting the program administrator or third-party administrator from disclosing certain financing information to a qualifying improvement contractor; prohibiting a qualifying improvement contractor from making certain advertisements or solicitations; providing exceptions; prohibiting a program administrator or third-party administrator from providing certain payments, fees, or kickbacks to a qualifying improvement contractor; prohibiting a program administrator or third-party administrator from reimbursing a qualifying improvement contractor for certain expenses; prohibiting a qualifying improvement contractor from providing different prices for a qualifying improvement; requiring a contract between a property owner and a qualifying improvement contractor to include certain provisions; prohibiting a program administrator, qualifying improvement contractor, or third-party administrator from providing any cash payment or anything of material value to a property owner which is explicitly conditioned on a financing agreement; providing exceptions; creating s. 163.086, F.S.; prohibiting a recorded financing agreement from being removed from attachment to a property under certain circumstances; providing for the unenforceability of a financing agreement under certain circumstances; providing provisions for when a qualifying improvement contractor initiates work on an unenforceable contract; providing that a qualifying improvement contractor may retrieve chattel or fixtures delivered pursuant to an unenforceable contract if certain conditions are met; providing that an unenforceable contract will remain unenforceable under certain circumstances; creating s. 163.087, F.S.; requiring a program administrator authorized to administer a program for financing a qualifying improvement to post on its website an annual report; specifying requirements for the report; requiring the Auditor General to conduct an operational audit of each program administrator; requiring the Auditor General to adopt certain rules requiring certain reporting from the program administrator; requiring program administrators and, if applicable, third-party administrators to post the report on its website; providing that a contract, agreement, authorization, or interlocal agreement entered into before a certain date may continue without additional action by the county or municipality; requiring that the program administrator comply with the act and that any related contracts, agreements, authorizations, or interlocal agreements be amended to comply with the act; providing an effective date.

—was read the second time by title.

Representative Trabulsy offered the following:

(Amendment Bar Code: 092337)

Amendment 1—Remove lines 408-1079 and insert:

3. The financing agreement does not utilize a negative amortization schedule, a balloon payment, or prepayment fees or fines other than nominal administrative costs. Capitalized interest included in the original balance of the assessment financing agreement does not constitute negative amortization.

4. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current and have not been delinquent for the preceding 3 years, or the property owner's period of ownership, whichever is less.

5. There are no outstanding fines or fees related to zoning or code enforcement violations issued by a county or municipality, unless the qualifying improvement will remedy the zoning or code violation.

6. There are no involuntary liens, including, but not limited to, construction liens on the residential property.

7. No notices of default or other evidence of property-based debt delinquency have been recorded and not released during the preceding 3 years or the property owner's period of ownership, whichever is less.

8. The property owner is current on all mortgage debt on the residential property.

9. The property owner has not been subject to a bankruptcy proceeding within the last 5 years unless it was discharged or dismissed more than 2 years before the date on which the property owner applied for financing.

10. The residential property is not subject to an existing home equity conversion mortgage or reverse mortgage product.

11. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 20 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.

12. The total estimated annual payment amount for all financing agreements entered into under this section on the residential property does not exceed 10 percent of the property owner's annual household income. Income must be confirmed using reasonable evidence and not solely by a property owner's statement.

13. If the qualifying improvement is for the conversion of an onsite sewage treatment and disposal system to a central sewerage system, the property owner has utilized all available local government funding for such conversions and is unable to obtain financing for the improvement on more favorable terms through a local government program designed to support such conversions.

(b) Before entering into a financing agreement, the program administrator must determine if there are any current financing agreements on the residential property and if the property owner has obtained or sought to obtain additional qualifying improvements on the same property which have not yet been recorded. The existence of a prior qualifying improvement non-ad valorem assessment or a prior financing agreement is not evidence that the financing agreement under consideration is affordable or meets other program requirements.

(c) Findings satisfying paragraphs (a) and (b) must be documented, including supporting evidence relied upon, and provided to the property owner prior to a financing agreement being approved and recorded. The program administrator must retain the documentation for the duration of the financing agreement.

(d) If the qualifying improvement is estimated to cost $10,000 or more, before entering into a financing agreement the program administrator must advise the property owner in writing that the best practice is to obtain estimates from more than one unaffiliated, registered qualifying improvement contractor for the qualifying improvement and notify the property owner in writing of the advertising and solicitation requirements of s. 163.085.

(e) A property owner and the program administrator may agree to include in the financing agreement provisions for allowing change orders necessary to complete the qualifying improvement. Any financing agreement or contract for qualifying improvements which includes such provisions must meet the requirements of this paragraph. If a proposed change order on a qualifying improvement will increase the original cost of the qualifying improvement by 20 percent or more or will expand the scope of the qualifying improvement by more than 20 percent, before the change order may be executed which would result in an increase in the amount financed through the program administrator for the qualifying improvement, the program administrator must notify the property owner, provide an updated written disclosure form as described in subsection (4) to the property owner, and obtain written approval of the change from the property owner.

(f) A financing agreement may not be entered into if the total cost of the qualifying improvement, including program fees and interest, is less than $2,500.

(g) A financing agreement may not be entered into for qualifying improvements in buildings or facilities under new construction or construction for which a certificate of occupancy or similar evidence of substantial completion of new construction or improvement has not been issued.

(4) DISCLOSURES.—

(a) In addition to the requirements imposed in subsection (3), a financing agreement may not be executed unless the program administrator first provides, including via electronic means, a written financing estimate and

disclosure to the property owner which includes all of the following, each of which must be individually acknowledged in writing by the property owner:

1. The estimated total amount to be financed, including the total and itemized cost of the qualifying improvement, program fees, and capitalized interest;

2. The estimated annual non-ad valorem assessment;

3. The term of the financing agreement and the schedule for the non-ad valorem assessments;

4. The interest charged and estimated annual percentage rate;

5. A description of the qualifying improvement;

6. The total estimated annual costs that will be required to be paid under the assessment contract, including program fees;

7. The total estimated average monthly equivalent amount of funds that would need to be saved in order to pay the annual costs of the non-ad valorem assessment, including program fees;

8. The estimated due date of the first payment that includes the non-ad valorem assessment;

9. A disclosure that the financing agreement may be canceled within 3 business days after signing the financing agreement without any financial penalty for doing so;

10. A disclosure that the property owner may repay any remaining amount owed, at any time, without penalty or imposition of additional prepayment fees or fines other than nominal administrative costs;

11. A disclosure that if the property owner sells or refinances the residential property, the property owner may be required by a mortgage lender to pay off the full amount owed under each financing agreement under this section;

12. A disclosure that the assessment will be collected along with the property owner's property taxes, and will result in a lien on the property from the date the financing agreement is recorded;

13. A disclosure that potential utility or insurance savings are not guaranteed, and will not reduce the assessment amount; and

14. A disclosure that failure to pay the assessment may result in penalties, fees, including attorney fees, court costs, and the issuance of a tax certificate that could result in the property owner losing the property and a judgment against the property owner, and may affect the property owner's credit rating.

(b) Prior to the financing agreement being approved, the program administrator must conduct an oral, recorded telephone call with the property owner during which the program administrator must confirm each finding or disclosure required in subsection (3) and this section.

(5) NOTICE TO LIENHOLDERS AND SERVICERS.—At least 5 business days before entering into a financing agreement, the property owner must provide to the holders or loan servicers of any existing mortgages encumbering or otherwise secured by the residential property a written notice of the owner's intent to enter into a financing agreement together with the maximum amount to be financed, including the amount of any fees and interest, and the maximum annual assessment necessary to repay the total. A verified copy or other proof of such notice must be provided to the program administrator. A provision in any agreement between a mortgagor or other lienholder and a property owner, or otherwise now or hereafter binding upon a property owner, which allows for acceleration of payment of the mortgage, note, or lien or other unilateral modification solely as a result of entering into a financing agreement as provided for in this section is unenforceable. This subsection does not limit the authority of the holder or loan servicer to increase the required monthly escrow by an amount necessary to pay the annual assessment.

(6) CANCELLATION.—A property owner may cancel a financing agreement on a form established by the program administrator within 3 business days after signing the financing agreement without any financial penalty for doing so.

(7) RECORDING.—Any financing agreement executed pursuant to this section, or a summary memorandum of such agreement, shall be submitted for recording in the public records of the county within which the residential property is located by the program administrator within 10 business days after execution of the agreement and the 3-day cancellation period. The recorded agreement must provide constructive notice that the non-ad valorem assessment to be levied on the property constitutes a lien of equal dignity to county taxes and assessments from the date of recordation. A notice of lien for the full amount of the financing may be recorded in the public records of the county where the property is located. Such lien is not enforceable in a manner that results in the acceleration of the remaining nondelinquent unpaid balance under the assessment financing agreement.

(8) SALE OF RESIDENTIAL PROPERTY.—At or before the time a seller executes a contract for the sale of any residential property for which a non-ad valorem assessment has been levied under this section and has an unpaid balance due, the seller shall give the prospective purchaser a written disclosure statement in the following form, which must be set forth in the contract or in a separate writing:

QUALIFYING IMPROVEMENTS.—The property being purchased is subject to an assessment on the property pursuant to s. 163.081, Florida Statutes. The assessment is for a qualifying improvement to the property and is not based on the value of the property. You are encouraged to contact the property appraiser's office to learn more about this and other assessments that may be provided by law.

(9) DISBURSEMENTS.—Before disbursing final funds to a qualifying improvement contractor for a qualifying improvement on residential property, the program administrator shall confirm that the applicable work or service has been completed or, as applicable, that the final permit for the qualifying improvement has been closed with all permit requirements satisfied or a certificate of occupancy or similar evidence of substantial completion of construction or improvement has been issued.

(10) CONSTRUCTION.—This section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or a limitation upon such authority.

Section 3. Section 163.082, Florida Statutes, is created to read:

163.082 Financing qualifying improvements to commercial property.—

(1) COMMERCIAL PROPERTY PROGRAM AUTHORIZATION.—

(a) A program administrator may only offer a program for financing qualifying improvements to commercial property within the jurisdiction of a county or municipality if the county or municipality has authorized by ordinance or resolution the program administrator to administer the program for financing qualifying improvements to commercial property. The authorized program must, at a minimum, meet the requirements of this section.

(b) Pursuant to this section or as otherwise provided by law or pursuant to a county's or municipality's home rule power, a county or municipality may enter into an interlocal agreement providing for a partnership between one or more counties or municipalities for the purpose of facilitating a program for financing qualifying improvements to commercial property located within the jurisdiction of the counties or municipalities that are party to the agreement.

(c) A county or municipality may deauthorize a program administrator through repeal of the ordinance or resolution adopted pursuant to paragraph (a) or other action. Any recorded financing agreements at the time of deauthorization shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

(d) A program administrator may contract with one or more third-party administrators to implement the program as provided in s. 163.084.

(e) An authorized program administrator may levy non-ad valorem assessments to facilitate repayment of financing or refinancing qualifying improvements. Costs incurred by the program administrator for such purpose may be collected as a non-ad valorem assessment. A non-ad valorem assessment shall be collected pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a), is not subject to discount for early payment. However, the notice and adoption requirements of s. 197.3632(4) do not apply if this section is used and complied with, and the intent resolution, publication of notice, and mailed notices to the property appraiser, tax collector, and Department of Revenue required by s. 197.3632(3)(a) may be provided on or before August 15 of each year in conjunction with any non-ad valorem assessment authorized by this section, if the property appraiser, tax collector, and program administrator agree. The program administrator shall only compensate the tax collector for the actual cost of collecting non-ad valorem assessments, not to exceed 2 percent of the amount collected and remitted.

(f) A program administrator may incur debt for the purpose of providing financing for qualifying improvements, which debt is payable from revenues received from the improved property or any other available revenue source authorized by law.

(2) APPLICATION.—The owner of record of the commercial property within the jurisdiction of the authorized program may apply to the program administrator to finance a qualifying improvement and enter into a financing agreement with the program administrator to make such improvement. The program administrator may only enter into a financing agreement with a property owner.

(3) CONSENT OF LIENHOLDERS AND SERVICERS.—The program administrator must receive the written consent of the current holders or loan servicers of any mortgage that encumbers or is otherwise secured by the commercial property or that will otherwise be secured by the property before a financing agreement may be executed.

(4) FINANCING AGREEMENTS.—

(a) A program administrator offering a program for financing qualifying improvements to commercial property must maintain underwriting criteria sufficient to determine the financial feasibility of entering into a financing agreement. To enter into a financing agreement, the program administrator must, at a minimum, make each of the following findings based on a review of public records derived from a commercially accepted source and the statements, records, and credit reports of the commercial property owner:

1. There are sufficient resources to complete the project.

2. The combined mortgage-related debt and total amount of any non-ad valorem assessments under the program for the commercial property does not exceed 97 percent of the just value of the property as determined by the property appraiser.

3. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current.

4. There are no involuntary liens greater than $5,000, including, but not limited to, construction liens on the commercial property.

5. No notices of default or other evidence of property-based debt delinquency have been recorded and not been released during the preceding 3 years or the property owner's period of ownership, whichever is less.

6. The property owner is current on all mortgage debt on the commercial property.

7. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 30 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.

8. The property owner is not currently the subject of a bankruptcy proceeding.

(b) Before entering into a financing agreement, the program administrator shall determine if there are any current financing agreements on the commercial property and whether the property owner has obtained or sought to obtain additional qualifying improvements on the same property which have not yet been recorded. The existence of a prior qualifying improvement non-ad valorem assessment or a prior financing agreement is not evidence that the financing agreement under consideration is affordable or meets other program requirements.

(c) The program administrator shall document and retain findings satisfying paragraphs (a) and (b), including supporting evidence relied upon, which were made prior to the financing agreement being approved and recorded, for the duration of the financing agreement.

(d) A property owner and the program administrator may agree to include in the financing agreement provisions for allowing change orders necessary to complete the qualifying improvement. Any financing agreement or contract for qualifying improvements which includes such provisions must meet the requirements of this paragraph. If a proposed change order on a qualifying improvement will increase the original cost of the qualifying improvement by 20 percent or more or will expand the scope of the qualifying improvement by 20 percent or more, before the change order may be executed which would result in an increase in the amount financed through the program administrator for the qualifying improvement, the program administrator must notify the property owner, provide an updated written disclosure form as described in subsection (5) to the property owner, and obtain written approval of the change from the property owner.

(e) A financing agreement may not be entered into if the total cost of the qualifying improvement, including program fees and interest, is less than $2,500.

(5) DISCLOSURES.—In addition to the requirements imposed in subsection (4), a financing agreement may not be executed unless the program administrator provides, whether on a separate document or included with other disclosures or forms, a financing estimate and disclosure to the property owner which includes all of the following:

(a) The estimated total amount to be financed, including the total and itemized cost of the qualifying improvement, program fees, and capitalized interest;

(b) The estimated annual non-ad valorem assessment;

(c) The term of the financing agreement and the schedule for the non-ad valorem assessments;

(d) The interest charged and estimated annual percentage rate;

(e) A description of the qualifying improvement;

(f) The total estimated annual costs that will be required to be paid under the assessment contract, including program fees;

(g) The estimated due date of the first payment that includes the non-ad valorem assessment; and

(h) A disclosure of any prepayment penalties, fees, or fines as set forth in the financing agreement.

(6) RECORDING.—Any financing agreement executed pursuant to this section or a summary memorandum of such agreement must be submitted for recording in the public records of the county within which the commercial property is located by the program administrator within 10 business days after execution of the agreement. The recorded agreement must provide constructive notice that the non-ad valorem assessment to be levied on the property constitutes a lien of equal dignity to county taxes and assessments from the date of recordation. A notice of lien for the full amount of the financing may be recorded in the public records of the county where the property is located. Such lien is not enforceable in a manner that results in the acceleration of the remaining nondelinquent unpaid balance under the assessment financing agreement.

(7) SALE OF COMMERCIAL PROPERTY.—At or before the time a seller executes a contract for the sale of any commercial property for which a non-ad valorem assessment has been levied under this section and has an unpaid balance due, the seller shall give the prospective purchaser a written disclosure statement in the following form, which must be set forth in the contract or in a separate writing:

QUALIFYING IMPROVEMENTS.—The property being purchased is subject to an assessment on the property pursuant to s. 163.082, Florida Statutes. The assessment is for a qualifying improvement to the property and is not based on the value of the property. You are encouraged to contact the property appraiser's office to learn more about this and other assessments that may be provided for by law.

(8) COMPLETION CERTIFICATE.—Upon disbursement of all financing and completion of installation of qualifying improvements financed, the program administrator shall retain a certificate that the qualifying improvements have been installed and are in good working order.

(9) CONSTRUCTION.—This section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or a limitation upon such authority.

Section 4. Section 163.083, Florida Statutes, is created to read:

163.083 Qualifying improvement contractors.—

(1) A county or municipality shall establish a process, or approve a process established by a program administrator, to register contractors for participation in a program authorized by a county or municipality pursuant to s. 163.081. A qualifying improvement contractor may only perform such work that the contractor is appropriately licensed, registered, and permitted to conduct. At

the time of application to participate and during participation in the program, contractors must:

(a) Hold all necessary licenses or registrations for the work to be performed which are in good standing. Good standing includes no outstanding complaints with the state or local government which issues such licenses or registrations.

(b) Comply with all applicable federal, state, and local laws and regulations, including obtaining and maintaining any other permits, licenses, or registrations required for engaging in business in the jurisdiction in which it operates and maintaining all state-required bond and insurance coverage.

(c) File with the program administrator a written statement in a form approved by the county or municipality that the contractor will comply with applicable laws and rules and qualifying improvement program policies and procedures, including those on advertising and marketing.

(2) A third-party administrator or a program administrator, either directly or through an affiliate, may not be registered as a qualifying improvement contractor.

(3) A program administrator shall establish and maintain:

(a) A process to monitor qualifying improvement contractors for performance and compliance with requirements of the program and must conduct regular reviews of qualifying improvement contractors to confirm that each qualifying improvement contractor is in good standing.

(b) Procedures for notice and imposition of penalties upon a finding of violation, which may consist of placement of the qualifying improvement contractor in a probationary status that places conditions for continued participation, suspension, or termination from participation in the program.

(c) An easily accessible page on its website that provides information on the status of registered qualifying improvement contractors, including any imposed penalties, and the names of any qualifying improvement contractors currently on probationary status or that are suspended or terminated from participation in the program.

Section 5. Section 163.084, Florida Statutes, is created to read:

163.084 Third-party administrator for financing qualifying improvements programs.—

(1)(a) A program administrator may contract with one or more third-party administrators to administer a program authorized by a county or municipality pursuant to s. 163.081 or s. 163.082 on behalf of and at the discretion of the program administrator.

(b) The third-party administrator must be independent of the program administrator and have no conflicts of interest between managers or owners of the third-party administrator and program administrator managers, owners, officials, or employees with oversight over the contract. A program administrator, either directly or through an affiliate, may not act as a third-party administrator for itself or for another program administrator. However, this paragraph does not apply to a third-party administrator created by an entity authorized in law pursuant to s. 288.9604.

(c) The contract must provide for the entity to administer the program according to the requirements of s. 163.081 or s. 163.082 and the ordinance or resolution adopted by the county or municipality authorizing the program. However, only the program administrator may levy or administer non-ad valorem assessments.

(2) A program administrator may not contract with a third-party administrator that, within the last 3 years, has been:

(a) Prohibited, after notice and a hearing, from serving as a third-party administrator for another program administrator for program or contract violations in this state; or

(b) Found by a court of competent jurisdiction to have substantially violated state or federal laws related to the administration of ss. 163.081-163.086 or a similar program in another jurisdiction.

(3) The program administrator must include in any contract with the third-party administrator the right to perform annual reviews of the administrator to confirm compliance with ss. 163.081-163.086, the ordinance or resolution adopted by the county or municipality, and the contract with the program administrator. If the program administrator finds that the third-party administrator has committed a violation of ss. 163.081-163.086, the adopted ordinance or resolution, or the contract with the program administrator, the program administrator shall provide the third-party administrator with notice of the violation and may, as set forth in the adopted ordinance or resolution or the contract with the third-party administrator:

(a) Place the third-party administrator in a probationary status that places conditions for continued operations.

(b) Impose any fines or sanctions.

(c) Suspend the activity of the third-party administrator for a period of time.

(d) Terminate the agreement with the third-party administrator.

(4) A program administrator may terminate the agreement with a third-party administrator, as set forth by the county or municipality in its adopted ordinance or resolution or the contract with the third-party administrator, if the program administrator makes a finding that:

(a) The third-party administrator has violated the contract with the program administrator. The contract may set forth substantial violations that may result in contract termination and other violations that may provide for a period of time for correction before the contract may be terminated.

(b) The third-party administrator, or an officer, a director, a manager or a managing member, or a control person of the third-party administrator, has been found by a court of competent jurisdiction to have violated state or federal laws related to the administration of a program authorized of the provisions of ss. 163.081-163.086 or a similar program in another jurisdiction within the last 5 years.

(c) Any officer, director, manager or managing member, or control person of the third-party administrator has been convicted of, or has entered a plea of guilty or nolo contendere to, regardless of whether adjudication has been withheld, a crime related to administration of a program authorized of the provisions of ss. 163.081-163.086 or a similar program in another jurisdiction within the last 10 years.

(d) An annual performance review reveals a substantial violation or a pattern of violations by the third-party administrator.

(5) Any recorded financing agreements at the time of termination or suspension by the program administrator shall continue, except any financing agreement for which the provisions of s. 163.086 apply.

Section 6. Section 163.085, Florida Statutes, is created to read:

163.085 Advertisement and solicitation for financing qualifying improvements programs under s. 163.081 or s. 163.082.—

(1) When communicating with a property owner, a program administrator, qualifying improvement contractor, or third-party administrator may not:

(a) Suggest or imply:

1. That a non-ad valorem assessment authorized under s. 163.081 or s. 163.082 is a government assistance program;

2. That qualifying improvements are free or provided at no cost, or that the financing related to a non-ad valorem assessment authorized under s. 163.081 or s. 163.082 is free or provided at no cost; or

3. That the financing of a qualifying improvement using the program authorized pursuant to s. 163.081 or s. 163.082 does not require repayment of the financial obligation.

(b) Make any representation as to the tax deductibility of a non-ad valorem assessment. A program administrator, qualifying improvement contractor, or third-party administrator may encourage a property owner to seek the advice of a tax professional regarding tax matters related to assessments.

(2) A program administrator or third-party administrator may not provide to a qualifying improvement contractor any information that discloses the amount of financing for which a property owner is eligible for qualifying improvements or the amount of equity in a residential property or commercial property.

(3) A qualifying improvement contractor may not advertise the availability of financing agreements for, or solicit program participation on behalf of, the program administrator unless the contractor is registered by the program administrator to participate in the program and is in good standing with the program administrator.

(4) A program administrator or third-party administrator may not provide any payment, fee, or kickback to a qualifying improvement contractor for referring property owners to the program administrator or third-party administrator. However, a program administrator or third-party administrator may provide information to a qualifying improvement contractor to facilitate the installation of a qualifying improvement for a property owner.

(5) A program administrator or third-party administrator may not reimburse a qualifying improvement contractor for its expenses in advertising and marketing campaigns and materials.

(6) A qualifying improvement contractor may not provide a different price for a qualifying improvement financed under s. 163.081 than the price that the qualifying improvement contractor would otherwise provide if the qualifying improvement was not being financed through a financing agreement. Any contract between a property owner and a qualifying improvement contractor must clearly state all pricing and cost provisions, including any process for change orders which meet the requirements of s. 163.081(3)(d).

(7) A program administrator, qualifying improvement contractor, or third-party administrator may not provide any direct cash payment or other thing of material value to a property owner which is explicitly conditioned upon the property owner entering into a financing agreement. However, a program administrator or third-party administrator may offer programs or promotions on a nondiscriminatory basis that provide reduced fees or interest rates if the reduced fees or interest rates are reflected in the financing agreements and are not provided to the property owner as cash consideration.

Section 7. Section 163.086, Florida Statutes, is created to read:

163.086 Unenforceable financing agreements for qualifying improvements programs under s. 163.081 or s. 163.082; attachment; fraud.—

(1) A recorded financing agreement may not be removed from attachment to a residential property or commercial property if the property owner fraudulently obtained funding pursuant to s. 163.081 or s. 163.082.

(2) A financing agreement may not be enforced, and a recorded financing agreement may be removed from attachment to a residential property or commercial property and deemed null and void, if:

(a) The property owner applied for, accepted, and canceled a financing agreement within the 3-business-day period pursuant to s. 163.081(6). A qualifying improvement contractor may not begin work under a canceled contract.

(b) A person other than the property owner obtained the recorded financing agreement. The court may enter an order which holds that person or persons personally liable for the debt.

(c) The program administrator, third-party administrator, or qualifying improvement contractor approved or obtained funding through fraudulent means and in violation of ss. 163.081-163.085, or this section for qualifying improvements on the residential property or commercial property.

(3) If a qualifying improvement contractor has initiated work on residential property or commercial property under a contract deemed unenforceable under this section, the qualifying improvement contractor:

(a) May not receive compensation for that work under the financing agreement.

(b) Must restore the residential property or commercial property to its original condition at no cost to the property owner.

(c) Must immediately return any funds, property, and other consideration given by the property owner. If the property owner provided any property and the qualifying improvement contractor does not or cannot return it, the qualifying improvement contractor must immediately return the fair market value of the property or its value as designated in the contract, whichever is greater.

(4) If the qualifying improvement contractor has delivered chattel or fixtures to residential property or commercial property pursuant to a contract deemed unenforceable under this section, the qualifying improvement contractor has 90 days after the date on which the contract was executed to retrieve the chattel or fixtures, provided that:

(a) The qualifying improvement contractor has fulfilled the requirements of paragraphs (3)(a) and (b).

(b) The chattel and fixtures can be removed at the qualifying improvement contractor's expense without damaging the residential property or commercial property.

(5) If a qualifying improvement contractor fails to comply with this section, the property owner may retain any chattel or fixtures provided pursuant to a contract deemed unenforceable under this section.

(6) A contract that is otherwise unenforceable under this section remains enforceable if the property owner waives his or her right to cancel the contract or cancels the financing agreement pursuant to s. 163.081(6) but allows

Rep. Trabulsy moved the adoption of the amendment.

Representative Trabulsy offered the following:

(Amendment Bar Code: 828993)

Amendment 1 to Amendment 1 (092337)—Remove lines 298-323 and insert:

2. All property taxes and any other assessments, including non-ad valorem assessments, levied on the same bill as the property taxes are current.

3. There are no involuntary liens greater than $5,000, including, but not limited to, construction liens on the commercial property.

4. No notices of default or other evidence of property-based debt delinquency have been recorded and not been released during the preceding 3 years or the property owner's period of ownership, whichever is less.

5. The property owner is current on all mortgage debt on the commercial property.

6. The term of the financing agreement does not exceed the weighted average useful life of the qualified improvements to which the greatest portion of funds disbursed under the assessment contract is attributable, not to exceed 30 years. The program administrator shall determine the useful life of a qualifying improvement using established standards, including certification criteria from government agencies or nationally recognized standards and testing organizations.

7. The property owner is not currently the subject of a bankruptcy proceeding.

Rep. Trabulsy moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1 (092337)**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **CS/CS/CS/HB 1297** was temporarily postponed.

HB 1451—A bill to be entitled An act relating to identification documents; amending ss. 125.0156 and 166.246, F.S.; prohibiting counties and municipalities, respectively, from accepting certain identification cards or documents that are knowingly issued to individuals who are not lawfully present in the United States as a form of identification; providing an exception; providing an effective date.

—was read the second time by title.

