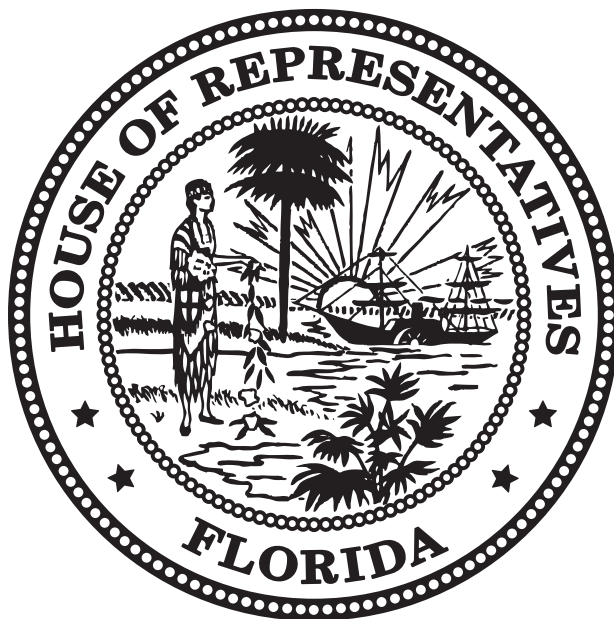


FLORIDA HOUSE OF REPRESENTATIVES

2014  
SESSION SUMMARY



WILL WEATHERFORD, SPEAKER

AS AMENDED: MAY 22, 2014

# 2014 LEGISLATIVE SESSION

## END OF SESSION REPORT

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This report was compiled by the staff of the Florida House of Representatives upon completion of the 2014 Legislative Session. This information is intended to provide Florida legislators and their constituents with a summary of the bills that passed both legislative chambers. This document is not an in-depth description of the bills noted.

For your convenience, an “Index of Passed Legislation” is included in the back of this report. The index is presented in bill number order. This index also serves as a cross-reference index, which identifies bills passed as components of other bills. As you review this index it will become evident that a House bill number may be listed under a Senate bill number or vice versa, indicating that each bill contains all or a portion of another bill.

The complete text of the bills included in this report and a section-by-section analysis of each bill can be found by accessing the following website:

House Bills: [www.myfloridahouse.gov](http://www.myfloridahouse.gov)

The website includes both the current (or latest) version of a bill or analysis and all earlier versions:

- The enrolled version of a bill is the one that passed both chambers and is presented to the Governor - this is the version of the bill that has, or will, become law unless vetoed;
- Earlier versions of the bill do not reflect the exact language as passed by both chambers.

It should be noted that at the time of publication of this report, May 22, 2014, some acts have not been presented to the Governor and the time allotted for the Governor to approve or veto an act has not expired. Therefore, some acts identified as “passed” by both chambers may not have become law.

To verify the status of acts passed by the Legislature, visit the Legislature’s website or call the Division of Legislative Information at 1-850-488-4371.

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# ***HOUSE OF REPRESENTATIVES***

## ***Appropriations Committee***

**Representative Seth McKeel, Chair**

**Representative Steve Crisafulli, Vice Chair**

### **2014 SUMMARY OF PASSED LEGISLATION**



#### ***Agriculture & Natural Resources Appropriations Subcommittee***

**Representative Ben Albritton, Chair**

**Representative Doug Broxson, Vice Chair**

#### ***Education Appropriations Subcommittee***

**Representative Erik Fresen, Chair**

**Representative Jake Raburn, Vice Chair**

#### ***Finance & Tax Subcommittee***

**Representative Ritch Workman, Chair**

**Representative George Moraitis, Jr., Vice Chair**

#### ***Government Operations Appropriations Subcommittee***

**Representative Clay Ingram, Chair**

**Representative Gayle Harrell, Vice Chair**

***Health Care Appropriations Subcommittee***

Representative Matt Hudson, Chair

Representative MaryLynn Magar, Vice Chair

***Justice Appropriations Subcommittee***

Representative Charles McBurney, Chair

Representative W. Travis Cummings, Vice Chair

***Transportation & Economic Development Appropriations Subcommittee***

Representative Ed Hooper, Chair

Representative Lake Ray, Vice Chair

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**SB 688 - Federal Grants Trust Fund/Executive Office of the Governor**

**By: Gardiner**

**Tied Bills: None**

**Companion Bills: HB 7061**

**Committee(s) of Reference: Appropriations**

**Category: Trust Funds**

This bill re-creates the Federal Grants Trust Fund in the Executive Office of the Governor without modification.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 5001 - General Appropriations Act**

**By: Appropriations Committee; McKeel**

**Tied Bills: None**

**Companion Bills: SB 2500**

**Committee(s) of Reference: None**

**Category: Budget**

**GENERAL APPROPRIATIONS ACT-FISCAL YEAR 2014-2015**

- **Total General Appropriations Act: \$77.1 billion**
  - General Revenue Funds \$27.9 billion
  - State Trust Funds \$22.8 billion
  - Federal Funds \$26.4 billion
- **Compared to the FY 2013-2014 Budget – up by \$2.8 billion from FY 2013-2014 (3.7 percent)**
  - General Revenue Funds – up by \$1,216.1 million (4.6 percent)
  - State Trust Funds – up by \$1,692.7 million (8.0 percent)
  - Federal Funds – down by \$67.6 million (-0.3. percent)
- **Compared to the Base Budget – up by \$13.4 billion (21.1 percent)**
  - General Revenue Funds – up by \$1.6 billion (6.1 percent)
  - State Trust Funds – up by \$8.2 billion (56.0 percent)
  - Federal Funds – up by \$3.7 billion (16.1 percent)
- **FTE's**
  - FY 2014-2015 FTE = 114,445
  - FY 2013-2014 FTE = 114,486
  - Net Reduction of 41 FTE; (-0.1 percent)
- **Reserves – \$3.1 billion**
  - General Revenue Fund = \$1.35 billion
  - Budget Stabilization Fund = \$1,137.8 million
  - Lawton Chiles Endowment Fund = \$607.0 million

- **Trust Fund Sweeps – \$281.8 million**
  - Agriculture & Natural Resources – \$43.0 million
  - Government Operations – \$34.6 million
  - Health Care – \$88.0 million
  - Transportation & Economic Development – \$116.2 million

**EMPLOYEE SALARY AND BENEFITS AND OTHER STATEWIDE ISSUES**

**Overview**

- **Provide a 5-percent salary increase** for law enforcement officers (\$2.3 million in GR and \$8.5 million in TF)
- **Provide funding for discretionary salary increases** to judicial branch staff, excluding Judges (\$5.9 million in GR and \$2.5 million in TF)
- **Provide funding for discretionary salary increases** to Assistant State Attorneys and Assistant Public Defenders (\$9.1 million in GR and \$1.8 million in TF)
- **Provide a 2.5-percent increase** for Assistant Conflict Counsels (\$0.5 million in GR)
- **Fully fund the Unfunded Actuarial Liability and Normal Costs** of the Florida Retirement System (FRS) Pension Plan
- **Provide additional funding to the Health Insurance Subsidy** to ensure solvency

	UAL and Normal Costs		Health