REPRESENTATIVE PAYNE IN THE CHAIR

Representative Eskamani offered the following:

(Amendment Bar Code: 502607)

Amendment 1 (with title amendment)—Remove lines 21-40 and insert:

(2)(a) Accept as identification any identification card or document issued by any person, entity, or organization that knowingly issues such identification cards or documents to individuals who are not lawfully present in the United States. (b) This subsection does not apply to any documentation issued:

1. By, or on behalf of, the Federal Government; or

2. Following the declaration of a state of emergency by the Governor or a county or a state of local emergency by a political subdivision pursuant to s. 252.38, including during moments of natural disasters and public health emergencies.

Section 2. Section 166.246, Florida Statutes, is amended to read:

166.246 Restrictions on ~~Restriction on providing funds for~~ identification documents.—A municipality may not:

(1) Provide funds to any person, entity, or organization for the purpose of issuing an identification card or document to an individual who does not provide proof of lawful presence in the United States.

(2)(a) Accept as identification any identification card or document issued by any person, entity, or organization that knowingly issues such identification cards or documents to individuals who are not lawfully present in the United States. (b) This subsection does not apply to any documentation issued:

1. By, or on behalf of, the Federal Government; or

2. Following the declaration of a state of emergency by the Governor or a county or a state of local emergency by a political subdivision pursuant to s. 252.38, including during moments of natural disasters and public health emergencies.

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

Remove line 8 and insert:
identification; providing applicability; providing an

Rep. Eskamani moved the adoption of the amendment, which failed of adoption.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **HB 1679** was temporarily postponed.

CS/CS/HB 1567—A bill to be entitled An act relating to qualifications for county emergency management directors; amending s. 252.38, F.S.; requiring county emergency management directors to meet specified qualifications; requiring such directors to meet such qualifications by a specified date; providing an effective date.

—was read the second time by title.

Representative Grant offered the following:

(Amendment Bar Code: 068369)

Amendment 1—Remove line 42 and insert:
Emergency Manager through the Florida Emergency

Rep. Grant moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 735—A bill to be entitled An act relating to government accountability; amending s. 112.313, F.S.; defining the term "foreign country of concern"; prohibiting specified individuals from soliciting or accepting anything of value from a foreign country of concern; amending s. 112.3144, F.S.; providing that beginning on a date certain, only certain mayors and elected members of the governing bodies of municipalities are required to file full and public disclosures of financial interests; creating s. 112.3262, F.S.; providing definitions; prohibiting a person from lobbying a county, municipality, or special district unless he or she is registered as a lobbyist with the Commission on Ethics; establishing registration requirements; requiring the commission to make lobbyist registrations available to the public on its website; establishing procedures for canceling of a lobbyist's registration; requiring a county, municipality, or special district to monitor compliance with lobbyist registration requirements; requiring the commission to investigate a lobbyist or principal upon receipt of a sworn complaint containing certain allegations; requiring the commission to provide the chief executive officer of the county or municipality or the governing body of the special district with a report on the findings and recommendations arising out of the investigation; authorizing the chief executive officer of the county or municipality or the governing body of the special district to enforce the findings and recommendations; providing construction; amending s. 125.73, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of a county administrator during a specified timeframe; providing an exception; creating s. 125.75, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of the county attorney during a specified timeframe; providing an exception; amending s. 166.021, F.S.; prohibiting the governing body of a municipality from renewing or extending the employment contract of a chief executive officer of the municipality or the city attorney during a specified timeframe; providing exceptions; amending s. 166.031, F.S.; requiring the governing body of a municipality to place certain proposed amendments to a vote of the electors at the next general election, municipal election, or special election, whichever is earliest; amending s. 1001.50, F.S.; prohibiting a district school board from renewing or extending the employment contract of a district school superintendent during a specified timeframe; providing an exception; creating s. 1012.336, F.S.; prohibiting a district school board from renewing or extending the employment contract of the general counsel of a district school board during a specified timeframe; providing an exception; amending s. 112.061, F.S.; conforming cross-references; reenacting ss. 28.35(1)(b), 112.3136(1), 112.3251, 288.012(6)(d), 288.8014(4), 288.9604(3)(a), 295.21(4)(d), 406.06(5), 447.509(1)(d), 627.311(5)(m), 1002.33(26)(a), 1002.333(6)(f), and 1002.83(9), F.S., relating to members of the executive council of the Florida Clerks of Court Operations Corporation, standards of conduct for officers and employees of entities serving as chief administrative officers of political subdivisions, the ethics code and standards of conduct for citizen support and direct-support organizations, senior managers and members of the board of directors of the direct-support organization of State of Florida international offices, standards of conduct for members of the board of directors of Triumph Gulf Coast, Inc., directors of the Florida Development Finance Corporation, standards of conduct for the board of directors of Florida Is For Veterans, Inc., standards of conduct for district and associate medical examiners, prohibited actions of employee organizations, their members, agents, representatives, or persons acting on their behalf, standards of conduct for senior managers, officers and members of the board of governors of the Office of Insurance Regulation, standards of conduct and financial disclosure for members of a governing board of a charter school, those operating schools of hope, and standards of conduct for members of an early learning coalition, respectively, to incorporate the amendments made to s. 112.313, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Representative Roach offered the following:

(Amendment Bar Code: 052843)

Amendment 1 (with title amendment)—Remove lines 116-127

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

Remove lines 6-10 and insert:
foreign country of concern; creating s.

Rep. Roach moved the adoption of the amendment, which was adopted. The vote was:

Session Vote Sequence: 788

Representative Payne in the Chair.

Yeas—66

Amesty	Clemons	Koster	Roth
Antone	Cross	Leek	Salzman
Arrington	Daley	López, J.	Silvers
Baker	Daniels	Lopez, V.	Skidmore
Bartleman	Driskell	Maney	Smith
Basabe	Dunkley	McClain	Stark
Beltran	Edmonds	McClure	Steele
Benjamin	Eskamani	Melo	Stevenson
Black	Fine	Payne	Tant
Borrero	Gantt	Persons-Mulicka	Tomkow
Botana	Garcia	Plakon	Truenow
Brackett	Garrison	Porras	Valdés
Bracy Davis	Giallombardo	Rayner	Waldron
Buchanan	Gottlieb	Redondo	Williams
Campbell	Grant	Renner	Yarkosky
Cassel	Harris	Roach	
Chaney	Keen	Rommel	

Nays—37

Abbott	Canady	Hinson	Rudman
Altman	Caruso	Holcomb	Shoaf
Alvarez	Chamberlin	Hunschofsky	Snyder
Anderson	Duggan	Jacques	Temple
Andrade	Esposito	LaMarca	Trabulsy
Bankson	Fabricio	Massullo	Tuck
Bell	Franklin	Michael	Yeager
Berfield	Gossett-Seidman	Plasencia	
Brannan	Gregory	Rizo	
Busatta Cabrera	Griffitts	Robinson, W.	

Votes after roll call:
Yeas—Barnaby, Gonzalez Pittman, Overdorf
Yeas to Nays—Overdorf

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 781—A bill to be entitled An act relating to unsolicited proposals for public-private partnerships; amending s. 255.065, F.S.; authorizing, rather than requiring, a responsible public entity to publish notice of an unsolicited proposal for a qualifying project in a specified manner and that other proposals for the same project will be accepted; authorizing a responsible public entity to proceed with an unsolicited proposal for a qualifying project without a public bidding process if the responsible public entity holds a public meeting that meets certain requirements and holds a subsequent public meeting at which the responsible public entity makes a certain determination; requiring the responsible public entity to consider certain factors; requiring the responsible public entity to publish a certain report in the Florida Administrative Register for a certain period of time in certain circumstances; revising certain determinations that a responsible public entity must make before approving a comprehensive agreement; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HCR 7055—A concurrent resolution applying to the Congress of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States stating that the United States Congress shall make no law applying to the citizens of the United States that does not also equally apply to all United States Representatives, United States Senators, and all members of the federal legislative branch.

WHEREAS, one of the fundamental underpinnings of a democracy is the rule of law; and

WHEREAS, in order for the rule of law to be respected and adhered to by the citizenry, it must be applied fairly and in an equal manner; and

WHEREAS, Section One of the Fourteenth Amendment to the United States Constitution reads in part "...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."; and

WHEREAS, the United States Supreme Court has held that the Due Process Clause of the Fifth Amendment to the United States Constitution requires equal protection under the laws of the federal government; and

WHEREAS, in spite of the Equal Protection Clause and the Due Process Clause within the Constitution, over time the United States Congress has chosen on a number of occasions to exempt its members and the federal legislative branch from the requirements of laws it has enacted that apply to all others throughout the United States; and

WHEREAS, the United States Congress acknowledged this issue and decided to address it in part by passing the Congressional Accountability Act of 1995, which applied to Congress and its agencies to adhere to the requirements of several laws that it had previously exempted itself from; and

WHEREAS, at present, Congress and the federal legislative branch remain exempt from the requirements of many laws Congress has passed; and

WHEREAS, having laws passed by the United States Congress apply differently to the general public versus members of Congress and the federal legislative branch is a fundamental unfairness under the rule of law, and violates the spirit of the Constitution's Equal Protection and Due Process Clauses; and

WHEREAS, under Article V of the United States Constitution, on the application of the legislatures of two-thirds of the several states, the Congress shall call a Constitutional Convention for the purpose of proposing amendments, NOW, THEREFORE,

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

That the Legislature of the State of Florida applies to Congress, under Article V of the Constitution of the United States, to call a convention limited to proposing an amendment to the Constitution which would prohibit the United States Congress from making any law applying to the citizens of the United States that does not also equally apply to all United States Representatives, United States Senators, and all members of the federal legislative branch; and

That this application constitutes a continuing application in accordance with Article V until the legislatures of at least two-thirds of the states have made applications on the same subject.

BE IT FURTHER RESOLVED that this Legislature also proposes that the legislatures of the states comprising the United States apply to the Congress to call a constitutional convention for proposing such an amendment to the Constitution.

BE IT FURTHER RESOLVED that this concurrent resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States with any agenda other than to propose an amendment to the Constitution which would prohibit the United States Congress from making any law applying to the citizens of the United States that does not also equally apply to all United States Representatives, United States Senators, and all members of the federal legislative branch.

BE IT FURTHER RESOLVED that copies of this application be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officer of each house of the legislature of each state.

—was read the second time by title.

On motion by Rep. Alvarez, the concurrent resolution was adopted. The vote was:

Session Vote Sequence: 789

Representative Payne in the Chair.

Yeas—77

Abbott	Caruso	LaMarca	Rommel
Altman	Chamberlin	Lopez, V.	Roth
Alvarez	Chaney	Maney	Rudman
Amesty	Clemons	Massullo	Shoaf
Anderson	Duggan	McClain	Smith
Andrade	Esposito	McClure	Snyder
Baker	Fabricio	Melo	Stark
Bankson	Fine	Michael	Steele
Basabe	Garcia	Mooney	Stevenson
Bell	Garrison	Payne	Temple
Beltran	Giallombardo	Perez	Tomkow
Berfield	Gonzalez Pittman	Persons-Mulicka	Trabulsy
Black	Gossett-Seidman	Plakon	Tramont
Borrero	Grant	Plasencia	Truenow
Botana	Gregory	Porras	Tuck
Brackett	Griffitts	Redondo	Yarkosky
Brannan	Holcomb	Renner	Yeager
Buchanan	Jacques	Rizo	
Busatta Cabrera	Killebrew	Roach	
Canady	Koster	Robinson, W.	

Nays—30

Antone	Daley	Harris	Skidmore
Arrington	Driskell	Hinson	Tant
Bartleman	Dunkley	Hunschofsky	Valdés
Benjamin	Edmonds	Joseph	Waldron
Bracy Davis	Eskamani	Keen	Williams
Campbell	Franklin	López, J.	Woodson
Cassel	Gantt	Rayner	
Cross	Gottlieb	Silvers	

Votes after roll call:
Yeas—Barnaby, Leek, Overdorf
Nays—Robinson, F.

Under Rule 11.7(i), the concurrent resolution was immediately certified to the Senate.

HCR 7057—A concurrent resolution applying to the Congress of the United States to call a constitutional convention for the sole purpose of proposing an amendment to the Constitution of the United States which would authorize the President of the United States to eliminate one or more items of appropriation while approving other portions of a bill.

WHEREAS, despite various efforts to control the explosive growth of federal spending, the President of the United States has had insufficient authority with respect to the budgetary process, and

WHEREAS, the federal budget has not been balanced for decades and, as of 2024, the national debt has increased to more than $34 trillion, and

WHEREAS, presidents of both political parties have cited the need for greater presidential involvement in administering the budgetary affairs of the nation, including having the ability to veto line items from the federal budget, and

WHEREAS, in 44 states, the governor has the constitutional power to veto items of appropriation while approving other portions of a bill, and

WHEREAS, this power has been described by political scholars as a highly desirable one, and one which has had a positive effect on the operation of government, and

WHEREAS, the Congress of the United States passed the Line Item Veto Act of 1996 to enable the president to control "pork barrel spending" in the federal budget, and

WHEREAS, while the Line Item Veto Act of 1996 was in effect, the president used this authority 82 times to veto line items from the federal budget, and

WHEREAS, in 1998, the Line Item Veto Act of 1996 was found to be unconstitutional by the United States Supreme Court, thus requiring enactment of an amendment to the Constitution of the United States in order for line item veto authorization to be implemented, and

WHEREAS, under Article V of the Constitution of the United States, on the application of the legislatures of two-thirds of the several states, Congress shall call a constitutional convention for the purpose of proposing amendments to the Constitution, NOW, THEREFORE,

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

(1) That the Legislature of the State of Florida applies to Congress, under Article V of the Constitution of the United States, to call a constitutional convention limited to proposing an amendment to the Constitution which would authorize the President of the United States to eliminate one or more items of appropriation while approving other portions of a bill.

(2) That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

BE IT FURTHER RESOLVED that the Legislature of the State of Florida also proposes that the legislatures of the several states comprising the United States apply to Congress to call a constitutional convention for proposing such an amendment to the Constitution of the United States.

BE IT FURTHER RESOLVED that this concurrent resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a constitutional convention or used in support of conducting a constitutional convention to amend the Constitution of the United States with any agenda other than to propose an amendment to the Constitution which would authorize the President of the United States to eliminate one or more items of appropriation while approving other portions of a bill.

BE IT FURTHER RESOLVED that copies of this application be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officer of each house of the legislature of each state.

—was read the second time by title.

On motion by Rep. Alvarez, the concurrent resolution was adopted. The vote was:

Session Vote Sequence: 790

Representative Payne in the Chair.

Yeas—78

Abbott	Caruso	LaMarca	Robinson, W.
Altman	Chamberlin	Leek	Rommel
Alvarez	Chaney	Lopez, V.	Roth
Amesty	Clemons	Maney	Rudman
Anderson	Duggan	Massullo	Shoaf
Andrade	Esposito	McClain	Smith
Baker	Fabricio	McClure	Snyder
Bankson	Fine	Melo	Stark
Basabe	Garcia	Michael	Steele
Bell	Garrison	Mooney	Stevenson
Beltran	Giallombardo	Payne	Temple
Berfield	Gonzalez Pittman	Perez	Tomkow
Black	Gossett-Seidman	Persons-Mulicka	Trabulsy
Borrero	Grant	Plakon	Tramont
Botana	Gregory	Plasencia	Truenow
Brackett	Griffitts	Porras	Tuck
Brannan	Holcomb	Redondo	Yarkosky
Buchanan	Jacques	Renner	Yeager
Busatta Cabrera	Killebrew	Rizo	
Canady	Koster	Roach	

Nays—30

Antone	Daley	Harris	Skidmore
Arrington	Driskell	Hinson	Tant
Bartleman	Dunkley	Hunschofsky	Valdés
Benjamin	Edmonds	Joseph	Waldron
Bracy Davis	Eskamani	Keen	Williams
Campbell	Franklin	López, J.	Woodson
Cassel	Gantt	Rayner	
Cross	Gottlieb	Silvers	

Votes after roll call:
Yeas—Barnaby, Overdorf
Nays—Robinson, F.

Under Rule 11.7(i), the concurrent resolution was immediately certified to the Senate.

HB 7071—A bill to be entitled An act relating to foreign investments by the State Board of Administration; amending s. 215.47, F.S.; conforming a provision to changes made by the act; creating s. 215.4735, F.S.; defining terms; prohibiting the State Board of Administration from acquiring certain holdings on behalf of a specified entity; requiring the board to initiate a review of its direct holdings to make a specified determination by a date certain; requiring the board to develop a certain divestment plan for such holdings by a date certain; requiring the board to divest from such holdings according to the required plan by a date certain; providing for an extension under specified conditions; requiring that certain actions be adopted and incorporated into a specified statement; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 821—A bill to be entitled An act relating to the Melbourne-Tillman Water Control District, Brevard County; amending chapter 2001-336, Laws of Florida; deleting obsolete language; revising maximum stormwater management user fees for residential, agricultural, and commercial parcels of land; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 823—A bill to be entitled An act relating to the North Okaloosa Fire District, Okaloosa County; amending chapter 2001-333, Laws of Florida, as amended; authorizing the Board of Fire Commissioners of the district to establish a schedule of impact fees for new construction within its jurisdictional boundaries under certain circumstances; providing for use of such impact fees; defining the term "new facilities"; requiring recordkeeping; authorizing agreements with general purpose local governments for certain purposes; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1117—A bill to be entitled An act relating to the City of North Port, Sarasota County; creating the Star Farms Village at North Port Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a board of supervisors; providing for election, membership, terms, meetings, and duties of board members; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing the general and special powers of the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for termination, contraction, expansion, or merger of the district; providing for required notices to purchasers of residential units within the district; specifying district public property; providing severability; providing for a referendum; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/HB 1487** was temporarily postponed.

CS/HB 1421—A bill to be entitled An act relating to independent hospital districts; creating s. 189.0762, F.S.; providing definitions; providing requirements for the conversion of an independent hospital district to a nonprofit entity; requiring a certain evaluation by an independent entity; providing qualifications for such independent entity; providing for notice of public meetings and publication of certain documents; requiring that the evaluation of the conversion be completed and a final report presented to the governing body of the district within a specified timeframe; requiring that the final report be published on the district's website; requiring certification of the final report; requiring the governing body of the district to determine by a supermajority vote whether conversion is in the best interests of its residents within a specified timeframe; providing for negotiation of an agreement between each affected county and the independent hospital district; providing requirements for such agreement; providing for disposition of all assets and liabilities of the district; prohibiting members of the board of commissioners for an affected county from serving on the board of the succeeding nonprofit entity; authorizing members of the governing body of the independent hospital district to serve on the board of the succeeding nonprofit entity; requiring disclosure of all conflicts of interest; requiring certain documents to be published on the websites of the district and each county that is a party to the agreement for a specified timeframe; authorizing the governing body of the independent hospital district to approve by supermajority vote the conversion of the district to a nonprofit entity; requiring each board of commissioners for each affected county to approve the agreement at a public meeting; requiring a referendum under certain circumstances; requiring the independent hospital district to file a copy of the agreement with and provide certain notification to the Department of Commerce within a specified timeframe; providing for dissolution of the district within a specified timeframe; requiring independent hospital districts to conduct an evaluation for certain purposes; providing an exception; providing evaluation requirements; providing an effective date.

—was read the second time by title.

Representative Fine offered the following:

(Amendment Bar Code: 317461)

Amendment 1—Remove lines 227-228 and insert:
district that has conducted an evaluation of its hospitals within the last 10 years or is currently conducting an evaluation of its hospitals is not required

Rep. Fine moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1621—A bill to be entitled An act relating to unlawful demolition of historical structures; amending s. 162.09, F.S.; authorizing enhanced fines for the unlawful demolition of certain historical structures; providing that fines may not exceed a specified amount; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 1447** was temporarily postponed.

CS/CS/HB 939—A bill to be entitled An act relating to consumer protection; amending s. 212.134, F.S.; defining terms; revising requirements for payment settlement entities, or their electronic payment facilitators or contracted third parties, in submitting information returns to the Department of Revenue; specifying requirements for third party settlement organizations that conduct certain transactions; amending s. 280.051, F.S.; providing additional grounds for qualified public depositories to be suspended and disqualified; amending s. 280.054, F.S.; providing additional acts deemed knowing and willful violations by qualified public depositories which are subject to certain penalties; creating s. 415.10341, F.S.; defining terms; providing legislative findings and intent; authorizing financial institutions, under certain circumstances, to delay a disbursement or transaction from an account of a specified adult; providing duties of the financial institution when such delay is placed; requiring the financial institution to maintain certain records for a specified time; specifying that a delay on a disbursement or transaction expires on a certain date; authorizing the financial institution to extend the delay under certain circumstances; authorizing a court of competent jurisdiction to shorten or extend the delay; providing construction; requiring financial institutions to take certain actions before placing a delay on a disbursement or transaction; providing construction; amending s. 489.147, F.S.; defining a term; authorizing a residential property owner to cancel contracts to replace or repair a roof without penalty or obligation within a specified timeframe under certain circumstances; requiring contractors to include a notice in the contracts with residential property owners under certain circumstances; providing requirements for notices of contract cancellation; amending s. 559.9611, F.S.; revising the definition of the term "depository institution"; amending s. 624.424, F.S.; providing requirements for certain insurers' accountants; amending s. 626.8796, F.S.; revising the content of certain public adjuster contracts; amending s. 627.43141, F.S.;

providing requirements for certain notice of change in insurance renewal policy terms; amending s. 627.6426, F.S.; revising the disclosure requirements of contracts for short-term health insurance; amending s. 627.70132, F.S.; providing requirements for notices of claims for loss assessment coverage; providing dates of loss; creating s. 655.49, F.S.; authorizing customers and members of financial institutions to file certain complaints with the Office of Financial Regulation; providing nonapplicability; providing duties of the office upon receipt of such complaints; providing reporting requirements; providing violations; requiring the office to provide reports to certain entities; providing causes of action; providing construction; requiring the office to make certain information available on its website; amending s. 791.01, F.S.; revising the definition of the term "fireworks"; amending s. 791.012, F.S.; updating the source of the code for outdoor display of fireworks; providing an effective date.

—was read the second time by title.

Representative Griffitts offered the following:

(Amendment Bar Code: 573053)

Amendment 1 (with title amendment)—Remove lines 109-568 and insert:

(6) All third party settlement organizations that conduct transactions involving a participating payee with an address in this state and that have a contractual obligation with such participating payee to make payment to the organizations shall create a mechanism for senders of payments to identify whether a payment to a payee is for goods and services or is personal. The mechanism must clearly indicate the sender's requirement to indicate the appropriate transaction type. The sender of the payment is responsible for indicating the appropriate transaction type. All third party settlement organizations shall maintain records that clearly identify whether a transaction, as designated by the sender of the payment, is a transaction for goods and services or is personal. The information in the return submitted to the department under subsection (2) for such entities must be limited to transactions for goods and services.

(7) Notwithstanding this section, subsection (6) does not apply to a third party settlement organization if a contractual agreement or arrangement to provide a third party payment network to a participating payee requires the third party settlement organization solely to settle third party network transactions for the provision of goods and services.

Section 2. Subsection (16) is added to section 280.051, Florida Statutes, to read:

280.051 Grounds for suspension or disqualification of a qualified public depository.—A qualified public depository may be suspended or disqualified or both if the Chief Financial Officer determines that the qualified public depository has:

(16) Pursuant to a determination notice reported by the Office of Financial Regulation under s. 655.49, acted in bad faith when terminating, suspending, or taking similar action restricting access to a customer's or member's account, or failed to cooperate in an investigation conducted pursuant to s. 655.49(3), including, without limitation, failing to timely file a termination-of-access report with the office.

Section 3. Paragraph (b) of subsection (1) of section 280.054, Florida Statutes, is amended to read:

280.054 Administrative penalty in lieu of suspension or disqualification.—

(1) If the Chief Financial Officer finds that one or more grounds exist for the suspension or disqualification of a qualified public depository, the Chief Financial Officer may, in lieu of suspension or disqualification, impose an administrative penalty upon the qualified public depository.

(b) With respect to any knowing and willful violation of a lawful order or rule, the Chief Financial Officer may impose a penalty upon the qualified public depository in an amount not exceeding $1,000 for each violation. If restitution is due, the qualified public depository shall make restitution upon the order of the Chief Financial Officer and shall pay interest on such amount at the legal rate. Each day a violation continues constitutes a separate violation. Each of the following ~~Failure to timely file the attestation required under s. 280.025~~ is deemed a knowing and willful violation by the qualified public depository:

1. Failure to timely file the attestation required under s. 280.025.

2. Bad faith termination, suspension, or similar action restricting access to a customer's or member's account, as determined by the Office of Financial Regulation pursuant to s. 655.49.

3. Failure to cooperate in an investigation conducted pursuant to s. 655.49(3), including, without limitation, failure to timely file a termination-of-access report with the office.

Section 4. Section 415.10341, Florida Statutes, is created to read:

415.10341 Protection of specified adults.—

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

(a) "Financial exploitation" means the wrongful or unauthorized taking, withholding, appropriation, or use of money, assets, or property of a specified adult; or any act or omission by a person, including through the use of a power of attorney, guardianship, or conservatorship of a specified adult, to:

1. Obtain control over the specified adult's money, assets, or property through deception, intimidation, or undue influence to deprive him or her of the ownership, use, benefit, or possession of the money, assets, or property; or

2. Divert the specified adult's money, assets, or property to deprive him or her of the ownership, use, benefit, or possession of the money, assets, or property.

(b) "Financial institution" means a state financial institution or a federal financial institution as those terms are defined under s. 655.005(1)(w) and (1)(h), respectively.

(c) "Specified adult" means a natural person 70 years of age or older, or a vulnerable adult as defined in s. 415.102.

(d) "Trusted contact" means a natural person 18 years of age or older whom the account owner has expressly identified and recorded in a financial institution's books and records as the person who may be contacted about the account.

(2) The Legislature finds that many persons in this state, because of age or disability, are at increased risk of financial exploitation and loss of their assets, funds, investments, and investment accounts. The Legislature further finds that specified adults in this state are at a statistically higher risk of being targeted for financial exploitation, regardless of diminished capacity or other disability, because of their accumulation of substantial assets and wealth compared to younger age groups. In enacting this section, the Legislature recognizes the freedom of specified adults to manage their assets, make investment choices, and spend their funds, and intends that such rights may not be infringed absent a reasonable belief of financial exploitation as provided in this section. The Legislature therefore intends to provide for the prevention of financial exploitation of such persons. The Legislature intends to encourage the constructive involvement of financial institutions that take action based upon the reasonable belief that specified adults who have accounts with such financial institutions have been or are the subject of financial exploitation. The Legislature intends to balance the rights of specified adults to direct and control their assets, funds, and investments and to exercise their constitutional rights consistent with due process with the need to provide financial institutions the ability to place narrow, time-limited restrictions on these rights in an effort to decrease specified adults' risk of loss due to abuse, neglect, or financial exploitation.

(3) If a financial institution reports suspected financial exploitation of a specified adult pursuant to s. 415.1034, it may delay a disbursement or transaction from an account of a specified adult or an account for which a specified adult is a beneficiary or beneficial owner if all of the following apply:

(a) The financial institution immediately initiates an internal review of the facts and circumstances that caused an employee of the financial institution to report suspected financial exploitation.

(b) Not later than 3 business days after the date on which the delay was first placed, the financial institution:

1. Notifies in writing all parties authorized to transact business on the account and any trusted contact on the account, using the contact information provided for the account, with the exception of any party that an employee of the financial institution reasonably believes has engaged in, is engaging in, has attempted to engage in, or will attempt to engage in the suspected financial

exploitation of the specified adult. The notice, which may be provided electronically, must provide the reason for the delay.

2. Creates a written or electronic record of the delayed disbursement or transaction which includes, at minimum, the following information:

a. The date on which the delay was first placed.

b. The name and address of the specified adult.

c. The business location of the financial institution.

d. The name and title of the employee who reported suspected financial exploitation of the specified adult pursuant to s. 415.1034.

e. The facts and circumstances that caused the employee to report suspected financial exploitation.

(4) The financial institution must maintain for at least 5 years after the date of a delayed disbursement or transaction a written or electronic record of the information required by subparagraph (3)(b)2.

(5) A delay on a disbursement or transaction under subsection (3) expires 5 business days after the date on which the delay was first placed. However, the financial institution may extend the delay for up to 7 additional calendar days if the financial institution's review of the available facts and circumstances continues to support the reasonable belief that financial exploitation of the specified adult has occurred, is occurring, has been attempted, or will be attempted. The length of the delay may be shortened or extended at any time by a court of competent jurisdiction. This subsection does not prevent a financial institution from terminating a delay after communication with the parties authorized to transact business on the account and any trusted contact on the account.

(6) Before placing a delay on a disbursement or transaction pursuant to this section, a financial institution must do all of the following:

(a) Develop training policies or programs reasonably designed to educate employees on issues pertaining to financial exploitation of specified adults.

(b) Conduct training for all employees at least annually and maintain a written record of all trainings conducted.

(c) Develop, maintain, and enforce written procedures regarding the manner in which suspected financial exploitation is reviewed internally, including, if applicable, the manner in which suspected financial exploitation is required to be reported to supervisory personnel.

(7) Absent a reasonable belief of financial exploitation as provided in this section, this section does not otherwise alter a financial institution's obligations to all parties authorized to transact business on an account and any trusted contact named on such account.

(8) This section does not create new rights for or impose new obligations on a financial institution under other applicable law.

Section 5. Paragraph (b) of subsection (1) of section 489.147, Florida Statutes, is redesignated as paragraph (c), a new paragraph (b) is added to that subsection, and subsection (6) is added to that section, to read:

489.147 Prohibited property insurance practices; contract requirements.—

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

(b) "Residential property owner" means the person who holds the legal title to the residential real property that is subject of and directly impacted by the action of a governmental entity. The term does not include a governmental entity.

(6)(a) A residential property owner may cancel a contract to replace or repair a roof without penalty or obligation within 10 days after the execution of the contract or by the official start date, whichever comes first, if the contract was entered into based on events that are subject of a declaration of a state of emergency by the Governor. For the purposes of this subsection, the official start date is the date on which work that includes the installation of materials that will be included in the final work on the roof commences, a final permit has been issued, or a temporary repair to the roof covering or roof has been made in compliance with the Florida Building Code.

(b) A contractor executing a contract during a declaration of a state of emergency to replace or repair a roof of a residential property must include or add as an attachment to the contract the following language, in bold type of not less than 18 points, immediately before the space reserved for the signature of the residential property owner:

"You, the residential property owner, may cancel this contract without penalty or obligation within 10 days after the execution of the contract or by the official start date, whichever comes first, because this contract was entered into during a state of emergency by the Governor. The official start date is the date on which work that includes the installation of materials that will be included in the final work on the roof commences, a final permit has been issued, or a temporary repair to the roof covering or roof system has been made in compliance with the Florida Building Code."

(c) The residential property owner must send the notice of cancellation by certified mail, return receipt requested, or other form of mailing that provides proof thereof, at the address specified in the contract.

Section 6. Subsection (9) of section 559.9611, Florida Statutes, is amended to read:

559.9611 Definitions.—As used in this part, the term:

(9) "Depository institution" means a bank, a credit union, a savings bank, a savings and loan association, a savings or thrift association, or an industrial loan company doing business under the authority of a charter issued by the United States, this state, or any other state, district, territory, or commonwealth of the United States which is authorized to transact business in this state and whose deposits or share accounts are insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund ~~Florida state-chartered bank, savings bank, credit union, or trust company, or a federal savings or thrift association, bank, credit union, savings bank, or thrift~~.

Section 7. Paragraph (d) of subsection (8) of section 624.424, Florida Statutes, is amended to read:

624.424 Annual statement and other information.—

(8)

(d) Upon creation of the continuing education required under this paragraph, the certified public accountant that prepares the audit must be licensed to practice pursuant to chapter 473 and must have completed at least 4 hours of insurance-related continuing education during each 2-year continuing education cycle. An insurer may not use the same accountant or partner of an accounting firm responsible for preparing the report required by this subsection for more than 5 consecutive years. Following this period, the insurer may not use such accountant or partner for a period of 5 years, but may use another accountant or partner of the same firm. An insurer may request the office to waive this prohibition based upon an unusual hardship to the insurer and a determination that the accountant is exercising independent judgment that is not unduly influenced by the insurer considering such factors as the number of partners, expertise of the partners or the number of insurance clients of the accounting firm; the premium volume of the insurer; and the number of jurisdictions in which the insurer transacts business.

Section 8. Subsection (2) of section 626.8796, Florida Statutes, is amended to read:

626.8796 Public adjuster contracts; disclosure statement; fraud statement.—

(2) A public adjuster contract relating to a property and casualty claim must contain the full name, permanent business address, phone number, e-mail address, and license number of the public adjuster; the full name and license number of the public adjusting firm; and the insured's full name, street address, phone number, and e-mail address, together with a brief description of the loss. The contract must state the percentage of compensation for the public adjuster's services in minimum 18-point bold type before the space reserved in the contract for the signature of the insured; the type of claim, including an emergency claim, nonemergency claim, or supplemental claim; the initials of the named insured on each page that does not contain the insured's signature; the signatures of the public adjuster and all named insureds; and the signature date. If all of the named insureds' signatures are not available, the public adjuster must submit an affidavit signed by the available named insureds attesting that they have authority to enter into the contract and settle all claim issues on behalf of the named insureds. An unaltered copy of the executed contract must be remitted to the insured at the time of execution and to the insurer, or the insurer's representative within 7 days after execution. A public adjusting firm that adjusts claims primarily for commercial entities with operations in more than one state and that does not directly or indirectly perform adjusting services for insurers or individual homeowners is deemed to comply with the requirements of this subsection if,

at the time a proof of loss is submitted, the public adjusting firm remits to the insurer an affidavit signed by the public adjuster or public adjuster apprentice that identifies:

(a) The full name, permanent business address, phone number, e-mail address, and license number of the public adjuster or public adjuster apprentice.

(b) The full name of the public adjusting firm.

(c) The insured's full name, street address, phone number, and e-mail address, together with a brief description of the loss.

(d) An attestation that the compensation for public adjusting services will not exceed the limitations provided by law.

(e) The type of claim, including an emergency claim, nonemergency claim, or supplemental claim.

Section 9. Subsection (2) of section 627.43141, Florida Statutes, is amended to read:

627.43141 Notice of change in policy terms.—

(2) A renewal policy may contain a change in policy terms. If such change occurs, the insurer shall give the named insured advance written notice summarizing the change, which may be enclosed in ~~along with~~ the written notice of renewal premium required under ss. 627.4133 and 627.728 or sent separately within the timeframe required under the Florida Insurance Code for the provision of a notice of nonrenewal to the named insured for that line of insurance. The insurer must also provide a sample copy of the notice to the named insured's insurance agent before or at the same time that notice is provided to the named insured. Such notice shall be entitled "Notice of Change in Policy Terms." Beginning January 1, 2025, the notice must be in bold type of not less than 14 points and must be included as a single page or consecutive pages, as necessary, within the written notice.

Section 10. Section 627.6426, Florida Statutes, is amended to read:

627.6426 Short-term health insurance.—

(1) For purposes of this part, the term "short-term health insurance" means health insurance coverage provided by an issuer with an expiration date specified in the contract that is less than 12 months after the original effective date of the contract and, taking into account renewals or extensions, has a duration not to exceed 36 months in total.

(2) All contracts for short-term health insurance entered into by an issuer and an individual seeking coverage shall include the following written disclosures signed by the purchaser at the time of purchase ~~disclosure~~:

(a) The following statement:

"This coverage is not required to comply with certain federal market requirements for health insurance, principally those contained in the Patient Protection and Affordable Care Act. Be sure to check your policy carefully to make sure you are aware of any exclusions or limitations regarding coverage of preexisting conditions or health benefits (such as hospitalization, emergency services, maternity care, preventive care, prescription drugs, and mental health and substance use disorder services). Your policy might also have lifetime and/or annual dollar limits on health benefits. If this coverage expires or you lose eligibility for this coverage, you might have to wait until an open enrollment period to get other health insurance coverage."

(b) The following information:

1. The duration of the contract, including any waiting period.

2. Any essential health benefit under 42 U.S.C. s. 18022(b) that the contract does not provide.

3. The content of coverage.

4. Any exclusion of preexisting conditions.

(3) The disclosures required in subsection (2) must be printed in no less than 12-point type and in a color that is readable. A copy of the signed disclosures must be maintained by the issuer for a period of 5 years after the date of purchase.

(4) Disclosures provided by electronic means must meet the requirements of subsection (2).

Section 11. Subsection (4) of section 627.70132, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section to read:

627.70132 Notice of property insurance claim.—

(4)(a) A notice of claim for loss assessment coverage under s. 627.714 may not occur later than 3 years after the date of loss and must be provided to the insurer the later of:

1. Within 1 year after the date of loss; or

2. Within 90 days after the date on which the condominium association or its governing board votes to levy an assessment resulting from a covered loss.

(b) For purposes of this subsection, the date of loss is the date of the covered loss event that created the need for an assessment.

Section 12. Section 655.49, Florida Statutes, is created to read:

655.49 Bad faith termination or restriction of account access; investigations by the office.—

(1) A customer or member of a financial institution who reasonably believes that a financial institution has terminated, suspended, or taken similar action restricting access to the customer's or member's account in bad faith may file, within 30 calendar days after such termination, suspension, or similar action restricting account access, a complaint with the office alleging a violation of this section. Such complaint is barred if not timely filed.

(2) This section does not apply if a financial institution's termination, suspension, or similar action restricting a customer's or member's account access was due to one or more of the following:

(a) The customer or member initiated the change in access;

(b) There is a lack of activity in the account; or

(c) The account is presumed unclaimed property pursuant to chapter 717.

(3) Upon receipt of a customer's or member's complaint under subsection (1):

(a) Within 30 calendar days, the office must notify the financial institution that a complaint has been filed.

(b) Within 30 calendar days after receiving the notice from the office, the financial institution must file with the office a termination-of-access report containing such information as the commission requires by rule.

(c) Within 90 calendar days after receiving the termination-of-access report from the financial institution, the office must investigate the financial institution's action and determine whether the action was taken in bad faith as substantiated by competent and substantial evidence that was known or should have been known to the financial institution at the time of the termination, suspension, or similar action restricting a customer's or member's account access.

(d) Within 30 calendar days after making the determination required under paragraph (c), the office must report to the Attorney General and the Chief Financial Officer the determination of a bad faith termination, suspension, or similar action restricting a customer's or member's account access. The report to the Attorney General must describe the findings of the investigation, provide a summary of the evidence, and state whether an alleged violation of the financial institutions codes by the financial institution occurred. Upon reporting to the Attorney General pursuant to this paragraph, the office must send a copy of the report to the customer or member by certified mail, return receipt requested.

(4) A financial institution's bad faith termination, suspension, or similar action restricting access to a customer's or member's account, as determined by the office pursuant to subsection (3), or a financial institution's failure to cooperate in an investigation conducted pursuant to subsection (3), including, without limitation, failure to timely file a termination-of-access report with the office, constitutes a violation of the financial institutions codes and subjects the financial institution to the applicable sanctions and penalties provided for in the financial institutions codes.

(5) In addition to any sanctions and penalties under the financial institutions codes, a financial institution's bad faith termination, suspension, or similar action restricting access to a customer's or member's account, as determined by the office pursuant to subsection (3), or a financial institution's failure to cooperate in an investigation conducted pursuant to subsection (3), including, without limitation, failure to timely file a termination-of-access report with the office, constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501, and any exceptions otherwise provided under s. 501.212(4) shall not apply to any violations of this section. Notwithstanding s. 501.211, violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and penalties provided for in part II of chapter 501. If such action

is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

(6) The office shall provide any report filed pursuant to this section, or any information contained therein, to any federal, state, or local law enforcement or prosecutorial agency, and any federal or state agency responsible for the regulation or supervision of financial institutions, if the provision of such report is otherwise required by law.

(7) If the office determines under subsection (3) that a financial institution has acted in bad faith, the aggrieved customer or member of the financial institution has a cause of action against the financial institution for damages and may recover damages therefor in any court of competent jurisdiction, together with costs and reasonable attorney fees to be assessed by the court. To recover damages under this subsection, the customer or member must establish by clear and convincing evidence that the financial institution acted in bad faith in terminating, suspending, or taking similar action restricting access to the customer's or member's account. The office's determination that the financial institution has acted in bad faith pursuant to subsection (3) does not, in and of itself, establish clear and convincing evidence that the financial institution acted in bad faith in the termination, suspension, or similar action restricting access to the customer's or member's account. A customer's or member's failure to initiate a cause of action under this subsection within 12 months after the office's finding of bad faith pursuant to subsection (3) bars recovery of any filed claims thereafter.

(8) By July 1, 2024, the office shall make available on

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

Remove lines 9-58 and insert:
transactions; amending s. 280.051, F.S.; providing requirements for the senders of payment; providing recordkeeping requirements; providing nonapplicability; providing requirements for the senders of payment; providing recordkeeping requirements; providing nonapplicability; providing additional grounds for qualified public depositories to be suspended and disqualified; amending s. 280.054, F.S.; providing additional acts deemed knowing and willful violations by qualified public depositories which are subject to certain penalties; creating s. 415.10341, F.S.; defining terms; providing legislative findings and intent; authorizing financial institutions, under certain circumstances, to delay a disbursement or transaction from an account of a specified adult; providing duties of the financial institution when such delay is placed; requiring the financial institution to maintain certain records for a specified time; specifying that a delay on a disbursement or transaction expires on a certain date; authorizing the financial institution to extend the delay under certain circumstances; authorizing a court of competent jurisdiction to shorten or extend the delay; providing construction; requiring financial institutions to take certain actions before placing a delay on a disbursement or transaction; providing construction; amending s. 489.147, F.S.; defining a term; authorizing a residential property owner to cancel contracts to replace or repair a roof without penalty or obligation within a specified timeframe under certain circumstances; requiring contractors to include a notice in the contracts with residential property owners under certain circumstances; providing requirements for notices of contract cancellation; amending s. 559.9611, F.S.; revising the definition of the term "depository institution"; amending s. 624.424, F.S.; providing requirements for certain insurers' accountants; amending s. 626.8796, F.S.; revising the content of certain public adjuster contracts; amending s. 627.43141, F.S.; providing requirements for certain notice of change in insurance renewal policy terms; amending s. 627.6426, F.S.; revising the disclosure requirements of contracts for short-term health insurance; amending s. 627.70132, F.S.; providing requirements for notices of claims for loss assessment coverage; providing dates of loss; creating s. 655.49, F.S.; authorizing customers and members of financial institutions to file certain complaints with the Office of Financial Regulation; providing nonapplicability; providing duties of the office upon receipt of such complaints; providing reporting requirements; providing violations; providing that certain actions or certain failure of financial institutions to cooperate in specified investigations constitute violations of the Florida Deceptive and Unfair Trade Practices Act; providing that violations are enforced only by the enforcing authority; providing attorney fees and costs; requiring the office to provide reports to certain entities; providing causes of action; requiring the office to make certain

Rep. Griffitts moved the adoption of the amendment.

Representative Griffitts offered the following:

(Amendment Bar Code: 449195)

Amendment 1 (with title amendment) to Amendment 1 (573053) (with title amendment)—Remove lines 68-189 of the amendment

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

Remove lines 507-523 of the amendment and insert:
which are subject to certain penalties; amending s. 489.147, F.S.; defining a

Rep. Griffitts moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1 (573053)**, as amended, which was adopted.

Representative Griffitts offered the following:

(Amendment Bar Code: 824789)

Amendment 2 (with title amendment)—Between lines 164 and 165, insert:

Section 4. Section 287.139, Florida Statutes, is created to read:

287.139 Prohibited contracts and activities; companies engaging in news source and public figure blacklisting.—

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

(a) "Local governmental entity" means a county, municipality, special district, or other political subdivision of this state.

(b) "News source" means an entity doing business in this state which:

1. Publishes in excess of 100,000 words available online with at least 10,000 paid subscribers or 50,000 monthly active users;

2. Publishes 100 hours of audio or video available online with at least 1 million viewers annually;

3. Operates a cable channel that provides more than 40 hours of content per week to more than 100,000 cable television subscribers; or

4. Operates under a broadcast license issued by the Federal Communications Commission.

(c) "News source blacklisting" means placing a news source on a list because the news source is not considered credible or reliable or to create ratings indicating a news source is not considered credible or reliable.

(d) "Public figure" means a person who has achieved a role of special prominence in the affairs of society. The term does not include a person who is an involuntary public figure.

(e) "Public figure blacklisting" means to place a public figure on a list because he or she is not considered credible or reliable or to create ratings indicating a public figure is not considered credible or reliable.

(2) An agency or a local governmental entity may not enter into or renew a contract or agreement with an entity for the purpose of developing, providing, or using news source blacklisting or public figure blacklisting.

(3) An agency or a local governmental entity may not use, or allow a contractor to use, the lists or ratings of an entity that develops news source blacklisting or public figure blacklisting to decide which news source or which public figure receives information from the agency or local government entity for further distribution to the public. Information from the agency or local government entity under this subsection includes, but is not limited to, time-sensitive information related to emergency event notices for the public, any type of information that is worthy of public consumption, consumer product or consumer scam notices, government contracting opportunities, and traffic and event information.

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

Remove line 14 and insert:
which are subject to certain penalties; creating s. 287.139, F.S.; providing definitions; prohibiting agencies of the executive branch and local governmental entities from entering into or renewing contracts or agreements with entities for specified purposes; prohibiting agencies of the executive branch and local governmental entities from using or allowing contractors to use certain lists or ratings; providing construction; creating s.

Rep. Griffitts moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **HB 1595** was temporarily postponed.

CS/HB 17—A bill to be entitled An act relating to expiration of the mandatory waiting period for firearm purchases; amending s. 790.0655, F.S.; removing a provision authorizing the mandatory waiting period to expire upon completion of a records check; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 799—A bill to be entitled An act relating to easements affecting real property owned by the same owner; creating s. 704.09, F.S.; authorizing an owner of real property to create an easement, servitude, or other interest in the owner's real property and providing that such easement, servitude, or other interest is valid; providing construction and applicability; providing that the act does not revive or reinstate a right or interest that has been adjudicated invalid before a certain date; providing an effective date.

—was read the second time by title.

Representative Robinson, W. offered the following:

(Amendment Bar Code: 856091)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 704.09, Florida Statutes, is created to read:

704.09 Creation of easements, servitudes, and other interests affecting real property owned by the same owner.—

(1) An owner of real property may create an easement, servitude, or other interest in the owner's real property, notwithstanding that the owner owns all of the affected real property.

(2) An easement, servitude, or other interest in real property created by an owner in the owner's real property before the effective date of this act is valid unless invalidated by a court on grounds other than unity of title.

Section 2. It is the intent of the Legislature to respect the intent of the parties to real property transactions that occurred before the effective date of this act and the parties' reliance on easements, servitudes, or other interests created by those transactions.

Section 3. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in s. 704.09, Florida Statutes, as created by this act, with the date this act becomes a law.

Section 4. This act shall take effect upon becoming a law.

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 easements affecting real property owned by the same owner; creating s. 704.09, F.S.; authorizing an owner of real property to create an easement, servitude, or other interest in the owner's real property and providing that such easement, servitude, or other interest is valid; providing an exception; providing legislative intent; providing a directive to the Division of Law Revision; providing an effective date.

Rep. W. Robinson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1049—A bill to be entitled An act relating to flood disclosure in the sale of real property; creating s. 689.302, F.S.; requiring a seller of residential real property to provide specified information to a prospective purchaser at or before the sales contract is executed; specifying how such information must be disclosed; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 1273** was temporarily postponed.

CS/HB 1347—A bill to be entitled An act relating to consumer finance loans; amending s. 516.01, F.S.; defining the term "branch"; amending s. 516.02, F.S.; prohibiting a person from operating a branch of a business making consumer finance loans before obtaining a license from the Office of Financial Regulation; amending s. 516.03, F.S.; specifying application fees for branch licenses; revising the applicability of investigation fees; making a technical change; amending s. 516.031, F.S.; revising the maximum interest rates and the calculation of interest rates on consumer finance loans; revising the minimum amount of time before which a delinquency charge for each payment in default may be imposed; amending s. 516.15, F.S.; requiring licensees offering an assistance program to borrowers after a federally declared major disaster to send a specified notice to the office within a certain timeframe; providing construction; requiring licensees to offer to borrowers credit education programs or seminars; providing topics for such programs or seminars; requiring that such programs or seminars be free; prohibiting licensees from requiring borrowers to participate in such programs or seminars as a condition of receiving loans; creating s. 516.38, F.S.; requiring licensees to file annual reports with the office; providing for rulemaking by the Financial Services Commission; specifying requirements for the reports; providing requirements for a licensee claiming that submitted information contains a trade secret; authorizing the office to publish a report in a certain manner; creating s. 516.39, F.S.; requiring certain licensees to suspend specified actions for a certain timeframe after a federally declared disaster; reenacting s. 516.19, F.S., relating to penalties, to incorporate the amendments made to ss. 516.02 and 516.031, F.S., in references thereto; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 637** was temporarily postponed.

CS/CS/CS/HB 267—A bill to be entitled An act relating to building regulations; amending s. 399.035, F.S.; revising support rail requirements for elevators; amending s. 468.609, F.S.; providing that an internship program for residential inspectors meets certain eligibility requirements for certification as a building code inspector or plans examiner; amending s. 553.73, F.S.; requiring the Florida Building Commission to modify provisions in the Florida Building Code relating to replacement windows, doors, or garage doors in specified existing dwellings or townhouses; providing requirements for such modifications; defining the term "windborne debris region"; amending s. 553.79, F.S.; removing provisions relating to acquiring building permits for certain residential dwellings; amending s. 553.791, F.S.; revising the timeframes in which local building officials must issue permits or provide certain written notice if certain private providers affix their industry seal to an affidavit; providing requirements for such written notices; deeming a permit application approved under certain circumstances; conforming provisions to changes made by the act; amending s. 553.792, F.S.; revising the timeframes for approving, approving with conditions, or denying certain building permits; prohibiting a local government from requiring a waiver of certain timeframes; requiring local governments to follow the prescribed timeframes unless a local ordinance is more stringent; requiring a local government to provide written

notice to an applicant under certain circumstances; revising how many times a local government may request additional information from an applicant; specifying when a permit application is deemed complete and approved; requiring the opportunity for an in-person or virtual meeting before a second request for additional information may be made; requiring a local government to process an application within a specified timeframe without additional information upon written request by the applicant; reducing permit fees by a certain percentage if certain timeframes are not met; providing exceptions; providing construction; conforming provisions to changes made by the act; amending s. 553.80, F.S.; authorizing local governments to use certain fees for certain technology upgrades; creating s. 553.9065, F.S.; providing that certain unvented attic and unvented enclosed rafter assemblies meet the requirements of the Florida Building Code, Energy Conservation; requiring the commission to review and consider certain provisions of law and technical amendments thereto and report its findings to the Legislature by a specified date; amending s. 440.103, F.S.; conforming a cross-reference; providing effective dates.

—was read the second time by title.

Representative Esposito offered the following:

(Amendment Bar Code: 768561)

Amendment 1 (with title amendment)—Remove lines 59-540 and insert:

Section 1. Paragraph (g) is added to subsection (7) of section 553.73, Florida Statutes, to read:

553.73 Florida Building Code.—

(7)

(g) The commission shall modify section 505 of the Florida Building Code, 8th edition (2023), Existing Building, to state that sealed drawings by a design professional may not be required for the replacement of windows, doors, or garage doors. Replacement windows, doors, and garage doors must be

installed in accordance with the manufacturer's instructions for the appropriate wind zone and must meet design pressure requirements and the requirements in the most recent version of the Florida Building Code. A copy of the manufacturer's instructions must be submitted with the permit application for replacement windows, doors, or garage doors. The manufacturer's installation instructions may be printed or in digital format.

Section 2. Subsection (16) of section 553.79, Florida Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.—

~~(16) Except as provided in paragraph (e), a building permit for a single-family residential dwelling must be issued within 30 business days after receiving the permit application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.~~

~~(a) If a local enforcement agency fails to issue a building permit for a single-family residential dwelling within 30 business days after receiving the permit application, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline. Each 10-percent reduction shall be based on the original amount of the building permit fee.~~

~~(b) A local enforcement agency does not have to reduce the building permit fee if it provides written notice to the applicant, by e-mail or United States Postal Service, within 30 business days after receiving the permit application, that specifically states the reasons the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances. The written notice must also state that the applicant has 10 business days after receiving the written notice to submit revisions to correct the permit application and that failure to correct the application within 10 business days will result in a denial of the application.~~

~~(c) The applicant has 10 business days after receiving the written notice to address the reasons specified by the local enforcement agency and submit revisions to correct the permit application. If the applicant submits revisions within 10 business days after receiving the written notice, the local enforcement agency has 10 business days after receiving such revisions to approve or deny the building permit unless the applicant agrees to a longer period in writing. If the local enforcement agency fails to issue or deny the building permit within 10 business days after receiving the revisions, it must reduce the building permit fee by 20 percent for the first business day that it fails to meet the deadline unless the applicant agrees to a longer period in writing. For each additional business day, but not to exceed 5 business days, that the local enforcement agency fails to meet the deadline, the building permit fee must be reduced by an additional 10 percent. Each reduction shall be based on the original amount of the building permit fee.~~

~~(d) If any building permit fees are refunded under this subsection, the surcharges provided in s. 468.631 or s. 553.721 must be recalculated based on the amount of the building permit fees after the refund.~~

~~(e) A building permit for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant Disaster Recovery program administered by the Department of Economic Opportunity must be issued within 15 working days after receipt of the application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.~~

Section 3. Paragraphs (o) through (r) of subsection (1) and subsections (10) through (21) of section 553.791, Florida Statutes, are redesignated as paragraphs (p) through (s) and subsections (11) through (22), respectively, present paragraph (o) of subsection (1), paragraph (c) of subsection (4), paragraphs (b) and (d) of subsection (7), paragraph (b) of present subsection (13), paragraph (b) of present subsection (16), and present subsection (19) are amended, and a new paragraph (o) is added to subsection (1) and a new subsection (10) is added to that section, to read:

553.791 Alternative plans review and inspection.—

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

(o) "Private provider firm" means a business organization, including a corporation, partnership, business trust, or other legal entity, which offers services under this chapter to the public through licensees who are acting as agents, employees, officers, or partners of the firm. A person who is licensed as a building code administrator under part XII of chapter 468, an engineer under chapter 471, or an architect under chapter 481 may act as a private provider for an agent, employee, or officer of the private provider firm.

(p)~~(o)~~ "Request for certificate of occupancy or certificate of completion" means a properly completed and executed application for:

1. A certificate of occupancy or certificate of completion.

2. A certificate of compliance from the private provider required under subsection (13) ~~(12)~~.

3. Any applicable fees.

4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

(4) A fee owner or the fee owner's contractor using a private provider to provide building code inspection services shall notify the local building official in writing at the time of permit application, or by 2 p.m. local time, 2 business days before the first scheduled inspection by the local building official or building code enforcement agency that a private provider has been contracted to perform the required inspections of construction under this section, including single-trade inspections, on a form to be adopted by the commission. This notice shall include the following information:

(c) An acknowledgment from the fee owner or the fee owner's contractor in substantially the following form:

I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree

to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 1 business day after any change or within 2 business days before the next scheduled inspection, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change.

(7)

(b) If the local building official provides a written notice of plan deficiencies to the permit applicant within the prescribed 20-day period, the 20-day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to subsection (15) ~~(14)~~ or to submit revisions to correct the deficiencies.

(d) If the local building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to subsection (15) ~~(14)~~ or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the local building official has an additional 5 business days from the date of resubmittal to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections.

(10) If the private provider is a person licensed as an engineer under chapter 471 or an architect under chapter 481 and affixes his or her professional seal to the affidavit required under subsection (6), the local building official must issue the requested permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections, within 10 business days after receipt of the permit application and affidavit. In such written notice, the local building official must provide with specificity the plan's deficiencies, the reasons the permit application failed, and the applicable codes being violated. If the local building official does not provide specific written notice to the permit applicant within the prescribed 10-day period, the permit application is deemed approved as a matter of law, and the local building official must issue the permit on the next business day.

(14)~~(13)~~

(b) If the local building official does not provide notice of the deficiencies within the applicable time periods under paragraph (a), the request for a certificate of occupancy or certificate of completion is automatically granted and deemed issued as of the next business day. The local building official must provide the applicant with the written certificate of occupancy or certificate of completion within 10 days after it is automatically granted and issued. To resolve any identified deficiencies, the applicant may elect to dispute the deficiencies pursuant to subsection (15) ~~(14)~~ or to submit a corrected request for a certificate of occupancy or certificate of completion.

(17)~~(16)~~

(b) A local enforcement agency, local building official, or local government may establish, for private providers, private provider firms, and duly authorized representatives working within that jurisdiction, a system of registration to verify compliance with the licensure requirements of paragraph (1)(n) and the insurance requirements of subsection (18) ~~(17)~~.

(20)~~(19)~~ A ~~Each~~ local building code enforcement agency may not audit the performance of building code inspection services by private providers operating within the local jurisdiction until the local building code enforcement agency has created a manual for standard operating audit procedures for the local building code enforcement agency's internal inspection and review staff, which includes, at a minimum, the purpose and scope of the audit, the audit criteria, an explanation of audit processes and objections, and detailed findings of areas of noncompliance. The manual must be publicly available online or the printed manual must be readily accessible in building department offices. The staff's audit results from the previous two quarters must be publicly available. The local building code enforcement agency's private provider audit processes must adhere to the local building code enforcement agency's posted standard operating audit procedures. ~~However,~~ The same private provider or private provider firm may not be audited more than four times in a year ~~month~~ unless the local building official determines a condition of a building constitutes an immediate threat to public safety and welfare, which must be communicated in writing to the private provider or private provider firm. Work on a building or structure may proceed after inspection and approval by a private provider. ~~if the provider has given notice of the inspection pursuant to subsection (9) and, subsequent to such inspection and approval,~~ The work may ~~shall~~ not be delayed for completion of an inspection audit by the local building code enforcement agency.

Section 4. Subsections (1) and (2) of section 553.792, Florida Statutes, are amended to read:

553.792 Building permit application to local government.—

(1)(a) A local government must approve, approve with conditions, or deny a building permit application after receipt of a completed and sufficient application within the following timeframes, unless the applicant waives such timeframes in writing:

1. Within 30 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits if the structure is less than 7,500 square feet: residential units, including a single-family residential unit or a single-family residential dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing.

2. Within 60 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits if the structure is 7,500 square feet or more: residential units, including a single-family residential unit or a single-family residential dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing.

3. Within 60 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits: signs or nonresidential buildings that are less than 25,000 square feet.

4. Within 60 business days after receiving a complete and sufficient application, for an applicant using a local government plans reviewer to obtain the following building permits: multifamily residential, not exceeding 50 units.

5. Within 10 business days after receiving a complete and sufficient application, for an applicant using a master building permit consistent with s. 553.794 to obtain a site-specific building permit.

6. Within 10 business days after receiving a complete and sufficient application, for an applicant for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant-Disaster Recovery program administered by the Department of Commerce, unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

However, the local government may not require the waiver of the timeframes in this section as a condition precedent to reviewing an applicant's building permit application.

(b) A local government must meet the timeframes set forth in this section for reviewing building permit applications unless the timeframes set by local ordinance are more stringent than those prescribed in this section.

(c) After ~~Within 10 days of~~ an applicant submits ~~submitting~~ an application to the local government, the local government must provide written notice to the applicant within 5 business days after receipt of the application advising ~~shall advise~~ the applicant what information, if any, is needed to deem or determine that the application is properly completed in compliance with the filing requirements published by the local government. If the local government does not provide timely written notice that the applicant has not

submitted a ~~the~~ properly completed application, the application is ~~shall be~~ automatically deemed or determined to be properly completed and accepted.

(d)1. Within 10 business ~~45~~ days after providing written notice to the applicant that his or her application is properly completed or upon receipt of any information needed to deem the application complete ~~receiving a completed application~~, a local government must provide written notice to ~~notify~~ an applicant if additional information is required for the local government to determine the sufficiency of the application, and the notice must ~~shall~~ specify the additional information that is required. The applicant may ~~must~~ submit the additional information to the local government or request that the local government act without the additional information. When reviewing an application for a building permit, a local government may not request additional information from the applicant more than two times unless the applicant waives such limitation in writing. The local government's second request for information must be made within 10 business days after the local government receives the additional information indicated in the first request. The local government must determine the sufficiency of the application within 10 business days after receiving the additional information from a second request. If the local government does not provide to the applicant timely written notice that the applicant must submit additional information to determine whether the application is sufficient, the application is automatically deemed or determined to be sufficient.

2. Before a second request for additional information may be made, the local government must offer the applicant an opportunity to meet in person or virtually with the local government to attempt to resolve outstanding issues.

3. If an applicant believes a request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's written request, must process the application within 10 business days after receipt of such request and approve the application, approve the application with conditions, or deny the application and provide the applicant with sufficient reason for such denial. ~~While the applicant responds to the request for additional information, the 120-day period described in this subsection is tolled. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. The local government must approve, approve with conditions, or deny the application within 120 days following receipt of a completed application.~~

(e) A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

~~(b)1. When reviewing an application for a building permit, a local government may not request additional information from the applicant more than three times, unless the applicant waives such limitation in writing.~~

~~2. If a local government requests additional information from an applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 15 days after receiving such information:~~

~~a. Determine if the application is properly completed;~~

~~b. Approve the application;~~

~~c. Approve the application with conditions;~~

~~d. Deny the application; or~~

~~e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.~~

~~3. If a local government makes a second request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information:~~

~~a. Determine if the application is properly completed;~~

~~b. Approve the application;~~

~~c. Approve the application with conditions;~~

~~d. Deny the application; or~~

~~e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.~~

~~4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:~~

~~a. Approve the application;~~

~~b. Approve the application with conditions; or~~

~~c. Deny the application.~~

~~5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.~~

(f)~~(c)~~ If a local government fails to meet a deadline under this subsection ~~provided in paragraphs (a) and (b)~~, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline, unless the parties agree in writing to a reasonable extension of time, the delay is caused by the applicant, or the delay is attributable to a force majeure or other extraordinary circumstances. Each 10-percent reduction shall be based on the original amount of the building permit fee, unless the parties agree to an extension of time.

~~(2)(a) The procedures set forth in subsection (1) apply to the following building permit applications: accessory structure; alarm permit; nonresidential buildings less than 25,000 square feet; electric; irrigation permit; landscaping; mechanical; plumbing; residential units other than a single family unit; multifamily residential not exceeding 50 units; roofing; signs; site plan approvals and subdivision plats not requiring public hearings or public notice; and lot grading and site alteration associated with the permit application set forth in this subsection. The procedures set forth in subsection (1) do not apply to permits for any wireless communications facilities or when a law, agency rule, or local ordinance specify different timeframes for review of local building permit applications.~~

~~(b) If A local government has different timeframes than the timeframes set forth in subsection (1) for reviewing building permit applications described in paragraph (a), the local government must meet the deadlines established by local ordinance. If a local government does not meet an established deadline to approve, approve with conditions, or deny an application, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline. Each 10 percent reduction shall be based on the original amount of the building permit fee, unless the parties agree to an extension of time. This paragraph does not apply to permits for any wireless communications facilities.~~

Section 5. Paragraph (a) of subsection (7) of section 553.80, Florida Statutes, is amended to read:

553.80 Enforcement.—

(7)(a) The governing bodies of local governments may provide a schedule of reasonable fees, as authorized by s. 125.56(2) or s. 166.222 and this section, for enforcing this part. These fees, and any fines or investment earnings related to the fees, may only ~~shall~~ be used ~~solely~~ for carrying out the local government's responsibilities in enforcing the Florida Building Code. When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances must be carried forward to future years for allowable activities or must be refunded at the discretion of the local government. A local government may not carry forward an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous 4 fiscal years. For purposes of this subsection, the term "operating budget" does not include reserve amounts. Any amount exceeding this limit must be used as authorized in subparagraph 2. However, a local government that established, as of January 1, 2019, a Building Inspections Fund Advisory Board consisting of five members from the construction stakeholder community and carries an unexpended balance in excess of the average of its operating budget for the

previous 4 fiscal years may continue to carry such excess funds forward upon the recommendation of the advisory board. The basis for a fee structure for allowable activities must relate to the level of service provided by the local government and must include consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not provided by the local government. Fees charged must be consistently applied.

1. As used in this subsection, the phrase "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.

2. A local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees, to upgrade technology hardware and software systems to enhance service delivery, ~~or~~ to pay for the construction of a building or structure that houses a local government's building code enforcement agency, or for ~~the~~ training programs for building officials, inspectors, or

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

Remove lines 2-44 and insert:

An act relating to building regulations; amending s. 553.73, F.S.; requiring the Florida Building Commission to modify provisions in the Florida Building Code relating to replacement windows, doors, or garage doors; providing requirements for such modifications; amending s. 553.79, F.S.; removing provisions relating to acquiring building permits for certain residential dwellings; amending s. 553.791, F.S.; defining the term "private provider firm"; revising the timeframes in which local building officials must issue permits or provide certain written notice if certain private providers affix their professional seal to an affidavit; providing requirements for such written notices; deeming a permit application approved under certain circumstances; prohibiting local building code enforcement agency's from auditing the performance of private providers until the local building code enforcement agency creates a manual for standard operating audit procedures; providing requirements for such manual; requiring the manual to be publicly available online or printed; requiring certain audit results to be readily accessible; revising how often a private provider may be audited; requiring certain written communication be provided to the private provider or private provider firm under certain circumstances; conforming cross-references; conforming provisions to changes made by the act; amending s. 553.792, F.S.; revising the timeframes for approving, approving with conditions, or denying certain building permits; prohibiting a local government from requiring a waiver of certain timeframes; requiring local governments to follow the prescribed timeframes unless a local ordinance is more stringent; requiring a local government to provide written notice to an applicant under certain circumstances; revising how many times a local government may request additional information from an applicant; specifying when a permit application is deemed complete and approved; requiring the opportunity for an in-person or virtual meeting before a second request for additional information may be made; requiring a local government to process an application within a specified timeframe without additional information upon written request by the applicant; reducing permit fees by a certain percentage if certain timeframes are not met; providing exceptions; providing construction; conforming provisions to changes made by the act;

Rep. Esposito moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 1555—A bill to be entitled An act relating to cybersecurity; amending s. 110.205, F.S.; exempting the state chief technology officer from the career service; amending s. 282.0041, F.S.; providing definitions; amending s. 282.0051, F.S.; revising the purposes for which the Florida Digital Service is established; revising the date by which Department of Management Services, acting through the Florida Digital Service, must provide certain recommendations to the Executive Office of the Governor and the Legislature; requiring the state chief information officer, in consultation with the Secretary of Management Services, to designate a state chief technology officer; providing duties of the state chief technology officer; amending s. 282.318, F.S.; providing that the Florida Digital Service is the lead entity for a certain purpose; requiring the Cybersecurity Operations Center to provide certain notifications; requiring the state chief information officer to make certain reports in consultation with the state chief information security officer; requiring a state agency to report ransomware and cybersecurity incidents within certain time periods; requiring the Cybersecurity Operations Center to immediately notify a certain entity of reported incidents and take certain actions; requiring the department to preserve certain data and provide certain aid in certain circumstances; requiring the state chief information security officer to notify the Legislature of certain incidents within a certain period; requiring the Cybersecurity Operations Center to provide a certain report to certain entities by a specified date; authorizing the Florida Digital Service to obtain certain access to certain state agency accounts and instances and direct certain measures; prohibiting the department from taking certain actions; providing applicability; revising the purpose of an agency's information security manager and the date by which he or she must be designated; authorizing the chairs of certain legislative committees or subcommittees to attend exempt portions of meetings of the Florida Cybersecurity Advisory Council if authorized by the President of the Senate or Speaker of the House of Representatives, as applicable; amending s. 282.3185, F.S.; requiring a local government to report ransomware and certain cybersecurity incidents to the Cybersecurity Operations Center within certain time periods; requiring the Cybersecurity Operations Center to immediately notify certain entities of certain incidents and take certain actions; requiring the Department of Law Enforcement to coordinate certain incident responses; amending s. 282.319, F.S.; revising the membership of the Florida Cybersecurity Advisory Council; amending s. 1004.444, F.S.; providing that the Florida Center for Cybersecurity may be referred to in a certain manner; providing that the center is established under the direction of the president of the University of South Florida and may be assigned within a college that meets certain requirements; revising the mission and goals of the center; authorizing the center to take certain actions relating to certain initiatives; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 1419** was temporarily postponed.

CS/HB 1563—A bill to be entitled An act relating to construction contracting; amending s. 489.129, F.S.; requiring certain disciplinary action for specified offenses by a licensee; amending s. 713.345, F.S.; providing definitions; requiring designated contractors and qualified businesses that receive a specified amount of money for improvements to residential real property to place such payments in an escrow account with specified institutions or persons or to provide a copy of a performance bond in certain circumstances; requiring the designated contractor or qualified business to provide certain written information within a specified timeframe to the owner of the residential real property being improved; authorizing the designated contractor or qualified business to keep funds received from different owners in the same account under certain circumstances; providing that the institution and person with whom funds were deposited are not required to make certain inquiries; providing that funds deposited into an escrow account remain the property of the owner; authorizing the designated contractor or qualified business to withdraw funds before the substantial completion of work in certain circumstances; requiring the designated contractor or qualified business to obtain a performance bond and provide proof of such bond under certain circumstances; providing that the designated contractor or qualified business has control over a certain disbursement if certain requirements are met; authorizing the owner of the residential real property to request in a specified manner an accounting record from the designated contractor or

qualified business; requiring the designated contractor or qualified business to provide such accounting records within a specified timeframe; creating a rebuttable presumption; providing applicability; providing criminal penalties; authorizing certain disciplinary action under certain circumstances; creating s. 938.14, F.S.; requiring the court to impose an additional court cost for certain offenses; providing that such court cost is a condition of probation, community control, or court-ordered supervision; requiring the clerk of the court to transfer a specified amount to the Florida Homeowners' Construction Recovery Fund; providing for the clerk of the court to retain a service charge; amending s. 489.140, F.S.; conforming a provision to changes made by the act; providing an effective date.

—was read the second time by title.

Representative Grant offered the following:

(Amendment Bar Code: 626999)

Amendment 1—Remove lines 70-219 and insert:
designated contractor or qualified business licensed by the board under this chapter pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, an offense in violation of s. 489.126(5)(b), (c), or (d); s. 489.126(6)(b), (c), or (d); or s. 713.345(2)(g), the board and the Electrical Contractors' Licensing Board must suspend all licenses issued to such licensee under this chapter for at least 1 year after the date of the conviction. The suspension required under this paragraph is not exclusive, and the board may impose any additional penalties set forth in this subsection.

For the purposes of this subsection, construction is considered to be commenced when the contract is executed and the contractor has accepted funds from the customer or lender. A contractor does not commit a violation of this subsection when the contractor relies on a building code interpretation rendered by a building official or person authorized by s. 553.80 to enforce the building code, absent a finding of fraud or deceit in the practice of contracting, or gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property on the part of the building official, in a proceeding under chapter 120.

Section 2. Subsection (2) of section 713.345, Florida Statutes, is renumbered as subsection (3), and a new subsection (2) is added to that section, to read:

713.345 Moneys received for real property improvements; penalty for misapplication; escrow account required for certain funds.—

(2)(a) As used in this subsection, the term:

1. "Substantial completion" means performance that is nearly equivalent to that which was contracted for and when only minor, corrective, or warranty work remains.

2. "Designated contractor or qualified business" means a contractor who is certified or registered under chapter 489 or a business organization qualified by a contractor who is certified or registered under chapter 489, and such contractor or business organization:

a. Has been certified, registered, or qualified for less than 5 years;

b. Contracts for improvements to residential real property within an area in which a state of emergency has been declared under s. 252.36 for a hurricane within 18 months after the date of the declaration; or

c. Has been disciplined by the Construction Industry Licensing Board or the Electrical Contractors' Licensing Board within the previous 5 years for failing to comply with this subsection or s. 489.126.

(b) A designated contractor or qualified business that receives, pursuant to a contract for improvements to real property, payments of $10,000 or more, regardless of whether such payments are paid in a lump sum or in the aggregate, before the commencement of such improvements to residential real property must, within 3 business days after receipt, place such payment in an escrow account with a savings and loan association, bank, or trust company located in the state; an attorney who is a member in good standing with The Florida Bar; or a real estate broker licensed in the state, unless such escrow requirement is waived in writing by the owner of the residential real property. If such escrow is waived in writing by the owner of the residential real property, the designated contractor or qualified business must provide a copy of a performance bond if required under subparagraph 5.

1. Unless the contract specifies where such payment must be deposited, the designated contractor or qualified business must, within 10 business days after a deposit has been made, inform the owner of the residential real property in writing of the name of the depository institution, attorney, or real estate broker with whom the funds have been deposited.

2. The designated contractor or qualified business may keep funds received from different owners in the same account if the designated contractor or qualified business has financial or accounting records that clearly show how the funds deposited were allocated to each owner.

3. A depository institution, an attorney, or a real estate broker who receives a payment in an amount of $10,000 or more from a designated contractor or qualified business under this subsection for improvements to residential real property is not required to inquire into the nature of any deposits to or withdrawals from the escrow account or to ensure that any withdrawals from such account are used for a specific purpose as required by a contract. A deposit into the escrow account remains the property of the owner of the residential real property except as otherwise provided in this subsection.

4. A designated contractor or qualified business may withdraw funds from the escrow account before the substantial completion of work in the following circumstances:

a. Under the terms of a payment schedule agreed to in the contract between the designated contractor or qualified business and the owner of the residential real property;

b. When required to make payments to subcontractors or for materials related to the contracted job in order to comply with subsection (1); or

c. If the owner of such property violates the contract, but only if the amount withdrawn by the designated contractor or qualified business covers reasonable costs plus liquidated damages not to exceed $500.

5. If the escrow requirement is waived in writing by the owner of the residential real property, a designated contractor or qualified business must obtain a performance bond equal to the value of the contract and provide proof of such bond to the property owner before commencing or continuing the project.

6. A designated contractor or qualified business has control over the disbursement of funds in escrow upon substantial completion of the contract, or any portion that is specifically accounted for in the contract.

(c) The owner of the residential real property may deliver by certified mail, return receipt requested, a written demand to the address listed in the contract for an accounting report of the funds paid to the designated contractor or qualified business. If the address of the designated contractor or qualified business is not provided in the contract, or a written contract or agreement does not exist, the owner must deliver by certified mail, return receipt requested, the written demand to the address that is listed for the designated contractor or qualified business with the Department of Business and Professional Regulation for licensing purposes. Within 60 days after receipt of such demand, the designated contractor or qualified business must provide the owner, by certified mail, return receipt requested, with an accounting record indicating all payments made to and from the designated contractor or qualified business, including those that were made to subcontractors and for purchased materials.

(d) The failure of a designated contractor or qualified business to respond to an owner's written demand for an accounting report as required under paragraph (c) creates a rebuttable presumption that a violation of this section is willful.

(e) This subsection does not apply to any of the following:

1. A contract for hourly labor provided by a designated contractor or qualified business.

2. A designated contractor or qualified business that owns the real property upon which the improvement or construction is to be completed.

3. A cost-plus contract.

(f) If the value of a contract or addenda thereto is more than $100,000 for a contract for improvements to residential real property, a designated contractor or qualified business must obtain a performance bond equal to the value of the contract and provide proof of such bond to the property owner before commencing or continuing the project.

(g) A designated contractor or qualified business commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the designated contractor or qualified business willfully fails to place funds in an escrow account as required under this subsection.

(h) If a designated contractor or qualified business pleads guilty or

Rep. Grant moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1611—A bill to be entitled An act relating to insurance; amending s. 624.3161, F.S.; revising the entities for which the Office of Insurance Regulation is required to conduct market conduct examinations; amending s. 624.424, F.S.; requiring insurers and insurer groups to file a specified supplemental report on a monthly basis; requiring that such report include certain information for each zip code; amending s. 624.4305, F.S.; authorizing the Financial Services Commission to adopt rules relating to notice of nonrenewal of residential property insurance policies; amending s. 624.46226, F.S.; revising the requirements for public housing authority self-insurance funds; amending s. 626.9201, F.S.; prohibiting authorized insurers and eligible surplus lines insurers from canceling and nonrenewing policies covering dwellings and residential properties damaged by covered perils within certain timeframes; providing exceptions to prohibitions against insurers' policy cancellations and nonrenewals within certain timeframes under certain circumstances; providing construction; providing definitions; authorizing the Financial Services Commission to adopt rules and the Commissioner of Insurance Regulation to issue orders; providing applicability; amending s. 627.062, F.S.; specifying requirements for rate filings if certain models are used; amending s. 627.351, F.S.; revising requirements for certain policies issued by Citizens Property Insurance Corporation which are not subject to certain rate increase limitations; amending s. 627.4133, F.S.; prohibiting eligible surplus lines insurers from canceling and nonrenewing policies covering dwellings and residential properties damaged by covered perils within certain timeframes; revising circumstances and timeframes under which authorized insurers are prohibited from canceling and nonrenewing policies covering dwellings and residential properties damaged by covered perils within certain timeframes; providing exceptions to such prohibitions against eligible surplus lines insurers within certain timeframes; revising exceptions to such prohibitions against authorized insurers within certain timeframes; revising conditions under which a structure is deemed to be repaired; revising the definition of the term "insurer" to include eligible surplus lines insurers; defining the term "damage"; authorizing the commissioner to issue orders under certain circumstances; providing applicability; amending s. 627.7011, F.S.; revising the definition of the term "authorized inspector" to include licensed roofing contractors for the purpose of homeowners' insurance policies; amending ss. 628.011 and 628.061, F.S.; conforming provisions to changes made by the act; amending s. 628.801, F.S.; revising requirements for rules adopted for insurers that are members of an insurance holding company; deleting an obsolete date; authorizing the office to adopt rules; amending s. 629.011, F.S.; defining terms; repealing s. 629.021, F.S., relating to the definition of the term "reciprocal insurer"; repealing s. 629.061, F.S., relating to attorney; amending s. 629.081, F.S.; revising the procedure for persons to organize as a domestic reciprocal insurer; specifying requirements for the permit application; requiring that the application be accompanied by a specified fee; requiring that the office evaluate and grant or deny the permit application in accordance with specified provisions; removing the requirement that a specified declaration be acknowledged by an attorney; amending s. 629.091, F.S.; providing requirements for the application for a certificate of authority to operate as a domestic reciprocal insurer; requiring the office to grant the authorization for reciprocal insurers to issue nonassessable policies under certain circumstances; requiring that certificates of authority be issued in the name of the reciprocal insurer to its attorney in fact; creating s. 629.094, F.S.; requiring a domestic reciprocal insurer to meet certain requirements to maintain its eligibility for a certificate of authority; amending s. 629.101, F.S.; revising requirements for the power of attorney given by subscribers of a domestic reciprocal insurer to the attorney in fact; conforming provisions to changes made by the act; creating s. 629.225, F.S.; prohibiting persons from acquiring certain securities or ownership interests of certain attorneys in fact and controlling companies of certain attorneys in fact; providing an exception; authorizing certain persons to request that the office waive certain requirements; providing that the office may waive certain requirements if specified determinations are made; specifying the requirements of an application to the office relating to certain acquisitions; requiring that such application be accompanied by a specified fee; requiring that amendments be filed with the office under certain circumstances; specifying the manner in which the acquisition application must be reviewed; authorizing the office, and requiring the office if a request for a proceeding is filed, to conduct a proceeding within a specified timeframe to consider the appropriateness of such application; requiring that certain time periods be tolled; requiring that written requests for a proceeding be filed within a certain timeframe; authorizing certain persons to take all steps to conclude the acquisition during the pendency of the proceeding or review period; requiring the office to order a proposed acquisition disapproved and that actions to conclude the acquisition be ceased under certain circumstances; prohibiting certain persons from making certain changes during the pendency of the office's review of an acquisition; providing an exception; defining the terms "material change in the operation of the attorney in fact" and "material change in the management of the attorney in fact"; requiring the office to approve or disapprove certain changes upon making certain findings; requiring that a proceeding be conducted within a certain timeframe; requiring that recommended orders and final orders be issued within a certain timeframe; specifying the circumstances under which the office may disapprove an acquisition; specifying that certain persons have the burden of proof; requiring the office to approve an acquisition upon certain findings; specifying that certain votes are not valid and that certain acquisitions are void; specifying that certain provisions may be enforced by an injunction; creating a private right of action in favor of the attorney in fact or the controlling company to enforce certain provisions; providing that a certain demand upon the office is not required before certain legal actions; providing that the office is not a necessary party to certain actions; specifying the persons who are deemed designated for service of process and who have submitted to the administrative jurisdiction of the office; providing that approval by the office does not constitute a certain recommendation; providing that certain actions are unlawful; providing criminal penalties; providing a statute of limitations; authorizing a person to rebut a presumption of control by filing certain disclaimers; specifying the contents of such disclaimer; specifying that, after a disclaimer is filed, the attorney in fact is relieved of a certain duty; authorizing the office to order certain persons to cease acquisition of the attorney in fact or controlling company and divest themselves of any stock or ownership interest under certain circumstances; requiring the office to suspend or revoke the reciprocal certificate of authority under certain circumstances; specifying that the attorney in fact is deemed to be hazardous to its policyholders if the reciprocal insurer is subject to suspension or revocation; authorizing the office to offer the reciprocal insurer the ability to cure any suspension or revocation under certain circumstances; providing applicability; creating s. 629.227, F.S.; specifying the information as to the background and identity of certain persons which must be furnished by such persons; creating s. 629.229, F.S.; prohibiting certain persons from serving in specified positions of reciprocal insurers or insurers under certain circumstances; amending s. 629.261, F.S.; removing provisions relating to certain authorizations for reciprocal insurers; prohibiting reciprocal insurers from issuing or renewing nonassessable policies or converting assessable policies to nonassessable policies under certain circumstances; providing applicability; amending s. 629.291, F.S.; providing that certain insurers that merge are governed by the insurance code; prohibiting domestic stock insurers from converting to reciprocal insurers; requiring that specified plans be filed with the office and that such plans contain certain information; authorizing the conversion of assessable reciprocal insurers to nonassessable reciprocal insurers under certain circumstances; providing certain procedures when certain reciprocal insurers convert; authorizing reciprocal insurers to issue contingent liability policies in another state under certain circumstances; creating s. 629.525, F.S.; requiring the commission to adopt,

amend, or repeal certain rules; amending ss. 163.01 and 626.9531, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Representative Stevenson offered the following:

(Amendment Bar Code: 685857)

Amendment 1 (with title amendment)—Remove lines 204-1485 and insert:

(10)(a) By January 1, 2025, and each month thereafter, each insurer or insurer group doing business in this state shall file on a monthly ~~quarterly~~ basis ~~in conjunction with financial reports required by paragraph (1)(a)~~ a supplemental report on an individual and group basis on a form prescribed by the commission with information on personal lines and commercial lines residential property insurance policies in this state. The supplemental report must ~~shall~~ include separate information for personal lines property policies and for commercial lines property policies and totals for each item specified, including premiums written for each of the property lines of business as described in ss. 215.555(2)(c) and 627.351(6)(a). The report must ~~shall~~ include the following information for each zip code ~~county on a monthly basis~~:

1. Total number of policies in force at the end of each month.
2. Total number of policies canceled.
3. Total number of policies nonrenewed.
4. Number of policies canceled due to hurricane risk.
5. Number of policies nonrenewed due to hurricane risk.
6. Number of new policies written.
7. Total dollar value of structure exposure under policies that include wind coverage.
8. Number of policies that exclude wind coverage.
9. Number of claims open each month.
10. Number of claims closed each month.
11. Number of claims pending each month.
12. Number of claims in which either the insurer or insured invoked any form of alternative dispute resolution, and specifying which form of alternative dispute resolution was used.

Section 3. Section 624.4305, Florida Statutes, is amended to read:

624.4305 Nonrenewal of residential property insurance policies.—Any insurer planning to nonrenew more than 10,000 residential property insurance policies in this state within a 12-month period shall give notice in writing to the Office of Insurance Regulation for informational purposes 90 days before the issuance of any notices of nonrenewal. The notice provided to the office must set forth the insurer's reasons for such action, the effective dates of nonrenewal, and any arrangements made for other insurers to offer coverage to affected policyholders. The commission may adopt rules to administer this section.

Section 4. Effective upon this act becoming a law, paragraph (d) of subsection (1) of section 624.46226, Florida Statutes, is amended to read:

624.46226 Public housing authorities self-insurance funds; exemption for taxation and assessments.—

(1) Notwithstanding any other provision of law, any two or more public housing authorities in the state as defined in chapter 421 may form a self-insurance fund for the purpose of pooling and spreading liabilities of its members as to any one or combination of casualty risk or real or personal property risk of every kind and every interest in such property against loss or damage from any hazard or cause and against any loss consequential to such loss or damage, provided the self-insurance fund that is created:

(d) Maintains a continuing program of excess insurance coverage and reinsurance ~~reserve evaluation~~ to protect the financial stability of the fund ~~in an amount and manner determined by a qualified and independent actuary~~. The program must, at a minimum~~, this program must~~:

1. Include a net retention in an amount and manner selected by the administrator, ratified by the governing body, and certified by a qualified actuary;

2. Include reinsurance or ~~Purchase~~ excess insurance from authorized insurance carriers or eligible surplus lines insurers; and

3. Be certified by a qualified actuary as to the program's adequacy. This certification must be submitted simultaneously with the certifications required under paragraphs (b) and (c).

~~2. Retain a per-loss occurrence that does not exceed $350,000.~~

A for-profit or not-for-profit corporation, limited liability company, or other similar business entity in which a public housing authority holds an ownership interest or participates in its governance under s. 421.08(8) may join a self-insurance fund formed under this section in which such public housing authority participates. Such for-profit or not-for-profit corporation, limited liability company, or other similar business entity may join the self-insurance fund solely to insure risks related to public housing.

Section 5. Subsection (2) of section 626.9201, Florida Statutes, is amended, and subsection (1) of that section is republished, to read:

626.9201 Notice of cancellation or nonrenewal.—

(1) An insurer issuing a policy providing coverage for property, casualty, surety, or marine insurance must give the first named insured at least 45 days' advance written notice of nonrenewal. If the policy is not to be renewed, the written notice shall state the reasons as to why the policy is not to be renewed. This subsection does not apply:

(a) If the insurer has manifested its willingness to renew, and the offer is not rescinded prior to expiration of the policy; or

(b) If a notice of cancellation for nonpayment of premium is provided under subsection (2).

(2) An insurer issuing a policy providing coverage for property, casualty, surety, or marine insurance must give the named insured written notice of cancellation or termination other than nonrenewal at least 45 days before the effective date of the cancellation or termination, including in the written notice the reasons for the cancellation or termination, except that:

(a) If cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason for cancellation must be given. As used in this paragraph, the term "nonpayment of premium" means the failure of the named insured to discharge when due any of his or her obligations in connection with the payment of premiums on a policy or an installment of such a premium, whether the premium or installment is payable directly to the insurer or its agent or indirectly under any plan for financing premiums or extension of credit or the failure of the named insured to maintain membership in an organization if such membership is a condition precedent to insurance coverage. The term also includes the failure of a financial institution to honor the check of an applicant for insurance which was delivered to a licensed agent for payment of a premium, even if the agent previously delivered or transferred the premium to the insurer. If a correctly dishonored check represents payment of the initial premium, the contract and all contractual obligations are void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and, if the contract is void, any premium received by the insurer from a third party must ~~shall~~ be refunded to that party in full; ~~and~~

(b) If cancellation or termination occurs during the first 90 days during which the insurance is in force and if the insurance is canceled or terminated for reasons other than nonpayment, at least 20 days' written notice of cancellation or termination accompanied by the reason for cancellation or termination must be given, except if there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer; and~~.~~

(c)1. Upon a declaration of an emergency pursuant to s. 252.36 and the filing of an order by the Commissioner of Insurance Regulation, an insurer may not cancel or nonrenew a personal residential or commercial residential property insurance policy covering a dwelling or residential property located in this state which has been damaged as a result of a hurricane or wind loss that is the subject of the declaration of emergency for 90 days after the dwelling or residential property has been repaired. A dwelling or residential property is deemed to be repaired when substantially completed and restored to the extent that the dwelling or residential property is insurable by another insurer that is writing policies in this state.

2. An insurer or agent may cancel or nonrenew such a policy before the repair of the dwelling or residential property:

a. Upon 10 days' notice for nonpayment of premium; or

b. Upon 45 days' notice:

(I) For a material misstatement or fraud related to the claim;

(II) If the insurer determines that the insured has unreasonably caused a delay in the repair of the dwelling or residential property;

(III) If the insurer or its agent has made a reasonable written inquiry to the insured as to the status of the repair, sent by certified mail, return receipt requested, and the insured has failed within 30 calendar days to provide information that is responsive to the inquiry to either the address or e-mail account designated by the insurer or its agent; or

(IV) If the insurer has paid policy limits.

3. If the insurer elects to nonrenew a policy covering a dwelling or residential property that has been damaged, the insurer must provide at least 90 days' notice to the insured that the insurer intends to nonrenew the policy 90 days after the property has been repaired.

4. This paragraph does not prevent the insurer from canceling or nonrenewing the policy 90 days after the repair is completed for the same reasons the insurer would otherwise have canceled or nonrenewed the policy but for the limitations imposed in subparagraph 1.

5. The commission may adopt rules, and the Commissioner of Insurance Regulation may issue orders, necessary to implement this paragraph.

Section 6. Paragraph (j) of subsection (2) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(2) As to all such classes of insurance:

(j) With respect to residential property insurance rate filings, the rate filing:

1. Must account for mitigation measures undertaken by policyholders to reduce hurricane losses and windstorm losses.

2. May use a modeling indication that is the weighted or straight average of two or more hurricane loss projection models found by the Florida Commission on Hurricane Loss Projection Methodology to be accurate or reliable pursuant to s. 627.0628. If an averaged model is used under this section, the same averaged model must be used throughout this state. If a weighted average is used, the insurer must provide the office with an actuarial justification for using the weighted average which shows that the weighted average results in a rate that is reasonable, adequate, and fair.

The provisions of this subsection do not apply to workers' compensation, employer's liability insurance, and motor vehicle insurance.

Section 7. Paragraph (n) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(n)1. Rates for coverage provided by the corporation must be actuarially sound pursuant to s. 627.062 and not competitive with approved rates charged in the admitted voluntary market so that the corporation functions as a residual market mechanism to provide insurance only when insurance cannot be procured in the voluntary market, except as otherwise provided in this paragraph. The office shall provide the corporation such information as would be necessary to determine whether rates are competitive. The corporation shall file its recommended rates with the office at least annually. The corporation shall provide any additional information regarding the rates which the office requires. The office shall consider the recommendations of the board and issue a final order establishing the rates for the corporation within 45 days after the recommended rates are filed. The corporation may not pursue an administrative challenge or judicial review of the final order of the office.

2. In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided in s. 624.509 to augment the financial resources of the corporation.

3. After the public hurricane loss-projection model under s. 627.06281 has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology, the model shall be considered when establishing the windstorm portion of the corporation's rates. The corporation may use the public model results in combination with the results of private models to calculate rates for the windstorm portion of the corporation's rates. This subparagraph does not require or allow the corporation to adopt rates lower than the rates otherwise required or allowed by this paragraph.

4. The corporation must make a recommended actuarially sound rate filing for each personal and commercial line of business it writes.

5. Notwithstanding the board's recommended rates and the office's final order regarding the corporation's filed rates under subparagraph 1., the corporation shall annually implement a rate increase which, except for sinkhole coverage, does not exceed the following for any single policy issued by the corporation, excluding coverage changes and surcharges:

a. Twelve percent for 2023.

b. Thirteen percent for 2024.

c. Fourteen percent for 2025.

d. Fifteen percent for 2026 and all subsequent years.

6. The corporation may also implement an increase to reflect the effect on the corporation of the cash buildup factor pursuant to s. 215.555(5)(b).

7. The corporation's implementation of rates as prescribed in subparagraphs 5. and 8. shall cease for any line of business written by the corporation upon the corporation's implementation of actuarially sound rates. Thereafter, the corporation shall annually make a recommended actuarially sound rate filing that is not competitive with approved rates in the admitted voluntary market for each commercial and personal line of business the corporation writes.

8. ~~The following~~ New or renewal personal lines policies that do not cover a primary residence ~~written on or after November 1, 2023,~~ are not subject to the rate increase limitations in subparagraph 5., but may not be charged more than 50 percent above, nor less than, the prior year's established rate for the corporation~~:~~

~~a. Policies that do not cover a primary residence;~~

~~b. New policies under which the coverage for the insured risk, before the date of application with the corporation, was last provided by an insurer determined by the office to be unsound or an insurer placed in receivership under chapter 631; or~~

~~c. Subsequent renewals of those policies, including the new policies in sub-subparagraph b., under which the coverage for the insured risk, before the date of application with the corporation, was last provided by an insurer determined by the office to be unsound or an insurer placed in receivership under chapter 631~~.

9. As used in this paragraph, the term "primary residence" means the dwelling that is the policyholder's primary home or is a rental property that is the primary home of the tenant, and which the policyholder or tenant occupies for more than 9 months of each year.

Section 8. Paragraph (a) of subsection (5) of section 627.7011, Florida Statutes, is amended to read:

627.7011 Homeowners' policies; offer of replacement cost coverage and law and ordinance coverage.—

(5)(a) As used in this subsection, the term "authorized inspector" means an inspector who is approved by the insurer and who is:

1. A home inspector licensed under s. 468.8314;

2. A building code inspector certified under s. 468.607;

3. A general, building, or residential contractor licensed under s. 489.111 or a roofing contractor;

4. A professional engineer licensed under s. 471.015;

5. A professional architect licensed under s. 481.213; or

6. Any other individual or entity recognized by the insurer as possessing the necessary qualifications to properly complete a general inspection of a residential structure insured with a homeowner's insurance policy.

Section 9. Section 628.011, Florida Statutes, is amended to read:

628.011 Scope of part.—This part applies only to domestic ~~stock~~ insurers, mutual insurers, and captive insurers, except that s. 628.341(2) applies also as to foreign and alien insurers.

Section 10. Section 628.061, Florida Statutes, is amended to read:

628.061 Investigation of proposed organization.—In connection with any proposal to organize or incorporate a domestic insurer, the office shall make an investigation of:

(1) The character, reputation, financial standing, and motives of the organizers, incorporators, and subscribers organizing the proposed insurer or any attorney in fact.

(2) The character, financial responsibility, insurance experience, and business qualifications of its proposed officers, members of its subscribers' advisory committee, or officers of its attorney in fact.

(3) The character, financial responsibility, business experience, and standing of the proposed stockholders and directors, including the stockholders and directors of any attorney in fact.

Section 11. Subsections (1), (2), and (5) of section 628.801, Florida Statutes, are amended to read:

628.801 Insurance holding companies; registration; regulation.—

(1) An insurer that is authorized to do business in this state and that is a member of an insurance holding company shall, on or before April 1 of each year, register with the office and file a registration statement and be subject to regulation with respect to its relationship to the holding company as provided by law or rule. The commission shall adopt rules establishing the information and statement form required for registration and the manner in which registered insurers and their affiliates are regulated. The rules apply to domestic insurers, foreign insurers, and commercially domiciled insurers, except for foreign insurers domiciled in states that are currently accredited by the NAIC. Except to the extent of any conflict with this code, the rules must include all requirements and standards of the Insurance Holding Company System Model Regulation and ss. 4 and 5 of the Insurance Holding Company System Regulatory Act ~~and the Insurance Holding Company System Model Regulation~~ of the NAIC, as adopted in December 2020 ~~2010~~. The commission may adopt subsequent amendments thereto if the methodology remains substantially consistent. The rules may include a prohibition on oral contracts between affiliated entities. Material transactions between an insurer and its affiliates must ~~shall~~ be filed with the office as provided by rule.

(2) ~~Effective January 1, 2015,~~ The ultimate controlling person of every insurer subject to registration shall also file an annual enterprise risk report on or before April 1. As used in this subsection, the term "ultimate controlling person" means a person who is not controlled by any other person. The report must, to the best of the ultimate controlling person's knowledge and belief, ~~must~~ identify the material risks within the insurance holding company system that could pose enterprise risk to the insurer. The report must ~~shall~~ be filed with the lead state office of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the NAIC and is confidential and exempt from public disclosure as provided in s. 624.4212.

(a) An insurer may satisfy this requirement by providing the office with the most recently filed parent corporation reports that have been filed with the Securities and Exchange Commission which provide the appropriate enterprise risk information.

(b) The term "enterprise risk" means an activity, circumstance, event, or series of events involving one or more affiliates of an insurer which, if not remedied promptly, are likely to have a materially adverse effect upon the financial condition or liquidity of the insurer or its insurance holding company system as a whole, including anything that would cause the insurer's risk-based capital to fall into company action level as set forth in s. 624.4085 or would cause the insurer to be in a hazardous financial condition.

(c) The office may adopt rules for filing the annual enterprise risk report in accordance with the Insurance Holding Company System Regulatory Act and the Insurance Holding Company System Model Regulation of the NAIC, as adopted in December 2020.

(5) ~~Effective January 1, 2015,~~ The failure to file a registration statement, or a summary of the registration statement, or the enterprise risk filing report required by this section within the time specified for filing is a violation of this section.

Section 12. Section 629.011, Florida Statutes, is amended to read:

629.011 Definitions ~~"Reciprocal insurance" defined~~.—As used in this part, the term:

(1) "Affiliated person" of another person means any of the following:

(a) The spouse of the other person.

(b)1. The parents of the other person or their lineal descendants.

2. The parents of the other person's spouse or their lineal descendants.

(c) A person who directly or indirectly owns or controls, or holds with the power to vote, 10 percent or more of the outstanding voting securities of the other person.

(d) A person who directly or indirectly owns 10 percent or more of the outstanding voting securities that are directly or indirectly owned or controlled, or held with the power to vote, by the other person.

(e) A person or group of persons who directly or indirectly control, are controlled by, or are under common control with the other person.

(f) A director, officer, trustee, partner, owner, manager, joint venturer, or employee, or another person who is performing duties similar to those of persons in such positions, of the other person.

(g) If the other person is an investment company, any investment adviser of such company or any member of an advisory board of such company.

(h) If the other person is an unincorporated investment company not having a board of directors, the depositor of such company.

(i) A person who has entered into an agreement, written or unwritten, to act in concert with the other person in acquiring, or limiting the disposition of:

1. Securities of an attorney in fact or controlling company that is a stock corporation; or

2. An ownership interest of an attorney in fact or controlling company that is not a stock corporation.

(2) "Attorney in fact" or "attorney" means the attorney in fact of a reciprocal insurer. The attorney in fact may be an individual, a corporation, or another person.

(3) "Controlling company" means a person, corporation, trust, limited liability company, association, or other entity owning, directly or indirectly, 10 percent or more of the voting securities of one or more attorneys in fact that are stock corporations, or 10 percent or more of the ownership interest of one or more attorneys in fact that are not stock corporations.

(4) "Reciprocal insurance" means ~~is that resulting from~~ an interexchange among persons, known as "subscribers," of reciprocal agreements of indemnity, the interexchange being effectuated through an "attorney in fact" common to all such persons.

(5) "Reciprocal insurer" means an unincorporated aggregation of subscribers operating individually and collectively through an attorney in fact to provide reciprocal insurance among themselves.

Section 13. Section 629.021, Florida Statutes, is repealed.

Section 14. Section 629.061, Florida Statutes, is repealed.

Section 15. Section 629.081, Florida Statutes, is amended to read:

629.081 Organization of reciprocal insurer.—

(1) Twenty-five or more persons domiciled in this state may organize a domestic reciprocal insurer by applying ~~and make application~~ to the office for a permit to do so. A domestic reciprocal insurer may not be formed unless the persons so proposing have first received a permit from the office ~~a certificate of authority to transact insurance~~.

(2) The permit application, to be filed by the organizers or the proposed attorney in fact, must be in writing and made in accordance with forms prescribed by the commission. In addition to any applicable requirements of s. 628.051 and other relevant statutes, the application must include all of the following ~~shall fulfill the requirements of and shall execute and file with the office, when applying for a certificate of authority, a declaration setting forth~~:

(a) The name of the proposed reciprocal insurer, which must be in accordance with s. 629.051.~~;~~

(b) The location of the insurer's principal office, which must ~~shall~~ be the same as that of the proposed attorney in fact and must ~~shall~~ be maintained within this state.~~;~~

(c) The kinds of insurance proposed to be transacted.~~;~~

(d) The names and addresses of the original 25 or more subscribers.~~;~~

(e) The proposed designation and appointment of the proposed attorney in fact and a copy of the proposed power of attorney.~~;~~

(f) The names and addresses of the officers and directors of the proposed attorney in fact, if a corporation, or of its members, if other than a corporation.~~;~~

(g) The background information as specified in s. 629.227 for all officers, directors, managers, and those in equivalent positions of the proposed attorney in fact as well as for any person with an ownership interest of 10 percent or more in the proposed attorney in fact.

(h) The articles of incorporation and bylaws, or equivalent documents, of the proposed attorney in fact, dated within the last year and appropriately certified.

(i) The proposed charter ~~powers~~ of the subscribers' advisory committee, and the names and terms of office of the members thereof, as well as the background information as specified in s. 629.227 for each proposed member.;

~~(h) That all moneys paid to the reciprocal shall, after deducting therefrom any sum payable to the attorney, be held in the name of the insurer and for the purposes specified in the subscribers' agreement;~~

(j)~~(i)~~ A copy of the proposed subscribers' agreement.;

~~(j) A statement that each of the original subscribers has in good faith applied for insurance of a kind proposed to be transacted, and that the insurer has received from each such subscriber the full premium or premium deposit required for the policy applied for, for a term of not less than 6 months at an adequate rate theretofore filed with and approved by the office;~~

(k) ~~A statement of the financial condition of the insurer, a schedule of its assets, and a statement that the surplus as required by s. 629.071 is on hand; and~~

~~(l)~~ A copy of each policy, endorsement, and application form it then proposes to issue or use.

(l) Any other pertinent information and documents as reasonably requested by the office.

(3) The filing must be accompanied by the application fee required by s. 624.501(1)(a).

(4) The office shall evaluate and grant or deny the permit application in accordance with ss. 628.061, 628.071, and other relevant provisions of the code.

~~Such declaration shall be acknowledged by the attorney before an officer authorized to take acknowledgments.~~

Section 16. Section 629.091, Florida Statutes, is amended to read:

629.091 Reciprocal certificate of authority.—

(1) A domestic reciprocal insurer may seek a certificate of authority only after obtaining a permit.

(2) To apply for a certificate of authority as a domestic reciprocal insurer, the attorney in fact of an applicant who has previously received a permit from the office may file an application for a certificate of authority in accordance with forms prescribed by the commission which, in addition to applicable requirements of ss. 624.404, 624.411, 624.413, and other relevant statutes, consists of all of the following:

(a) Executed copies of any proposed or draft documents required as part of the permit application.

(b) A statement affirming that all moneys paid to the reciprocal insurer shall, after deducting therefrom any sum payable to the attorney in fact, be held in the name of the insurer and for the purposes specified in the subscribers' agreement.

(c) A statement that each of the original subscribers has in good faith applied for insurance of a kind proposed to be transacted, and that the insurer has received from each such subscriber the full premium or premium deposit required for the policy applied for, for a term of not less than 6 months at an adequate rate that was filed with and approved by the office.

(d) A copy of the bond required under s. 629.121.

(e) A statement of the financial condition of the insurer, a schedule of its assets, and a statement that the surplus as required by s. 629.071 is on hand.

(f) Such other pertinent information or documents as reasonably requested by the office.

(3) If the reciprocal insurer intends to issue nonassessable policies upon receipt of a certificate of authority and if the office determines that the reciprocal insurer meets the legal requirements to issue nonassessable policies, including the surplus requirements, the office shall grant the authorization to issue nonassessable policies.

(4) The certificate of authority must ~~of a reciprocal insurer shall~~ be issued ~~to its attorney~~ in the name of the reciprocal insurer to its attorney in fact.

Section 17. Section 629.094, Florida Statutes, is created to read:

629.094 Continued eligibility for certificate of authority.-In order to maintain its eligibility for a certificate of authority, a domestic reciprocal insurer must continue to meet all applicable conditions required for receiving the initial permit and certificate of authority under the insurance code and the rules adopted thereunder.

Section 18. Section 629.101, Florida Statutes, is amended to read:

629.101 Power of attorney.—

(1) The rights and powers of the attorney in fact of a reciprocal insurer are ~~shall be~~ as provided in the power of attorney given it by the subscribers.

(2) The power of attorney must set forth all of the following:

(a) The powers of the attorney in fact.;

(b) That the attorney in fact is empowered to accept service of process on behalf of the insurer in actions against the insurer upon contracts exchanged.

(c) The place where the office of the attorney in fact is maintained.;

(d)~~(c)~~ The general services to be performed by the attorney in fact.;

(e) That the attorney in fact has a fiduciary duty to the subscribers of the reciprocal insurer.

(f)~~(d)~~ The maximum amount to be deducted from advance premiums or deposits to be paid to the attorney in fact and the general items of expense in addition to losses~~,~~ to be paid by the insurer.~~;~~ ~~and~~

(g)~~(e)~~ Except as to nonassessable policies, a provision for a contingent several liability of each subscriber in a specified amount, which amount may ~~shall be~~ not be less than 5 nor more than 10 times the premium or premium deposit stated in the policy.

(3) The power of attorney may:

(a) Provide for the right of substitution of the attorney in fact and revocation of the power of attorney and rights thereunder.;

(b) Impose such restrictions upon the exercise of the power as are agreed upon by the subscribers.;

(c) Provide for the exercise of any right reserved to the subscribers directly or through their advisory committee.~~; and~~

(4)~~(d)~~ The power of attorney must contain other lawful provisions deemed advisable.

(5)~~(4)~~ The terms of any power of attorney or agreement collateral thereto must ~~shall~~ be reasonable and equitable, and ~~no~~ such power or agreement may not ~~shall~~ be used or be effective in this state unless filed with the office.

Section 19. Section 629.225, Florida Statutes, is created to read:

629.225 Acquisitions.—

(1) A person may not, individually or in conjunction with an affiliated person of such person, directly or indirectly, conclude a tender offer or exchange offer for, enter into any agreement to exchange securities for, or otherwise finally acquire 10 percent or more of the outstanding voting securities of an attorney in fact that is a stock corporation or of a controlling company of an attorney in fact that is a stock corporation; or conclude an acquisition of, or otherwise finally acquire, 10 percent or more of the ownership interest of an attorney in fact that is not a stock corporation or of a controlling company of an attorney in fact that is not a stock corporation, unless all of the following conditions are met:

(a)1. The person or affiliated person has filed with the office and sent to the principal office of the attorney in fact, any controlling company of the attorney in fact, the subscribers' advisory committee, and the domestic reciprocal insurer a letter of notification regarding the transaction or proposed transaction no later than 5 days after any form of tender offer or exchange offer is proposed, or no later than 5 days after the acquisition of the securities or ownership interest if a tender offer or exchange offer is not involved. The notification must be provided on forms prescribed by the commission containing information determined necessary to understand the transaction and identify all purchasers and owners involved.

2. The subscribers' advisory committee must provide the notification to the subscribers of the reciprocal insurer within 3 business days. Such notification must be provided on a form prescribed by the commission explaining what the notification is and letting the subscribers know of the filing deadlines for objecting to the acquisition.

(b) The person or affiliated person has filed with the office an application, signed under oath and prepared on forms prescribed by the commission, which contains the information specified in subsection (3). The application must be completed and filed within 30 days after any form of tender offer or exchange offer is proposed, or after the acquisition of the securities if a tender offer or exchange offer is not involved.

(c) The office has approved the tender offer or exchange offer, or acquisition if a tender offer or exchange offer is not involved.

(2) The person or affiliated person filing the notice required in paragraph (1)(a) may additionally request the office to waive the requirements of

paragraph (1)(b), provided that there is no change in the ultimate controlling shareholders and no change in the ownership percentages of the ultimate controlling shareholders, and no unaffiliated parties acquire any direct or indirect interest in the attorney in fact. The office may waive the filing required in paragraph (1)(b) if it determines that in fact there is no change in the ultimate controlling shareholders and no change in the ownership percentages of the ultimate controlling shareholders, and no unaffiliated parties will acquire any direct or indirect interest in the attorney in fact.

(3) The application to be filed with the office and furnished to the attorney in fact must contain all of the following information and any additional information as the office deems necessary to determine the character, experience, ability, and other qualifications of the person or affiliated person of such person for the protection of the reciprocal insurer's subscribers and of the public:

(a) The identity and background information specified in s. 629.227 of:

1. Each person by whom, or on whose behalf, the acquisition is to be made; and

2. Any person who controls, directly or indirectly, such other person, including each director, officer, trustee, partner, owner, manager, or joint venturer, or another person performing duties similar to those of persons in such positions, for the person.

(b) The source and amount of the funds or other consideration used, or to be used, in making the acquisition.

(c) Any plans or proposals that such persons may have made to liquidate the attorney in fact or controlling company, to sell any of their assets or merge or consolidate them with any person, or to make any other major change in their business or corporate structure or management.

(d) The nature and the extent of the controlling interest which the person or affiliated person of such person proposes to acquire, the terms of the proposed acquisition, and the manner in which the controlling interest is to be acquired of an attorney in fact or controlling company which is not a stock corporation.

(e) The number of shares or other securities that the person or affiliated person of such person proposes to acquire, the terms of the proposed acquisition, and the manner in which the securities are to be acquired.

(f) Information as to any contract, arrangement, or understanding with any party with respect to any of the securities of the attorney in fact or controlling company, including, but not limited to, information relating to the transfer of any of the securities, option arrangements, puts or calls, or the giving or withholding of proxies, which information names the party with whom the contract, arrangement, or understanding has been entered into and gives the details thereof.

(4) The filing must be accompanied by the fee required under s. 624.501(1)(a).

(5) If any material change occurs in the facts provided in the application filed with the office pursuant to this section, or the background information required under s. 629.227, an amendment specifying such changes must be filed immediately with the office, and a copy of the amendment must be sent to the principal office of the attorney in fact and to the principal office of the controlling company.

(6)(a) The acquisition application must be reviewed in accordance with chapter 120. The office may, on its own initiative, or, if requested to do so in writing by a substantially affected person, shall conduct a proceeding to consider the appropriateness of the proposed filing. Time periods for purposes of chapter 120 are tolled during the pendency of the proceeding. Any written request for a proceeding must be filed with the office within 10 days after the date on which notice of the filing is given, or 10 days after the date on which notice of the filing is sent to the subscribers by the subscribers' advisory committee, whichever is later. During the pendency of the proceeding or review period by the office, any person or affiliated person complying with the filing requirements of this section may proceed and take all steps necessary to conclude the acquisition as long as the acquisition's becoming final is conditioned upon obtaining office approval. However, at any time that the office finds that an immediate danger to the public health, safety, and welfare of the reciprocal insurer's subscribers exists, the office shall immediately order, pursuant to s. 120.569(2)(n), the proposed acquisition disapproved and any further steps to conclude the acquisition ceased.

(b) During the pendency of the office's review of any acquisition subject to this section, the acquiring person may not make any material change in the operation of the attorney in fact or controlling company unless the office has specifically approved the change, and the acquiring person may not make any material change in the management of the attorney in fact unless advance written notice of the change in management is furnished to the office. As used in this paragraph, the term "material change in the operation of the attorney in fact" means a transaction that disposes of or obligates 5 percent or more of the capital and surplus of the attorney in fact or of any domestic reciprocal insurer. The term "material change in the management of the attorney in fact" means any change in management involving officers or directors of the attorney in fact or any person of the attorney in fact or controlling company having authority to dispose of or obligate 5 percent or more of the attorney in fact's capital or surplus. The office must approve a material change in operations if it finds the applicable provisions of subsection (7) have been met. The office may disapprove a material change in management if it finds that the applicable provisions of subsection (7) have not been met, and, in such case, the attorney in fact shall promptly change management as acceptable to the office.

(c) If a request for a proceeding is filed, the proceeding must be conducted within 60 days after the date the written request for a proceeding is received by the office. A recommended order must be issued within 20 days after the date of the close of the proceedings. A final order must be issued within 20 days after the date of the recommended order or, if exceptions to the recommended order are filed, within 20 days after the date the exceptions are filed.

(7) The office may disapprove any acquisition subject to this section by any person, or any affiliated person of such person, who:

(a) Willfully violates this section;

(b) In violation of an order issued by the office pursuant to subsection (12), fails to divest himself or herself of any stock or ownership interest obtained in violation of this section or fails to divest himself or herself of any direct or indirect control of such stock or ownership interest, within 25 days after such order; or

(c) In violation of an order issued by the office pursuant to subsection (12), acquires an additional stock or ownership interest in an attorney in fact or controlling company or direct or indirect control of such stock or ownership interest, without complying with this section.

(8) The person filing the application required by this section has the burden of proof. The office must approve any such acquisition if it finds, on the basis of the record made during any proceeding or on the basis of the filed application if no proceeding is conducted, that:

(a) The financial condition of the acquiring person will not jeopardize the financial stability of the attorney in fact or prejudice the interests of the reciprocal insurer's subscribers or the public.

(b) Any plan or proposal that the acquiring person has made:

1. To liquidate the attorney in fact, sell its assets, or merge or consolidate it with any person, or to make any other major change in its business or corporate structure or management; or

2. To liquidate any controlling company, sell its assets, or merge or consolidate it with any person, or to make any major change in its business or corporate structure or management which would have an effect upon the attorney in fact,

is fair and free of prejudice to the reciprocal insurer's subscribers or to the public.

(c) The competence, experience, and integrity of those persons who will control directly or indirectly the operation of the attorney in fact indicate that the acquisition is in the best interest of the reciprocal insurer's subscribers and in the public interest.

(d) The natural persons for whom background information is required to be furnished pursuant to this section have such backgrounds as to indicate that it is in the best interests of the reciprocal insurer's subscribers and in the public interest to permit such persons to exercise control over the attorney in fact.

(e) The directors and officers, if such attorney in fact or controlling company is a stock corporation, or the trustees, partners, owners, managers, joint venturers, or other persons performing duties similar to those of persons in such positions, if such attorney in fact or controlling company is not a stock

corporation, to be employed after the acquisition have sufficient insurance experience and ability to ensure reasonable promise of successful operation.

(f) The management of the attorney in fact after the acquisition will be competent and trustworthy and will possess sufficient managerial experience so as to make the proposed operation of the attorney in fact not hazardous to the insurance-buying public.

(g) The management of the attorney in fact after the acquisition will not include any person who has directly or indirectly through ownership, control, reinsurance transactions, or other insurance or business relations unlawfully manipulated the assets, accounts, finances, or books of any insurer or otherwise acted in bad faith with respect thereto.

(h) The acquisition is not likely to be hazardous or prejudicial to the reciprocal insurer's subscribers or to the public.

(i) The effect of the acquisition would not substantially lessen competition in the line of insurance for which the reciprocal insurer is licensed or certified in this state or would not tend to create a monopoly therein.

(9) A vote by the stockholder of record, or by any other person, of any security acquired in contravention of this section is not valid. Any acquisition contrary to this section is void. Upon the petition of the attorney in fact, the controlling company, or the reciprocal insurer, the circuit court for the county in which the principal office of the attorney in fact is located may, without limiting the generality of its authority, order the issuance or entry of an injunction or other order to enforce this section. There is a private right of action in favor of the attorney in fact or controlling company to enforce this section. A demand upon the office that it perform its functions is not required as a prerequisite to any suit by the attorney in fact or controlling company against another person, and in no case is the office deemed a necessary party to any action by the attorney in fact or controlling company to enforce this section. Any person who makes or proposes an acquisition requiring the filing of an application pursuant to this section, or who files such an application, is deemed thereby to have designated the Chief Financial Officer, or his or her assistant or deputy or another person in charge of his or her office, as such person's agent for service of process under this section and is deemed thereby to have submitted himself or herself to the administrative jurisdiction of the office and to the jurisdiction of the circuit court.

(10) Any approval by the office under this section does not constitute a recommendation by the office of the tender offer or exchange offer, or the acquisition if a tender offer or exchange offer is not involved. It is unlawful for a person to represent that the office's approval constitutes a recommendation. A person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The statute-of-limitations period for the prosecution of an offense committed under this subsection is 5 years.

(11) A person may rebut a presumption of control by filing a disclaimer of control with the office on a form prescribed by the commission. The disclaimer must fully disclose all material relationships and bases for affiliation between the person and the attorney in fact as well as the basis for disclaiming the affiliation. In lieu of such form, a person or acquiring party may file with the office a copy of a Schedule 13G filed with the Securities and Exchange Commission pursuant to Rule 13d-1(b) or (c), 17 C.F.R. s. 240.13d-1, under the Securities Exchange Act of 1934, as amended. After a disclaimer has been filed, the attorney in fact is relieved of any duty to register or report under this section which may arise out of the attorney in fact's relationship with the person unless the office disallows the disclaimer.

(12) If the office determines that any person or any affiliated person of such person has acquired 10 percent or more of the outstanding voting securities of an attorney in fact or controlling company that is a stock corporation, or 10 percent or more of the ownership interest of an attorney in fact or controlling company that is not a stock corporation, without complying with this section, the office may order that the person and any affiliated person of such person cease acquisition of the attorney in fact or controlling company and, if appropriate, divest itself of any stock or ownership interest acquired in violation of this section.

(13)(a) The office shall, if necessary to protect the public interest, suspend or revoke the certificate of authority of the reciprocal insurer whose attorney in fact or controlling company is acquired in violation of this section.

(b) If a reciprocal insurer is subject to suspension or revocation pursuant to paragraph (a), any other reciprocal insurer using the same attorney in fact is also subject to suspension or revocation. In such case, the office may offer any affected reciprocal insurer, through its subscriber representatives, the ability to cure any suspension or revocation by procuring another attorney in fact acceptable to the office or by taking any other action agreed to by the office.

(14) This section applies to domestic reciprocal insurers and the attorney in fact of domestic reciprocal insurers. This section does not apply to any acquisition of voting securities or ownership interest of an attorney in fact or of a controlling company by any person who is the owner of a majority of the voting securities or ownership interest with the approval of the office under this section or s. 629.091.

Section 20. Section 629.227, Florida Statutes, is created to read:

629.227 Background information.—The information as to the background and identity of each person about whom information is required to be furnished pursuant to s. 629.081 or s. 629.225 must include, but need not be limited to, all of the following:

(1) A sworn biographical statement, on forms adopted by the commission, which must include, but need not be limited to, the following information:

(a) Occupations, positions of employment, and offices held during the past 20 years, including the principal business and address of any business, corporation, or organization where each occupation, position of employment, or office occurred.

(b) Whether, at any time during such 20-year period, the person was convicted of any crime other than a traffic violation.

(c) Whether, during such 20-year period, the person has been the subject of any proceeding for the revocation of any license and, if so, the nature of the proceeding and the disposition of the proceeding.

(d) Whether, during such 20-year period, the person has been the subject of any proceeding under the federal Bankruptcy Act.

(e) Whether, during such 20-year period, any person or other business or organization in which the person was a director, officer, trustee, partner, owner, manager, or other official has been the subject of any proceeding under the federal Bankruptcy Act, either during the time of that person's tenure with the business or organization or within 12 months thereafter.

(f) Whether, during such 20-year period, the person has been enjoined, either temporarily or permanently, by a court of competent jurisdiction from violating any federal or state law regulating the business of insurance, securities, or banking, or from carrying out any particular practice or practices in the course of the business of insurance, securities, or banking, together with details as to any such event.

(g) Whether, during such 20-year period, the person has served as the attorney in fact, a subscribers' advisory committee member, or any other manager or officer of a reciprocal insurer or insurer that became insolvent or had its certificate of authority suspended or revoked.

(2) A full set of fingerprints of each person, which must be submitted to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing as described in s. 624.34. Fees for state and federal fingerprint processing shall be borne by the person. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e).

(3) An authorization for release of information in regard to the investigation of such person's background.

(4) Any additional information that the office deems necessary to determine the character, experience, ability, and other qualifications of the person, or affiliated person of such person, for the protection of the reciprocal insurer's subscribers and of the public.

Section 21. Section 629.229, Florida Statutes, is created to read:

629.229 Attorneys in fact, officers, and directors of insolvent reciprocal insurers or other insurers.—A person who served as an attorney in fact, or as an officer, director, or manager of an attorney in fact, a member of a subscribers' advisory committee of a reciprocal insurer doing business in this state, or an officer or director of any other insurer doing business in this state, and who served in that capacity within the 2-year period before the date the

insurer or reciprocal insurer became insolvent, for an insolvency that occurs on or after July 1, 2024, may not thereafter:

(1) Serve as an attorney in fact, or as an officer, director, or manager of an attorney in fact; a member of a subscribers' advisory committee of a reciprocal insurer doing business in this state; or an officer or director of any other insurer doing business in this state; or

(2) Have direct or indirect control over the selection or appointment of an attorney in fact, or of an officer, director, or manager of an attorney in fact; or a member of the subscribers' advisory committee of a reciprocal insurer doing business in this state; or an officer or director of any insurer doing business in this state, through contract or trust or by operation of law,

unless the person demonstrates that his or her personal actions or omissions were not a significant contributing cause to the insolvency.

Section 22. Section 629.261, Florida Statutes, is amended to read:

629.261 Nonassessable policies.—Upon the impairment of the surplus of a nonassessable reciprocal insurer, the office shall revoke the authorization issued under s. 629.091(3) or s. 629.291(5). Upon the revocation of the authority to issue nonassessable policies, the reciprocal insurer may no longer issue or renew nonassessable policies or convert assessable policies to nonassessable policies and s. 629.301 applies.

~~(1) If a reciprocal insurer has a surplus as to policyholders required of a domestic stock insurer authorized to transact like kinds of insurance, upon application of the attorney and as approved by the subscribers' advisory committee the office shall issue its certificate authorizing the insurer to extinguish the contingent liability of subscribers under its policies then in force in this state and to omit provisions imposing contingent liability in all policies delivered or issued for delivery in this state for so long as all such surplus remains unimpaired.~~

~~(2) Upon impairment of such surplus, the office shall forthwith revoke the certificate.~~ Such revocation may ~~shall~~ not render subject to contingent liability any policy then in force and for the remainder of the period for which the premium has theretofore been paid; but, after such revocation, no policy shall be issued or renewed without providing for contingent assessment liability of the subscriber.

~~(3) The office shall not authorize a domestic reciprocal insurer so to extinguish the contingent liability of any of its subscribers or in any of its policies to be issued, unless it qualifies to and does extinguish such liability of all its subscribers and in all such policies for all kinds of insurance transacted by it; except that, if required by the laws of another state in which the insurer is transacting insurance as an authorized insurer, the insurer may issue policies providing for the contingent liability of such of its subscribers as may acquire such policies in such state, and need not extinguish the contingent liability applicable to policies theretofore in force in such state.~~

Section 23. Subsections (1), (2), and (4) of section 629.291, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

629.291 Merger or conversion.—

(1) A ~~domestic~~ reciprocal insurer, upon affirmative vote of not less than two-thirds of its subscribers who vote on such merger pursuant to due notice, and subject to ~~the~~ approval by ~~of~~ the office of the terms therefor, may merge with another reciprocal insurer or be converted to a stock or mutual insurer, to be thereafter governed by the applicable sections of the Florida Insurance Code. However, a domestic stock insurer may not convert to a reciprocal insurer.

(2) A plan to merge a reciprocal insurer with another reciprocal insurer or for conversion of the reciprocal insurer to a stock or mutual insurer must be filed with the office on forms adopted by the office and must contain such information as the office reasonably requires to evaluate the transaction ~~Such~~

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

Remove lines 15-25 and insert:

F.S.; prohibiting insurers from canceling and nonrenewing policies covering dwellings and residential properties damaged as a result hurricanes or wind losses within certain timeframes; providing exceptions to prohibitions against insurers' policy cancellations and nonrenewals within certain timeframes under certain circumstances; providing construction; authorizing the Financial Services Commission to adopt rules and the Commissioner of Insurance Regulation to issue orders; amending s. 627.062, F.S.;

Rep. Stevenson moved the adoption of the amendment, which was adopted.

Representative Stevenson offered the following:

(Amendment Bar Code: 132569)

Amendment 2 (with title amendment)—Between lines 247 and 248, insert:

Section 4. Paragraph (a) of subsection (2) of section 624.462, Florida Statutes, is amended to read:

624.462 Commercial self-insurance funds.—

(2) As used in ss. 624.460-624.488, "commercial self-insurance fund" or "fund" means a group of members, operating individually and collectively through a trust or corporation, that must be:

(a) Established by:

1. A not-for-profit trade association, industry association, or professional association of employers or professionals which has a constitution or bylaws, which is incorporated under the laws of this state, and which has been organized for purposes other than that of obtaining or providing insurance and operated in good faith for a continuous period of 1 year;

2. A self-insurance trust fund organized pursuant to s. 627.357 and maintained in good faith for a continuous period of 1 year for purposes other than that of obtaining or providing insurance pursuant to this section. Each member of a commercial self-insurance trust fund established pursuant to this subsection must maintain membership in the self-insurance trust fund organized pursuant to s. 627.357;

3. A group of 10 or more health care providers, as defined in s. 627.351(4)(h), for purposes of providing medical malpractice coverage; ~~or~~

4. A not-for-profit group comprised of one or more community associations responsible for operating at least 50 residential parcels or units created and operating under chapter 718, chapter 719, chapter 720, chapter 721, or chapter 723 which restricts its membership to community associations only and which has been organized and maintained in good faith for the purpose of pooling and spreading the liabilities of its group members relating to property or casualty risk or surety insurance which, in accordance with applicable provisions of part I of chapter 626, appoints resident general lines agents only, and which does not prevent, impede, or restrict any applicant or fund participant from maintaining or selecting an agent of choice. The fund may not refuse to appoint the agent of record for any fund applicant or fund member and may not favor one or more such appointed agents over other appointed agents; or

5. A group of nursing home facilities licensed under part II of chapter 400 or a group of assisted living facilities licensed under part I of chapter 429, or a group of both such facilities, provided that such group maintains at least $10 million in annual imputed premiums. A nursing home that participates in a group under this subsection must report its insurance costs as part of the data collected under s. 408.061.

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

Remove line 12 and insert:

property insurance policies; amending s. 624.462, F.S.; authorizing a group of nursing homes and assisted living facilities to organize a commercial self-insurance fund; amending s. 624.46226,

Rep. Stevenson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 1219** was temporarily postponed.

CS/CS/CS/HB 1159—A bill to be entitled An act relating to food recovery; amending s. 595.420, F.S.; providing definitions; directing the

Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a pilot program to provide incentives to food recovery entities to negotiate the price for fresh food products; providing shipping requirements; authorizing food recovery entities to reject certain fresh food products; requiring the department to reimburse food recovery entities for certain costs; providing reimbursement requirements; requiring the department to submit reports to the Governor and Legislature by specified dates and to adopt rules; providing for expiration of the pilot program; providing an effective date.

—was read the second time by title.

Representative Roth offered the following:

(Amendment Bar Code: 104477)

Amendment 1—Remove line 59 and insert:
additional 5 cents per pound of fresh food products purchased

Rep. Roth moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 165—A bill to be entitled An act relating to sampling of beach waters and public bathing spaces; amending s. 514.023, F.S.; requiring, rather than authorizing, the Department of Health to adopt and enforce certain rules; revising requirements for such rules; requiring, rather than authorizing, the Department of Health to issue certain health advisories; directing the department to require closure of beach waters and public bathing places under certain circumstances; requiring that such closures remain in effect for a specified period; requiring the department, municipalities and counties, and owners of public boat docks, marinas, and piers to provide certain notice; preempting the issuance of certain health advisories for public bathing places to the state; requiring the department to adopt by rule a health advisory sign; providing requirements for such sign; providing that municipalities and counties are responsible for posting and maintaining such signs around certain affected beach waters and public bathing places; providing that the Department of Environmental Protection is responsible for posting and maintaining such signs around certain affected beach waters and public bathing places; requiring the Department of Health to coordinate with the Department of Environmental Protection and the Fish and Wildlife Conservation Commission to implement signage requirements; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1105—A bill to be entitled An act relating to rescinding a homestead exemption application; amending s. 196.011, F.S.; authorizing a taxpayer to rescind a homestead exemption application; providing requirements for rescinding such application; requiring the property appraiser to adjust the tax roll; authorizing the Department of Revenue to adopt emergency rules; providing applicability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1161—A bill to be entitled An act relating to verification of eligibility for homestead exemption; creating s. 196.092, F.S.; requiring the Department of Revenue to provide a form for a specified purpose; authorizing property appraisers to provide tentative verification of eligibility for specified exemptions and discounts under certain conditions; requiring such form to indicate specified information; prohibiting specified decisions from certain review; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 135—A bill to be entitled An act relating to voter registration applications; amending s. 97.053, F.S.; providing an exception to a requirement that certain voter registration applicants must be registered without party affiliation; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicles to notify certain individuals of certain information; requiring a driver license examiner to make specified inquiries; prohibiting the department from changing the party affiliation of an applicant except in certain circumstances; requiring the department to provide an applicant with a certain receipt; revising the methods by which an applicant may decline to register to vote or update certain voter registration information; prohibiting a person providing voter registration services for a driver license office from taking certain actions; requiring the department to ensure that information technology processes and updates do not alter certain information without written consent; requiring the department to be in full compliance with this act within a certain period; providing an effective date.

—was read the second time by title.

Representative Gossett-Seidman offered the following:

(Amendment Bar Code: 724781)

Amendment 1 (with title amendment)—Remove lines 67-105 and insert:
whether the applicant wishes to register to vote or update a voter registration record during the completion of a driver license or identification card application, renewal, or change of address.

1. If the applicant chooses to register to vote or to update a voter registration record:

a. All applicable information received by the Department of Highway Safety and Motor Vehicles in the course of filling out the forms necessary under subsection (1) must be transferred to a voter registration application.

b. The additional necessary information must be obtained by the driver license examiner and must not duplicate any information already obtained while completing the forms required under subsection (1).

c. A voter registration application with all of the applicant's voter registration information required to establish the applicant's eligibility pursuant to s. 97.041 must be presented to the applicant to review and verify the voter registration information received and provide an electronic signature affirming the accuracy of the information provided.

d. The voter registration application may not be used to change the party affiliation of the applicant unless the applicant designates a change in party affiliation and provides a separate signature consenting to the party affiliation change.

e. After verifying the voter registration information and providing his or her electronic signature, the applicant must be provided with a printed receipt that includes such information and documents any change in party affiliation.

2. If the applicant declines to register to vote, update the applicant's voter registration record, or change the applicant's address by either orally declining or by

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

Remove lines 8-15 and insert:
individuals of certain information; prohibiting the department from changing the party affiliation of an applicant except in certain circumstances; requiring the department to provide an applicant with a certain receipt;

Rep. Gossett-Seidman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1487 was taken up, having been temporarily postponed earlier today.

CS/HB 1487—A bill to be entitled An act relating to Pinellas Suncoast Transit Authority, Pinellas County; amending chapter 2000-424, Laws of Florida, as amended; revising the definition of the term "public transit";

revising membership of the governing body of the authority; revising powers of the authority; establishing requirements for advertising placed on authority property; providing for best budget practices; establishing procedures for lane elimination and changes in roadway use or functionality; prohibiting certain offices, boards, employees, or other actors whose purpose is to eliminate or reallocate public lanes; requiring semiannual reporting of certain provisions to the Pinellas Board of County Commissioners; specifying severability; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Perez moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 10:30 a.m., Monday, March 4, 2024, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

Final Action

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 59.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 85, by the required Constitutional two-thirds vote of all members present and voting.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 113.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 133.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 149.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 179.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 217.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 241.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 341.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 389.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 405.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 613.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 707.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 883.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 919.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 923.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 937.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1093.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1235.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1389.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1415.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1425.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 6007.

Tracy C. Cantella, Secretary

The above bill was ordered enrolled.

Introduction and Reference

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 86, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; the Appropriations Committee on Criminal and Civil Justice; the Committee on Judiciary; and Senators Book, Polsky, and Yarborough—

CS for CS for CS for SB 86—A bill to be entitled An act relating to Hope Cards for persons issued orders of protection; creating s. 741.311, F.S.; requiring the clerks of the circuit court, in consultation with the Office of the Attorney General, to develop and implement the Hope Card Program; authorizing certain persons to request a Hope Card after a specified date; specifying when and how a person may request a Hope Card; requiring clerks' offices to create a Hope Card and provide such card to petitioners within a specified time frame; prohibiting the assessment of a fee; providing requirements for the Hope Card; providing criminal penalties for the fraudulent use of a Hope Card; amending ss. 741.30, 784.046, 784.0485, and 825.1035, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 92, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Hooper—

SB 92—A bill to be entitled An act relating to the Yacht and Ship Brokers' Act; amending s. 326.002, F.S.; revising the definition of the term "yacht"; amending s. 326.004, F.S.; exempting a person who conducts business as a broker or salesperson in another state from licensure in this state for specified transactions; requiring, rather than authorizing, the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation to deny licenses for applicants who fail

to meet certain requirements; revising requirements for licensure as a broker; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 158, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Polsky—

SB 158—A bill to be entitled An act relating to the value of motor vehicles exempt from legal process; amending s. 222.25, F.S.; increasing the value of a motor vehicle owned by a natural person which is exempt from legal process; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 168, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Health Policy; and Senator Polsky—

CS for SB 168—A bill to be entitled An act relating to congenital cytomegalovirus screenings; amending s. 383.145, F.S.; requiring certain hospitals to administer congenital cytomegalovirus screenings on newborns admitted to the hospital under specified circumstances; requiring that the screenings be initiated within a specified timeframe; providing construction; providing coverage under the Medicaid program for the screenings and any medically necessary follow-up reevaluations; requiring that newborns diagnosed with congenital cytomegalovirus be referred to a primary care physician for medical management, treatment, and follow-up services; requiring that children diagnosed with a congenital cytomegalovirus infection without hearing loss be referred to the Children's Medical Services Early Intervention Program and be deemed eligible for evaluation and any medically necessary follow-up reevaluations and monitoring under the program; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 186, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Health Policy; and Senators Brodeur, Pizzo, Wright, Boyd, Burgess, Rouson, Hutson, Davis, Ingoglia, Garcia, Book, and Stewart—

CS for SB 186—A bill to be entitled An act relating to a progressive supranuclear palsy and other neurodegenerative diseases policy committee; providing a short title; requiring the State Surgeon General to establish a progressive supranuclear palsy and other neurodegenerative diseases policy committee; requiring the Department of Health to provide staff and administrative support to the committee; providing for duties, membership, and meetings of the committee; requiring the State Surgeon General to submit a progress report and a final report by a specified date to the Governor and the Legislature; requiring the reports to be made available on the department's website; providing for the expiration of the committee; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 304, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Hooper—

SB 304—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; revising definitions; amending s. 507.02, F.S.; providing construction; amending s. 507.03, F.S.; revising requirements for mover and moving broker estimates, contracts, and advertisements; conforming a cross-reference; revising requirements relating to lists that moving brokers must provide to the Department of Agriculture and Consumer Services; requiring the department to publish and maintain a specified list on its website; prohibiting certain persons from operating as or holding themselves out to be a mover or moving broker without first registering with the department; requiring the department to issue cease and desist orders to certain persons under certain circumstances; authorizing the department to seek an immediate injunction under certain circumstances; making technical changes; amending s. 507.04, F.S.; revising alternative insurance coverage requirements for movers; revising liability coverage requirements for moving brokers; requiring the department to immediately suspend a mover's or moving broker's registration under certain circumstances; authorizing the department to seek an immediate injunction under certain circumstances; conforming cross-references; amending s. 507.05, F.S.; revising requirements for contracts and estimates for prospective shippers; creating s. 507.056, F.S.; providing limitations and prohibitions for moving brokers; requiring moving brokers to make a specified disclosure to shippers before providing any services; prohibiting moving brokers' fees from including certain costs; requiring that the documents moving brokers provide to shippers contain specified information; amending s. 507.07, F.S.; providing that it is a violation of ch. 507, F.S., for moving brokers to provide estimates or enter into contracts or agreements that were not prepared and signed or electronically acknowledged by a registered mover; amending s. 507.09, F.S.; conforming a cross-reference; requiring the department, upon verification by certain entities, to immediately suspend a registration or the processing of an application for a registration in certain circumstances; amending s. 507.10, F.S.; conforming a cross-reference; amending s. 507.11, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 362, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; and Senator Bradley—

CS for SB 362—A bill to be entitled An act relating to medical treatment under the Workers' Compensation Law; amending s. 440.13, F.S.; increasing limits on witness fees charged by certain witnesses; increasing maximum reimbursement allowances for physicians and surgical procedures; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 366, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Yarborough—

CS for SB 366—A bill to be entitled An act relating to civil penalties under the Gas Safety Law of 1967; amending s. 368.061, F.S.; increasing, until a specified date, the civil penalty amount for violating the Gas Safety Law of 1967; increasing the maximum authorized civil penalty for any related series of violations during such timeframe; requiring the Florida Public Service Commission, after a date certain and at least annually thereafter, to establish and, if necessary, revise maximum penalties by rule based on specified factors; authorizing the commission to adopt rules; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has adopted SM 370 and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Wright—

SM 370—A memorial to the Congress of the United States, urging Congress to add spaceports as a qualified tax-exempt category of private activity bonds.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 382, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Rules; Governmental Oversight and Accountability; and Regulated Industries; and Senator Hooper—

CS for CS for CS for SB 382—A bill to be entitled An act relating to continuing education requirements; amending s. 455.2123, F.S.; requiring, rather than authorizing, a board, or the Department of Business and Professional Regulation when there is no board, to allow by rule that distance learning may be used to satisfy continuing education requirements; revising the requirements that such continuing education must satisfy; amending s. 455.2124, F.S.; requiring a board, or the department when there is no board, to exempt certain individuals from completing their continuing education requirements; providing applicability; requiring the department and each affected board to adopt rules; authorizing the department to adopt emergency rules; providing requirements and an expiration date for the emergency rules; providing for the expiration of such rulemaking authority; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 474, by the required Constitutional two-thirds vote of all members present and voting, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Governmental Oversight and Accountability; and Senators Grall and Book—

CS for SB 474—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining the term "suicide of a person"; creating an exemption from public records requirements for a photograph or video or audio recording of the suicide of a person; providing exceptions; requiring that any viewing, copying, listening to, or other handling of such photograph or video or audio recording be under the direct supervision of the custodian of the record or his or her designee; providing notice requirements; providing criminal penalties; providing construction; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; amending s. 406.135, F.S.; creating an exemption from public records requirements for autopsy reports of suicide victims; providing exceptions; requiring that any viewing, copying, listening to, or other handling of such autopsy reports be under the direct supervision of the custodian of the record or his or her designee; providing notice requirements; providing criminal penalties; providing construction; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 478, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Regulated Industries; and Senator Rodriguez—

CS for SB 478—A bill to be entitled An act relating to designation of eligible telecommunications carriers; amending s. 364.10, F.S.; revising the definition of the term "eligible telecommunications carrier"; authorizing the Public Service Commission to designate certain entities as eligible telecommunications carriers for a specified purpose; providing legislative intent; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 494, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Military and Veterans Affairs, Space, and Domestic Security; and Education Postsecondary; and Senators Avila, Perry, and Collins—

CS for CS for SB 494—A bill to be entitled An act relating to graduate program admissions; creating s. 1004.032, F.S.; defining terms; requiring an institution of higher education to waive certain examination requirements for a servicemember or a person who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and was discharged or released under any condition other than dishonorable and who applies for admission to a graduate program that requires such examination; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 522, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Simon—

SB 522—A bill to be entitled An act relating to Tallahassee Community College; amending s. 1000.21, F.S.; renaming the college as "Tallahassee State College"; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 532, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Fiscal Policy; and Banking and Insurance; and Senator Brodeur—

CS for CS for SB 532—A bill to be entitled An act relating to securities; amending s. 517.021, F.S.; revising definitions; defining the terms "angel investor group" and "business entity"; amending s. 517.051, F.S.; revising the list of securities that are exempt from registration requirements under certain provisions; amending s. 517.061, F.S.; revising the list of transactions that are exempt from registration requirements under certain provisions; amending s. 517.0611, F.S.; revising a short title; revising provisions relating to a certain registration exemption for certain securities transactions; updating the federal laws or regulations with which the offer or sale of securities must be in compliance; revising requirements for issuers relating to the registration exemption; revising requirements for the notice of offering that must be filed by the issuer under certain circumstances; specifying the timeframe within which issuers may amend such notice after any material information contained in the notice becomes inaccurate; authorizing the issuer to engage in general advertising and general solicitation under certain circumstances; specifying requirements for such advertising and solicitation; requiring the issuer to provide a disclosure statement to certain entities and persons within a specified timeframe; revising requirements for such statement; deleting requirements for the escrow agreement; conforming provisions to changes made by the act; revising the amount that may be received for sales of certain securities; providing a limit on securities that may be sold by an issuer to an investor; deleting the requirement that an issuer file and provide a certain annual report; conforming cross-references; revising the duties of intermediaries under certain circumstances; providing obligations of issuers under certain circumstances; providing that certain sales are voidable within a specified timeframe; providing requirements for purchasers' notices to issuers to void purchases; deleting provisions relating to funds received from investors; creating s. 517.0612, F.S.; providing a short title; providing applicability; requiring that offers and sales of securities be in accordance with certain federal laws and rules; specifying certain requirements for issuers relating to the registration exemption; specifying a limitation on the amount of cash and other consideration that may be received from sales of certain securities made within a specified timeframe; prohibiting an issuer from accepting more than a specified amount from a single purchaser under certain circumstances; authorizing the issuer to engage in general advertising and general solicitation of the offering under certain circumstances; specifying that a certain prohibition is enforceable under ch. 517, F.S.; requiring that the purchaser receive a disclosure statement within a specified timeframe; specifying the requirements for such statement; requiring certain funds to be deposited into certain bank and depository institutions; prohibiting the issuer from withdrawing any amount of the offering proceeds until the target offering amount has been received; requiring the issuer to file a notice of the offering in a certain format within a specified timeframe; requiring the issuer to file an amended notice within a specified timeframe under certain circumstances; prohibiting agents of issuers from engaging in certain acts under certain circumstances; providing that sales made under the exemption are voidable within a specified timeframe; providing requirements for purchasers' notices to issuers to void purchases; creating s. 517.0613, F.S.; providing construction; providing that registration exemptions under certain provisions are not available to issuers for certain transactions under specified circumstances; providing registration requirements; creating s. 517.0614, F.S.; specifying criteria for determining integration of offerings for the purpose of registration or qualifying for a registration exemption; specifying certain requirements for the integration of offerings for an exempt offering for which general solicitation is prohibited; specifying certain requirements for

the integration of offerings for two or more exempt offerings that allow general solicitation; specifying the circumstances under which integration analysis is not required; creating s. 517.0615, F.S.; specifying that certain communications are not deemed to constitute general solicitation or general advertising under specified circumstances; creating s. 517.0616, F.S.; providing that registration exemptions under certain provisions are not available to certain issuers under a specified circumstance; amending s. 517.081, F.S.; revising the duties and authority of the Financial Services Commission; authorizing the commission to establish certain criteria relating to the issuance of certain securities, trusts, and investments; authorizing the commission to prescribe certain forms and establish procedures for depositing fees and filing documents and requirements and standards relating to prospectuses, advertisements, and other sales literature; revising the list of issuers that are ineligible to submit simplified offering circulars; deleting provisions that require issuers to provide certain documents to the Office of Financial Regulation under certain circumstances; revising the requirements that must be met before the office must record the registration of a security; amending s. 517.101, F.S.; revising requirements for written consent to service in certain suits, proceedings, and actions; amending s. 517.131, F.S.; defining the term "final judgment"; specifying the purpose of the Securities Guaranty Fund; making technical changes; revising eligibility for payment from the fund; requiring eligible persons or receivers seeking payment from the fund to file a certain application with the office on a certain form; authorizing the commission to adopt rules regarding electronic filing of such application; specifying the timeframe within which certain eligible persons or receivers must file such application; providing requirements for such applications; requiring the office to approve applications for payment under certain circumstances and to provide applicants with certain notices within a specified timeframe; requiring eligible persons or receivers to assign to the office all rights, titles, and interests in final judgments and orders of restitution equal to a specified amount under certain circumstances; requiring the office to deem an application for payment abandoned under certain circumstances; requiring that the time period to complete applications be tolled under certain circumstances; deleting provisions relating to specified notices to the office and to rulemaking authority; amending s. 517.141, F.S.; defining terms; revising the Securities Guaranty Fund disbursement amounts to which eligible persons are entitled; revising provisions regarding payment of aggregate claims; providing for the satisfaction of claims in the event of an insufficient balance in the fund; requiring payments and disbursements from the Securities Guaranty Fund to be made by the Chief Financial Officer or his or her authorized designee, upon authorization by the office; requiring such authorization to be submitted within a certain timeframe; deleting provisions regarding requirements for payment of claims; conforming provisions to changes made by the act; specifying the circumstances under which a claimant must reimburse the fund for payments received from the fund; providing penalties; authorizing the Department of Financial Services, rather than the office, to institute legal proceedings for certain compliance enforcement and to recover certain interests, costs, and fees; amending s. 517.191, F.S.; deleting an obsolete term; revising the civil penalty amounts for certain violations; authorizing the office to recover certain costs and attorney fees; requiring that moneys recovered be deposited in a specified trust fund; specifying the liability of control persons; providing an exception; specifying circumstances under which certain persons are deemed to have violated ch. 517, F.S.; authorizing the office to issue and serve cease and desist orders and emergency cease and desist orders under certain circumstances; authorizing the office to impose and collect administrative fines for certain violations; specifying the disposition of such fines; authorizing the office to bar applications or notifications for licenses and registrations under certain circumstances; conforming cross-references; providing construction; specifying jurisdiction of the courts relating to the sale or offer of certain securities; making technical changes; amending s. 517.211, F.S.; providing for joint and several liability of control persons in certain circumstances for the purposes of specified actions; specifying the date on which certain interest begins accruing in an action for rescission; providing construction; specifying that certain civil remedies extend to purchasers or sellers of securities; making technical changes; repealing s. 517.221, F.S., relating to cease and desist orders; repealing s. 517.241, F.S., relating to remedies; amending s. 517.301, F.S.; revising the circumstances under which certain activities are considered unlawful and violations of law; conforming provisions to changes made by the act; revising the definition of the term "investment"; specifying that certain misrepresentations by persons issuing or selling securities are unlawful; specifying that certain misrepresentations by persons registered or required to be registered under certain provisions or subject to certain requirements are unlawful; specifying that obtaining money or property in connection with the offer or sale of an investment is unlawful under certain conditions; providing construction; requiring disclaimers for certain statements; making technical changes; repealing s. 517.311, F.S., relating to false representations, deceptive words, and enforcement; repealing s. 517.312, F.S., relating to securities, investments, and boiler rooms, prohibited practices, and remedies; amending ss. 517.072 and 517.12, F.S.; conforming cross-references and making technical changes; amending ss. 517.1201 and 517.1202, F.S.; conforming cross-references; amending s. 517.302, F.S.; conforming a provision to changes made by the act and making a technical change; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 536, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; the Appropriations Committee on Health and Human Services; the Committee on Children, Families, and Elder Affairs; and Senator Garcia—

CS for CS for CS for SB 536—A bill to be entitled An act relating to community-based child welfare agencies; amending s. 409.016, F.S.; defining the term "management functions"; amending s. 409.987, F.S.; revising requirements for contracts the Department of Children and Families has with community-based care lead agencies; providing duties for board members of lead agencies; requiring that lead agencies ensure that board members participate in certain annual training; requiring the posting of a fidelity bond; revising the definition of the term "conflict of interest"; defining the term "related party"; requiring the lead agency's board of directors to disclose to the department any known actual or potential conflicts of interest; prohibiting a lead agency from entering into a contract or being a party to any transaction with related parties if a conflict of interest is not properly disclosed; prohibiting a lead agency from entering into a contract or being a party to any transaction with related parties for officer-level or director-level staffing to perform management functions; requiring the contract with the department and the lead agency to specify the administrative functions that the lead agency may subcontract; authorizing a lead agency to enter into certain contracts or be a party to certain transactions, provided that a certain requirement for fees, rates, and prices paid is met and any conflict of interest is properly disclosed; requiring department contracts to impose contractual penalties on lead agencies for undisclosed conflicts of interest; providing applicability; requiring certain contracts to be reprocured; authorizing the department to recoup lead agency expenses for the execution of certain contracts; amending s. 409.988, F.S.; revising lead agency duties; repealing s. 409.991, F.S., relating to allocation of funds for community-based care lead agencies; creating s. 409.9913, F.S.; defining the terms "core services funding" and "operational and fixed costs"; requiring the department, in collaboration with the lead agencies and providers of child welfare services, to develop a specific funding methodology for the allocation of core services which must meet certain criteria; requiring the lead agencies and providers of child welfare services to submit to the department certain financial information; requiring the department to submit to the Governor and the

Legislature certain reports by specified dates; providing construction; authorizing the department to include certain rates and total allocations in certain reports; requiring the Legislature to allocate funding to the lead agencies with due consideration of the specified funding methodology, beginning with a specified fiscal year; prohibiting the department from changing a lead agency's allocation of funds provided in the General Appropriations Act without legislative approval; authorizing the department to approve certain risk pool funding for a lead agency; requiring the department to submit to the Governor and the Legislature certain monthly reports for a specified period of time; amending s. 409.992, F.S.; revising requirements for lead agency practices in the procurement of commodities and contractual services; requiring the department to impose certain penalties for a lead agency's noncompliance with applicable procurement law; requiring the contract between the department and the lead agency to specify the rights and obligations with regard to real property held by the lead agency during the term of the contract; providing applicability of certain limitations on the salaries of community-based care lead agency administrative employees; amending s. 409.994, F.S.; revising the conditions under which the department may petition a court for the appointment of a receiver for a community-based care lead agency; amending s. 409.996, F.S.; revising requirements for contracts between the department and lead agencies; revising the actions the department may take under certain circumstances; making a technical change; providing duties of the department; requiring the department, by specified dates, to submit certain reports to the Governor and the Legislature; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 544, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Health Policy; and Senators Hutson, Berman, and Book—

CS for SB 544—A bill to be entitled An act relating to the Swimming Lesson Voucher Program; creating s. 514.073, F.S.; creating the program within the Department of Health for a specified purpose; requiring the department to establish a network of swimming lesson vendors to participate in the program; authorizing the department to contract with certain nonprofit organizations to assist in establishing the network; requiring the department or a contracted nonprofit organization to attempt to secure a vendor in each county; requiring certain vendors to participate in the program if requested by the department; requiring the department to establish an application process; specifying eligibility criteria for the program; providing that the program is subject to specific appropriation; authorizing the department to seek grants or other public and private funding for the program; requiring the department to adopt rules; providing an appropriation; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 592, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Fiscal Policy; and Governmental Oversight and Accountability; and Senator Burgess—

CS for CS for SB 592—A bill to be entitled An act relating to historical preservation programs; creating s. 267.0724, F.S.; requiring the Department of State to partner with the Florida African American Heritage Preservation Network for a specified purpose; specifying preservation efforts that may be undertaken through the partnership; requiring the network to submit a list of member museums to the department; requiring the department to independently verify that such museums are members of the network; requiring the department and the network to determine other eligible expenditures necessary to further the partnership's mission and goals; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 678, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Criminal Justice; and Senator Bradley—

CS for SB 678—A bill to be entitled An act relating to the Forensic Investigative Genetic Genealogy Grant Program; creating s. 943.327, F.S.; defining the term "investigative genetic genealogy"; requiring that certain methods be in accordance with Department of Law Enforcement rules and compatible with certain databases; specifying the intent for certain funding; creating the Forensic Investigative Genetic Genealogy Grant Program within the Department of Law Enforcement; specifying potential grant recipients; providing purposes for the grants under the program; requiring each grant recipient to provide a report to the executive director within a certain timeframe; specifying the required contents of the report; providing rulemaking authority; providing an appropriation; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 758, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Judiciary; and Senator Martin—

CS for SB 758—A bill to be entitled An act relating to tracking devices and applications; amending s. 934.425, F.S.; prohibiting the placement or use of a tracking device or tracking application to determine the location or movement of another person or another person's property without that person's consent; revising exceptions; providing criminal penalties; conforming provisions to changes made by the act; amending s. 493.6118, F.S.; conforming a provision to changes made by the act; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 764, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; the Appropriations Committee on Criminal and Civil Justice; the Committee on Criminal Justice; and Senator Stewart—

CS for CS for CS for SB 764—A bill to be entitled An act relating to retention of sexual offense evidence; amending s. 943.326, F.S.; requiring that specified sexual offense evidence be retained by specified entities for a minimum number of years after the collection date; requiring specified entities to transfer such sexual offense evidence to the Department of Law Enforcement within a specified time period; requiring the department to retain such sexual offense evidence; requiring that such evidence be stored anonymously, in a secure, environmentally safe manner, and with a documented chain of custody; providing requirements for the transferring, storing, and destruction of such sexual offense evidence; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 808, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Appropriations; and Criminal Justice; and Senators DiCeglie, Stewart, Osgood, Powell, Polsky, and Hooper—

CS for CS for SB 808—A bill to be entitled An act relating to treatment by a medical specialist; amending s. 112.18, F.S.; authorizing firefighters, law enforcement officers, correctional officers, and correctional probation officers to receive medical treatment by a medical specialist for certain conditions under certain circumstances; requiring firefighters, law enforcement officers, correctional officers, and correctional probation officers to notify certain entities of their selection of a medical specialist; providing requirements for the firefighter's or officer's workers' compensation carrier, self-insured employer, or third-party administrator; requiring that the continuing care and treatment by a medical specialist be reasonable, necessary, and related to the firefighter's or officer's condition and authorized by the workers' compensation carrier, self-insured employer, or third-party administrator; specifying a reimbursement percentage for such treatment; defining the term "medical specialist"; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 832, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Calatayud—

SB 832—A bill to be entitled An act relating to employment of individuals with disabilities; amending s. 413.80, F.S.; requiring the collection and sharing of data between multiple agencies for the interagency cooperative agreement under the Employment First Act; providing requirements for accountability measures; requiring the Office of Reimagining Education and Career Help to issue an annual statewide report by a specified date each year; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 902, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senator Boyd—

CS for CS for SB 902—A bill to be entitled An act relating to motor vehicle retail financial agreements; amending s. 520.02, F.S.; revising the definition of the term "guaranteed asset protection product"; amending s. 520.07, F.S.; requiring entities to refund the portions of the purchase price of the contract for a guaranteed asset protection product under certain circumstances; prohibiting certain entities from deducting more than a specified amount in administrative fees when providing a refund of a guaranteed asset protection product; authorizing guaranteed asset protection products to be cancelable or noncancelable under certain circumstances; authorizing certain entities to pay refunds directly to the holder or administrator of a loan under certain circumstances; creating s. 520.151, F.S.; providing a short title; creating s. 520.152, F.S.; defining terms; creating s. 520.153, F.S.; authorizing the offer, sale, or gift of vehicle value protection agreements in compliance with a certain act; specifying a requirement regarding the amount charged or financed for a vehicle value protection agreement; prohibiting the conditioning of credit offers or terms for the sale or lease of a motor vehicle upon a consumer's payment for or financing of any charge for a vehicle value protection agreement; authorizing discounting or giving the vehicle value protection agreement at no charge under certain circumstances; authorizing providers to use an administrator or other designee for administration of vehicle value protection agreements; prohibiting vehicle value protection agreements from being sold under certain circumstances; specifying financial security requirements for providers; prohibiting additional financial security requirements from being imposed on providers; creating s. 520.154, F.S.; requiring vehicle value protection agreements to include certain disclosures in writing, in clear and understandable language; requiring vehicle value protection agreements to state the terms, restrictions, or conditions governing cancellation by the provider or the contract holder; specifying requirements for notice by the provider, refund of fees, and deduction of fees in the event the vehicle value protection agreement is canceled; creating s. 520.155, F.S.; providing an exemption for vehicle value protection agreements in connection with a commercial transaction; creating s. 520.156, F.S.; providing noncriminal penalties; defining the term "violations of a similar nature"; creating s. 520.157, F.S.; defining the term "excess wear and use waiver"; authorizing a retail lessee to contract with a retail lessor for an excess wear and use waiver; prohibiting conditioning the terms of the consumer's motor vehicle lease on his or her payment for any excess wear and use waiver; authorizing discounting or giving the excess wear and use waiver at no charge under

certain circumstances; requiring certain disclosures for a lease agreement that includes an excess wear and use waiver; providing construction; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 938, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator Yarborough—

SB 938—A bill to be entitled An act relating to dentistry; amending s. 466.006, F.S.; deleting the role of the Board of Dentistry in the administration of the licensure examination for dentists; deleting the requirement for the board to establish an examination fee; revising requirements for licensure as a dentist; deleting a time limitation on the validity of certain licensure examination results; conforming provisions to changes made by the act; deleting a requirement that certain applicants for licensure engage in the full-time practice of dentistry inside the geographic boundaries of this state for 1 year after licensure; deleting provisions related to compliance with and enforcement of such requirement; amending s. 466.009, F.S.; conforming a provision to changes made by the act; deleting a board-imposed reexamination fee; amending s. 466.0135, F.S.; revising continuing education requirements for dentists; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 968, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Rules; and Senators Calatayud and Trumbull—

CS for SB 968—A bill to be entitled An act relating to spaceport territory; amending s. 331.303, F.S.; revising the definition of "spaceport discretionary capacity improvement projects"; s. 331.304, F.S.; revising spaceport territory to include certain property; amending s. 331.371, F.S.; authorizing the Department of Transportation to fund spaceport discretionary capacity improvement projects if important access and on-spaceport-territory space transportation capacity improvements are provided; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 998, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; and Senator Collins—

CS for SB 998—A bill to be entitled An act relating to the sale of liquefied petroleum gas; amending s. 527.01, F.S.; providing definitions; amending s. 527.02, F.S.; requiring certain remote bulk storage locations to comply with specified requirements; providing requirements for certain licenses; amending s. 527.0201, F.S.; requiring qualifier examinations to be completed within a specified timeframe; providing eligibility criteria for certain qualifier certification; prohibiting a person from acting as a qualifier for more than one location where certain liquefied petroleum gas activities are performed; providing requirements for qualifiers; prohibiting a person from acting as a master qualifier for more than one license; providing a condition under which the Department of Agriculture and Consumer Services may deny, refuse to renew, suspend, or revoke a qualifier or master qualifier registration; amending s. 527.055, F.S.; authorizing the department to condemn unsafe equipment and issue certain orders requiring the immediate removal of liquefied petroleum gas from certain storage; amending s. 527.0605, F.S.; revising the applicability of specified provisions for bulk storage locations; amending s. 527.067, F.S.; requiring persons servicing, testing, repairing, maintaining, or installing liquefied petroleum gas equipment and systems to include specified information on all work orders, invoices, and similar documents; amending s. 527.07, F.S.; prohibiting unauthorized persons from adding gas to or removing gas from certain containers and receptacles; requiring the department to adopt specified rules; amending s. 527.11, F.S.; revising minimum bulk storage requirements for liquefied petroleum gas licenses; removing an exemption from such requirements; prohibiting dealers from entering into certain agreements; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1078, by the required Constitutional two-thirds vote of all members present and voting, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senator DiCeglie—

SB 1078—A bill to be entitled An act relating to public records; amending s. 626.171, F.S.; providing an exemption from public records requirements for cellular telephone numbers relating to records of certain insurance-related licensures held by the Department of Financial Services; providing retroactive applicability; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1082, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Rules; and Senator Collins—

CS for SB 1082—A bill to be entitled An act relating to housing for legally verified agricultural workers; amending s. 163.3162, F.S.; defining the terms "legally verified agricultural worker" and "housing site"; prohibiting a

governmental entity from adopting or enforcing any legislation to inhibit the construction of housing for legally verified agricultural workers on agricultural land operated as a bona fide farm; requiring that the construction or installation of such housing units on agricultural lands satisfy certain criteria; requiring that local ordinances comply with certain regulations; authorizing governmental entities to adopt local land use regulations that are less restrictive; requiring property owners to maintain certain records for a specified timeframe; requiring the suspension of use of certain housing units and authorizing their removal under certain circumstances; specifying applicability of permit allocation systems in certain areas of critical state concern; authorizing the continued use of housing sites constructed before the effective date of the act if certain conditions are met; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1136, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Rules; and Community Affairs; and Senator Trumbull—

CS for CS for SB 1136—A bill to be entitled An act relating to the regulation of water resources; amending s. 373.323, F.S.; revising the qualification requirements a person must meet in order to take the water well contractor license examination; updating the reference to the Florida Building Code standards that a licensed water well contractor's work must meet; amending s. 373.333, F.S.; authorizing certain authorities who have been delegated enforcement powers by water management districts to apply disciplinary guidelines adopted by the districts; requiring that certain notices be delivered by certified, rather than registered, mail; making technical changes; amending s. 373.336, F.S.; prohibiting a person or business entity from advertising water well drilling or construction services in specified circumstances; amending s. 381.0065, F.S.; providing that the Department of Environmental Protection's variance review and advisory committee is not responsible for reviewing water well permitting; requiring the committee to consider certain requirements when making recommendations on variance requests for onsite sewage treatment and disposal system permits; making technical changes; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1142, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; and Senator Hooper—

CS for SB 1142—A bill to be entitled An act relating to occupational licensing; amending s. 163.211, F.S.; extending the date on which certain local government occupational licensing requirements expire; amending s. 489.113, F.S.; extending the date by which the Construction Industry Licensing Board within the Department of Business and Professional Regulation is required to establish by rule specified certified specialty contractor categories for voluntary licensure; amending s. 489.117, F.S.; requiring the board to issue registrations to eligible persons under certain circumstances; providing that the board is responsible for disciplining such licensees; requiring the board to make licensure and disciplinary information available through the automated information system; providing for the fees for the issuance of the registrations and renewal registrations; requiring the department to provide specified license, renewal, and cancellation notices; conforming provisions to changes made by the act; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1198, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Rules; and Commerce and Tourism; and Senator Martin—

CS for CS for SB 1198—A bill to be entitled An act relating to corporate actions; creating s. 607.0145, F.S.; defining terms; creating s. 607.0146, F.S.; providing that a defective corporate action is not void or voidable in certain circumstances; providing that ratification or validation under certain circumstances may not be deemed the exclusive means of either ratifying or validating defective corporate actions, and that the absence or failure to ratify defective corporate actions does not affect the validity or effectiveness of certain corporate actions properly ratified; providing for a process whereby putative shares can be validated in the event of an overissue; creating s. 607.0147, F.S.; requiring the board of directors to take certain action to ratify a defective corporate action; authorizing those exercising the powers of the directors to take certain action when certain defective actions are related to the ratification of the initial board of directors; requiring members of the board of directors to seek approval of the shareholders in connection with ratifying a defective corporate action under certain conditions; authorizing the board of directors to abandon ratification at any time before the validation effective time after action by the board and, if required, approval of the shareholders; creating s. 607.0148, F.S.; providing quorum and voting requirements for the ratification of certain defective corporate actions; requiring the board, in connection with a shareholder meeting held to ratify a defective corporate action, to send notice to all identifiable shareholders of a certain meeting date; requiring that the notice state that a purpose of the meeting is to consider ratification of a defective corporate action; requiring the notice sent to be accompanied by certain information; specifying the quorum and voting requirements applicable to ratification of the election of directors; requiring that votes cast within the voting group favoring ratification of the election of a director exceed the votes cast within the voting group opposing such ratification; prohibiting holders of putative shares from voting on ratification of any defective corporate action and providing that they may not be counted for quorum purposes or in certain written consents; requiring approval of certain amendments to the corporation's articles of incorporation under certain circumstances; creating s. 607.0149, F.S.; requiring that notice be given to shareholders of certain corporate action taken by the board of directors; providing that notice is not required for holders of certain shares whose identities or addresses for notice cannot be determined; providing requirements for such notice; providing requirements for such notice for corporations subject to certain federal reporting requirements; creating s. 607.0150, F.S.; specifying the effects of ratification; creating s. 607.0151, F.S.; requiring corporations to file articles of validation under certain circumstances; providing applicability; providing requirements for articles of validation; creating s. 607.0152, F.S.; authorizing certain persons and entities to file certain motions; providing for service of

process; requiring that certain actions be filed within a specified timeframe; authorizing the court to consider certain factors in resolving certain issues; authorizing the courts to take certain actions in cases involving defective corporate actions; amending ss. 605.0115, 607.0503, and 617.0502, F.S.; providing that a registered agent may resign from certain limited liability companies or foreign limited liability companies, certain dissolved corporations, and certain active or dissolved corporations, respectively, by delivering a specified statement of resignation to the Department of State; providing requirements for the statement; providing that a registered agent who is resigning from more than one such corporation or limited liability company may elect to file a statement of resignation for each such company or corporation or a composite statement; providing requirements for composite statements; requiring that a copy of each of the statements of resignation or the composite statement be mailed to the address on file with the department for the company or corporation or companies or corporations, as applicable; amending ss. 605.0213 and 607.0122, F.S.; conforming provisions to changes made by the act; providing that registered agents may pay one resignation fee regardless of whether resigning from one or multiple inactive or dissolved companies or corporations; reenacting ss. 605.0207 and 605.0113(3)(b), F.S., relating to effective dates and times and to registered agents, respectively, to incorporate the amendments made to s. 605.0115, F.S., in references thereto; reenacting s. 658.23(1), F.S., relating to submission of articles of incorporation, to incorporate the amendment made to s. 607.0122, F.S., in a reference thereto; reenacting s. 607.0501(4), F.S., relating to registered offices and registered agents, to incorporate the amendment made to s. 607.0503, F.S., in a reference thereto; reenacting s. 607.193(2)(b), F.S., relating to supplemental corporate fees, to incorporate the amendments made to ss. 605.0213 and 607.0122, F.S., in references thereto; reenacting ss. 39.8298(1)(a), 252.71(2)(a), 288.012(6)(a), 617.1807, and 617.2006(4), F.S., relating to the Guardian Ad Litem direct-support organization, the Florida Emergency Management Assistance Foundation, State of Florida international offices, conversion to corporation not for profit, and incorporation of labor unions or bodies, respectively, to incorporate the amendment made in s. 617.0122, F.S., in references thereto; reenacting s. 617.0501(3) and 617.0503(1)(a), F.S., relating to registered agents, to incorporate the amendment made to s. 617.0502, F.S., in references thereto; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1286, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Criminal Justice; and Senator Collins—

CS for SB 1286—A bill to be entitled An act relating to the return of weapons and arms following an arrest; amending s. 790.08, F.S.; requiring that weapons, electric weapons or devices, or arms taken from a person pursuant to an arrest that are not either seized as evidence or seized and subject to forfeiture be returned to the person within a certain timeframe if specified conditions are met; authorizing a sheriff or chief of police to develop procedures to ensure the timely return of such weapons, electric weapons or devices, or arms; prohibiting a sheriff or chief of police from requiring a court order before releasing such weapons, electric weapons or devices, or arms; providing an exception; amending s. 933.14, F.S.; deleting a requirement for an order of a trial court judge to return a pistol or firearm taken by an officer for a breach of the peace; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1456, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Finance and Tax; and Community Affairs; and Senator Rodriguez—

CS for CS for SB 1456—A bill to be entitled An act relating to counties designated as areas of critical state concern; amending s. 380.0552, F.S.; adding certain requirements to local comprehensive plans relating to a hurricane evacuation study; amending s. 380.0666, F.S.; revising the powers of the land authority; providing requirements for conveying affordable housing homeownership units; providing lien status prioritization for certain purposes; amending s. 420.9075, F.S.; excluding land designated as an area of critical state concern within a specified timeframe from award requirements made to specified sponsors or persons for the purpose of providing eligible housing as a part of a local housing assistance plan; providing for expiration and retroactive applicability; authorizing counties that have been designated as areas of critical state concern to use specified tourist development tax and tourist impact tax revenue for affordable housing for certain employees; requiring that housing financed with such funds maintain its affordable housing status for a specified timeframe; requiring that the expenditure of certain funds be subject to approval by a majority vote of the board of county commissioners of an eligible county; defining the term “accumulated surplus”; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 1532, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Rules; Community Affairs; and Environment and Natural Resources; and Senator Brodeur—

CS for CS for CS for SB 1532—A bill to be entitled An act relating to mitigation; amending s. 373.4134, F.S.; revising legislative findings; defining the term “applicant”; revising the entities to whom and purposes for which water quality enhancement credits may be sold; requiring the Department of Environmental Protection or water management districts to authorize the sale and use of such credits to applicants, rather than to governmental entities, to address adverse water quality impacts of certain activities; revising construction; amending s. 373.4135, F.S.; revising legislative findings; providing legislative intent; defining the term “local government”; providing applicability; providing circumstances under which basins are considered to be credit-deficient basins; authorizing local governments with land in credit-deficient basins to consider bids from private-sector applicants to establish mitigation banks on such lands; requiring use agreements that meet certain requirements for such mitigation banks; prohibiting the use of public funds to fund financial assurances for certain purposes; providing that specified factors may not increase the uniform mitigation assessment method location factor assessment and scoring value in determining the number of mitigation bank

credits to be awarded; providing that credit deficiency is confirmed at the time of filing a permit application; authorizing the department, in coordination with the water management districts, to adopt rules; reenacting s. 403.9332(1)(a) and (c), F.S., relating to mitigation and enforcement, to incorporate the amendments made to s. 373.4135, F.S., in references thereto; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1616, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Judiciary; and Senator Calatayud—

CS for SB 1616—A bill to be entitled An act relating to electronic access to official records; amending s. 28.2221, F.S.; requiring the county recorder or clerk of the court to make certain information publicly available through a searchable database on the county recorder's or clerk of the court's official website; authorizing such requirement to be satisfied by providing a stand-alone link to the official records index; providing requirements for such link; providing requirements for certain notices; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1638, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Fiscal Policy; and Senator Hutson—

CS for SB 1638—A bill to be entitled An act relating to funding for environmental resource management; creating s. 380.095, F.S.; providing legislative findings and intent; requiring the Department of Revenue to deposit into the Indian Gaming Revenue Trust Fund within the Department of Financial Services a specified percentage of the revenue share payments received under the gaming compact between the Seminole Tribe of Florida and the State of Florida; providing requirements for the distribution of such funds; creating s. 260.0145, F.S.; creating the Local Trail Management Grant Program within the Department of Environmental Protection for a specified purpose; providing for the administration and prioritization of awards; specifying the authorized and prohibited uses of grant funds; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; providing requirements for the report; amending s. 259.1055, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into voluntary agreements with private landowners for environmental services within the Florida wildlife corridor; providing requirements for such agreements; authorizing the use of land management funds; requiring the Land Management Uniform Accounting Council to recommend the efficient and effective use of certain funds available to state agencies for land management activities; providing requirements for such recommendations; requiring the council to adopt and submit its initial recommendation to the Executive Office of the Governor and the Legislature by a specified date; requiring biennial updates; amending s. 403.0673, F.S.; revising the projects the department is required to prioritize within the water quality improvement grant program; revising the components required for the grant program's annual report; providing appropriations; requiring the department to coordinate with the Water School at Florida Gulf Coast University for specified purposes; requiring the Water School to conduct a specified study; providing requirements for the study; requiring the department to submit a report to the Executive Office of the Governor and the Legislature by a specified date; providing appropriations; requiring the South Florida Water Management District to enter into a contract with the Water School at Florida Gulf Coast University to conduct a study of the health and ecosystem of Lake Okeechobee; providing requirements for the study; requiring that a report be submitted to the Executive Office of the Governor and the Legislature by a specified date; authorizing the Department of Environmental Protection to submit budget amendments for the release of specified funds; providing a contingent effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1688, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By Senators Osgood, Yarborough, Hutson, and Simon—

SB 1688—A bill to be entitled An act relating to career-themed courses; amending s. 1003.491, F.S.; revising the requirements for a specified school district strategic plan to include certain information; amending s. 1003.492, F.S.; requiring the Department of Education to include specified data in an annual review of K-12 and postsecondary career and technical education offerings; amending s. 1003.4935, F.S.; requiring school districts to provide specified information to students and parents during middle school course selection; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1704, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Rules; and Community Affairs; and Senator Yarborough—

CS for CS for SB 1704—A bill to be entitled An act relating to sheriffs in consolidated governments; amending s. 30.49, F.S.; authorizing sheriffs in a consolidated government, as well as all other sheriffs, to transfer funds after their budgets are approved by the board of county commissioners, city council, or budget commission; amending s. 30.53, F.S.; preserving the independence of a sheriff in a consolidated government concerning certain powers; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 7006, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Governmental Oversight and Accountability; and Regulated Industries; and Senator Hooper—

CS for SB 7006—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.0713, F.S., which provides exemptions from public record requirements for information related to the security of certain technology, processes, practices, information technology systems, industrial control technology systems, and customer meter-derived data and billing information held by a utility owned or operated by a unit of local government; extending the date of scheduled repeal of public record exemptions relating to the security of certain technology, processes, practices, information technology systems, and industrial control technology systems; removing the scheduled repeal of the public record exemption related to customer meter-derived data and billing information; amending s. 286.0113, F.S., which provides an exemption from public meeting requirements for meetings held by a utility owned or operated by a unit of local government which would reveal certain information; extending the date of scheduled repeal of the exemption; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 7008, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committees on Governmental Oversight and Accountability; and Regulated Industries; and Senator Hooper—

CS for SB 7008—A bill to be entitled An act relating to review under the Open Government Sunset Review Act; amending s. 24.1051, F.S., relating to an exemption from public records requirements for certain information held by the Department of the Lottery, information about lottery games, personal identifying information of retailers and vendors for purposes of background checks, and certain financial information held by the department; providing for future legislative review and repeal of an exemption from public records requirements for information relating to the security of certain technologies, processes, and practices; removing the scheduled repeal of an exemption; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 7020, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Judiciary—

SB 7020—A bill to be entitled An act relating to the delivery of notices; amending s. 1.01, F.S.; revising the definition of the term "registered mail" for purposes of construction of the Florida Statutes; providing for construction and retroactive application; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 7040, as amended, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Environment and Natural Resources; and Senators Harrell and Mayfield—

CS for SB 7040—A bill to be entitled An act relating to the ratification of the Department of Environmental Protection's rules relating to stormwater; ratifying a specified rule relating to environmental resource permitting for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing construction; amending s. 373.4131, F.S.; ratifying rule 62-330.010, Florida Administrative Code, with specified changes; requiring that specified future amendments to such rule be submitted in bill form to, and approved by, the Legislature; providing an effective date.

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

Referred to the Calendar of the House.

The Honorable Paul Renner, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 7080, by the required Constitutional three-fifths vote of all members elected to the Senate, and requests the concurrence of the House.

Tracy C. Cantella, Secretary

By the Committee on Appropriations—

SB 7080—A bill to be entitled An act relating to trust funds; creating s. 17.71, F.S.; creating the Indian Gaming Revenue Clearing Trust Fund within the Department of Financial Services; providing the purpose of the trust fund; providing for sources of funds; providing that the trust fund is exempt from a certain service charge; requiring that funds be disbursed in a specified manner; exempting the trust fund from certain termination provisions; providing a contingent effective date.

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

Referred to the Calendar of the House.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Barnaby:

Yeas—February 29: 753

Rep. Daley:

Nays—February 29: 755

Rep. Driskell:

Yeas—February 22: 637; February 28: 718, 719

Nays—February 22: 657, 668

Rep. Garcia:

Yeas—February 29: 750

Rep. Maney:

Yeas to Nays—February 29: 751

Rep. Salzman:

Yeas—February 22: 668; February 28: 712

Rep. Tuck:

Nays—February 29: 750

Cosponsors

CS/CS/HB 3—Chamberlin, Sirois

CS/HB 21—J. López, Stark

HB 59—Bartleman, Melo

CS/HB 117—Mooney, Tramont

CS/HB 135—Holcomb, J. López, Rizo, Tramont

CS/CS/HB 159—Driskell

HB 187—Gonzalez Pittman

CS/HB 241—Salzman

CS/CS/HB 311—J. López

CS/CS/HB 433—Fabricio, Tramont, Yeager

CS/CS/HB 437—Gossett-Seidman

CS/HB 485—J. López, Tramont

CS/HB 611—Rizo

CS/CS/HB 621—Chamberlin, Chaney, Daniels, J. López, Mooney, Tramont

CS/CS/HB 665—J. López, Overdorf, Rizo, Tramont

CS/CS/HB 789—Gregory

HB 819—J. López

HB 881—Hinson

CS/CS/HB 883—Salzman

CS/CS/HB 885—Gossett-Seidman, Salzman

CS/HB 923—Abbott

CS/CS/CS/HB 927—Andrade, Basabe, Berfield, Borrero, Franklin, Garcia, Gonzalez Pittman, Gossett-Seidman, Griffitts, Killebrew, LaMarca, Maney, Overdorf, Salzman, Yarkosky, Yeager

HB 931—Anderson, Mooney, Rizo, Roth, Shoaf, Yeager

CS/CS/HB 975—Salzman

CS/CS/HB 1049—Cassel, Cross, Valdés

CS/CS/HB 1063—J. López

CS/CS/HB 1077—Bankson, J. López, Maney

CS/CS/HB 1163—Leek, J. López

CS/CS/HB 1203—Daniels, Garcia, J. López

HB 1223—Chamberlin, W. Robinson, Roth, Steele, Yarkosky

CS/HB 1291—Chamberlin, Chaney, Redondo

CS/CS/HB 1337—J. López, Mooney

CS/CS/HB 1365—Borrero, Buchanan, Chamberlin, Fabricio, Giallombardo, Steele

HB 1451—Holcomb

CS/CS/HB 1465—Salzman

CS/CS/HB 1503—Barnaby

CS/HB 1517—J. López

CS/HB 1541—Basabe, Mooney

CS/HB 1545—Bankson, Gonzalez Pittman, J. López, Mooney, Yeager

HB 1615—Anderson, Chamberlin, Fabricio, Jacques, W. Robinson, Rommel, Steele, Yarkosky

CS/CS/HB 1639—Yeager

CS/CS/HB 1645—Roth

CS/CS/HB 7021—Stark

CS/HB 7023—Silvers, Stark

HB 7043—Garcia, J. López

HCR 7055—Borrero

HCR 7057—Borrero

CS/HB 7073—Fabricio, Mooney, Tramont

Withdrawal as Cosponsor

CS/CS/HB 473—J. López

House Resolutions Adopted by Publication

At the request of Rep. J. López—

HR 8075—A resolution designating the month of November 2024 as "Puerto Rican Heritage Month" and recognizing the significant contributions of Puerto Ricans to Florida's cultural mosaic.

WHEREAS, Florida is home to nearly 1.2 million proud Puerto Rican United States citizens, fostering a sense of unity and shared identity with fellow Americans, and

WHEREAS, Florida embraces a diverse population, including a thriving Puerto Rican community that contributes substantially to our state, and

WHEREAS, the storied history of Puerto Rico includes the Spanish American War, where the island became a territory of the United States in 1898, shaping its relationship with the mainland, and

WHEREAS, Puerto Ricans became United States citizens under the Jones-Shafroth Act in 1917, contributing to the historical ties between Puerto Rico and the United States, and

WHEREAS, Puerto Rico, as a Commonwealth of the United States since 1952, holds a unique status that contributes to its distinctive cultural identity, and

WHEREAS, Maurice Antonio Ferré became a distinguished Puerto Rican-American politician who served as the first Puerto Rican-born United States mayor and the first Hispanic Mayor of Miami, from 1973 to 1985, contributing significantly to the city's growth and development, and

WHEREAS, the distinguished service of the 65th Infantry Regiment, known as the "Borinqueneers," during various conflicts, earned them the Congressional Gold Medal, making them the first Hispanic American unit to receive the award, showcasing their valor and dedication to the United States, and

WHEREAS, Puerto Rico has made remarkable achievements in art, with renowned artists like Francisco Oller, a leading figure in the 19th-century art movement, contributing to the cultural landscape, and

WHEREAS, Puerto Rico has made significant contributions to science, with notable figures like Dr. Antonia Novello, who served as the 14th Surgeon General of the United States, leading groundbreaking advancements in public health, and

WHEREAS, the island's rich sports legacy, epitomized by legendary figures like Roberto Clemente Walker, a humanitarian and baseball Hall of Famer, with more than 40 schools and 200 parks named in his honor, has left an enduring impact on the world of athletics, and

WHEREAS, Puerto Rico has played a role in politics, producing influential leaders such as Herman Badillo, the first Puerto Rican-born member of the United States House of Representatives, and Nydia Velázquez, the first Puerto Rican woman elected to the United States House of Representatives, who have contributed to the political landscape both locally and nationally, and

WHEREAS, the cultural exchange between Puerto Rico and Florida has strengthened the bonds of friendship and cooperation and has enhanced the overall well-being of our communities, and

WHEREAS, the celebration of Puerto Rican Heritage Month offers an opportunity to learn about Puerto Rican culture, history, and achievements, NOW, THEREFORE,

Be It Resolved by the Florida House of Representatives:

That the month of November 2024 is designated as "Puerto Rican Heritage Month," celebrating the rich cultural tapestry and myriad contributions of Puerto Ricans to Florida's diverse and dynamic heritage.

—was read and adopted by publication pursuant to Rule 10.17.

Communications

Vetoed Bills

The following vetoed messages were received:

The Honorable Paul Renner March 1, 2024
Speaker, Florida House of Representatives

Dear Speaker Renner:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Constitution of Florida, I do hereby veto and transmit my objection to Committee Substitute for House Bill 1 (CS/HB 1), enacted during the 126th Session of the Legislature of Florida during the Regular Session 2024 and entitled:

An act related to Online Protections for Minors

I have vetoed CS/HB 1 because the Legislature is about to produce a different, superior bill. Protecting children from harms associated with social media is important, as is supporting parents' rights and maintaining the ability of adults to engage in anonymous speech.

I anticipate the new bill will recognize these priorities and will be signed into law soon.

Sincerely,
RON DESANTIS
Governor

The Honorable Paul Renner March 1, 2024
Speaker, Florida House of Representatives

Dear Speaker Renner:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Constitution of Florida, I do hereby veto and transmit my objection to Committee Substitute for House Bill 1377 (CS/HB 1377), enacted during the 126th Session of the Legislature of Florida during the Regular Session 2024 and entitled:

An act related to Public Records

CS/HB 1377 is the public records exemption linked to CS/HB 1, an act related to Online Protections for Minors, which I am vetoing.

For these reasons, I withhold my approval of CS/HB 1 and do hereby veto the same.

Sincerely,
RON DESANTIS
Governor

Excused

Rep. Alvarez until 10:26 a.m.; Reps. Barnaby, Chambliss, Casello, F. Robinson, Hart, Maggard, McFarland, Nixon; Rep. Rizo until 10:42 a.m.; Rep. Salzman after 3:40 p.m.

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts: Conference Committee on HB 5001, HB 5003, HB 5005, HB 5007, and CS/HB 151 to serve with Rep. Leek, Chair; Managers At-Large: Reps. Altman, Andrade, Benjamin, Brannan, Busatta Cabrera, Canady, Chambliss, Clemons, Driskell, Fine, Garrison, Gottlieb, Grant, Gregory, Hunschofsky, Massullo, McClain, McClure, Payne, Perez, F. Robinson, Rommel, Shoaf, Skidmore, Stevenson,

Tomkow, Valdés, Williams, and Woodson; House Agriculture & Natural Resources/Senate Agriculture, Environment and General Government—Rep. Altman, Chair; Reps. Bell, Black, Botana, Brackett, Buchanan, Cassel, Chambliss, Cross, Daley, Overdorf, Stevenson, and Truenow; HB 5301 and SB 2518, House Health Care/Senate Health and Human Services—Rep. Garrison, Chair; Reps. Abbott, Amesty, Bartleman, Berfield, Jacques, Melo, Rayner, Salzman, Tant, Trabulsy, Tramont, and Woodson; House Higher Education/Senate Education—Rep. Shoaf, Chair; Reps. Anderson, Basabe, Benjamin, Eskamani, Franklin, Garcia, Gonzalez Pittman, Griffitts, J. López, Maggard, Melo, and Rizo; House Infrastructure & Tourism/Senate Transportation, Tourism and Economic Development—Rep. Andrade, Chair; Reps. Antone, Berfield, Brackett, Campbell, Daley, Esposito, Gantt, Giallombardo, LaMarca, Plakon, Tuck, and Yeager; HB 5401, SB 2510, and SB 2512, House Justice/Senate Criminal and Civil Justice—Rep. Brannan, Chair; Reps. Beltran, Fabricio, Gottlieb, Hart, Holcomb, Jacques, Redondo, Snyder, Stark, Smith, Valdés, and Waldron; HB 5101, House PreK-12/Senate Education—Rep. Tomkow, Chair; Reps. Anderson, Bracy Davis, Gonzalez Pittman, Gossett-Seidman, Hinson, Keen, V. Lopez, Michael, Rizo, Temple, Trabulsy, and Williams; House State Administration & Technology/Senate Agriculture, Environment and General Government—Rep. Busatta Cabrera, Chair; Reps. Alvarez, Arrington, Bankson, Chamberlin, Edmonds, Harris, Holcomb, Maney, Mooney, F. Robinson, Stevenson, and Yarkosky.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:02 p.m., to reconvene at 10:30 a.m., Monday, March 4, 2024, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Friday, March 1, 2024

CS/HB 17 — Read 2nd time; Placed on 3rd reading

CS/HB 135 — Read 2nd time; Amendment 724781 adopted; Placed on 3rd reading

CS/HB 141 — Read 3rd time; CS passed; YEAS 112, NAYS 0

CS/CS/HB 165 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 185 — Temporarily postponed, on 2nd Reading

CS/HB 227 — Read 2nd time; Placed on 3rd reading

CS/CS/CS/HB 267 — Read 2nd time; Amendment 768561 adopted; Placed on 3rd reading

CS/CS/CS/HB 287 — Read 3rd time; CS passed as amended; YEAS 95, NAYS 11

SB 364 — Read 3rd time; Passed as amended; YEAS 111, NAYS 0

CS/HB 405 — Read 3rd time; CS passed; YEAS 110, NAYS 0

CS/CS/HB 433 — Read 3rd time; CS passed; YEAS 79, NAYS 33

CS/CS/HB 449 — Temporarily postponed, on 3rd Reading

CS/CS/HB 473 — Read 3rd time; CS passed; YEAS 81, NAYS 28

CS/HB 499 — Temporarily postponed, on 2nd Reading

CS/CS/CS/HB 613 — Read 3rd time; CS passed; YEAS 111, NAYS 0

CS/CS/HB 621 — Read 3rd time; CS passed; YEAS 108, NAYS 0

CS/CS/HB 637 — Temporarily postponed, on 2nd Reading

CS/CS/HB 735 — Read 2nd time; Amendment 052843 adopted; Placed on 3rd reading

CS/HB 761 — Read 3rd time; CS passed; YEAS 110, NAYS 0

CS for CS for SB 770 — Substituted for CS/CS/CS/HB 927; Read 2nd time; Amendment 828993 adopted; Amendment 092337 adopted as amended; Placed on 3rd reading

CS/HB 781 — Read 2nd time; Placed on 3rd reading

HB 799 — Read 2nd time; Amendment 856091 adopted; Placed on 3rd reading

CS/HB 821 — Read 2nd time; Placed on 3rd reading

HB 823 — Read 2nd time; Placed on 3rd reading

CS/HB 865 — Read 2nd time; Placed on 3rd reading

CS/CS/CS/HB 927 — Substituted CS/CS/SB 770; Laid on Table, refer to CS/CS/SB 770

CS/CS/HB 939 — Read 2nd time; Amendment 449195 adopted; Amendment 573053 adopted as amended; Amendment 824789 adopted; Placed on 3rd reading

CS/CS/CS/HB 989 — Read 3rd time; CS passed as amended; YEAS 110, NAYS 0

CS/CS/HB 1007 — Read 3rd time; CS passed; YEAS 83, NAYS 26

CS/CS/CS/HB 1021 — Read 3rd time; CS passed as amended; YEAS 111, NAYS 0

CS/CS/HB 1049 — Read 2nd time; Placed on 3rd reading

CS/CS/CS/HB 1061 — Temporarily postponed, on 2nd Reading

CS/CS/HB 1077 — Read 3rd time; CS passed as amended; YEAS 111, NAYS 0

CS/CS/CS/HB 1083 — Read 3rd time; CS passed as amended; YEAS 110, NAYS 0

CS/HB 1105 — Read 2nd time; Placed on 3rd reading

HB 1117 — Read 2nd time; Placed on 3rd reading

CS/CS/CS/HB 1159 — Read 2nd time; Amendment 104477 adopted; Placed on 3rd reading

CS/HB 1161 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 1195 — Read 3rd time; CS passed as amended; YEAS 85, NAYS 21

CS/CS/HB 1219 — Temporarily postponed, on 2nd Reading

HB 1223 — Read 3rd time; Passed; YEAS 76, NAYS 35

CS/CS/HB 1273 — Temporarily postponed, on 2nd Reading

CS/HB 1291 — Read 3rd time; CS passed; YEAS 81, NAYS 31

CS/CS/CS/HB 1297 — Temporarily postponed, on 2nd Reading

CS/CS/HB 1319 — Read 2nd time; Placed on 3rd reading

CS/HB 1347 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 1349 — Temporarily postponed, on 2nd Reading

CS/CS/HB 1363 — Read 3rd time; CS passed; YEAS 109, NAYS 0

CS/CS/HB 1365 — Read 3rd time; CS passed as amended; YEAS 82, NAYS 26

CS/CS/HB 1419 — Temporarily postponed, on 2nd Reading

CS/HB 1421 — Read 2nd time; Amendment 317461 adopted; Placed on 3rd reading

CS/CS/HB 1447 — Temporarily postponed, on 2nd Reading

HB 1451 — Read 2nd time; Amendment 502607 Failed; Placed on 3rd reading

CS/HB 1487 — Temporarily postponed, on 2nd Reading; Read 2nd time; Placed on 3rd reading

CS/CS/HB 1503 — Read 3rd time; CS passed as amended; YEAS 81, NAYS 28

CS/HB 1541 — Read 3rd time; CS passed as amended; YEAS 109, NAYS 0

CS/HB 1545 — Read 3rd time; CS passed; YEAS 112, NAYS 0

CS/CS/CS/HB 1555 — Read 2nd time; Placed on 3rd reading

CS/HB 1561 — Temporarily postponed, on 3rd Reading; Read 3rd time; CS passed; YEAS 112, NAYS 0

CS/HB 1563 — Read 2nd time; Amendment 626999 adopted; Placed on 3rd reading

CS/CS/HB 1567 — Read 2nd time; Amendment 068369 adopted; Placed on 3rd reading

HB 1595 — Temporarily postponed, on 2nd Reading

CS/CS/HB 1611 — Read 2nd time; Amendment 685857 adopted; Amendment 132569 adopted; Placed on 3rd reading

HB 1615 — Read 3rd time; Passed; YEAS 86, NAYS 23

CS/CS/HB 1621 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 1639 — Read 3rd time; CS passed; YEAS 75, NAYS 33

CS/CS/HB 1645 — Read 3rd time; CS passed as amended; YEAS 88, NAYS 19

CS/HB 1653 — Read 3rd time; CS passed; YEAS 112, NAYS 0

HB 1679 — Temporarily postponed, on 2nd Reading

CS/CS/HB 7021 — Read 2nd time; Amendment 473603 adopted; Amendment 238169 adopted as amended; Placed on 3rd reading

CS/HB 7023 — Read 2nd time; Placed on 3rd reading

HCR 7055 — Read 2nd time; Adopted; YEAS 77, NAYS 30

HCR 7057 — Read 2nd time; Adopted; YEAS 78, NAYS 30

HB 7071 — Read 2nd time; Placed on 3rd reading

CS/HB 7073 — Read 3rd time; CS passed; YEAS 88, NAYS 17

HB 7089 — Read 2nd time; Amendment 709399 adopted; Amendment 262591 adopted; Placed on 3rd reading

JOURNAL OF THE HOUSE OF REPRESENTATIVES

DAILY INDICES FOR

March 1, 2024

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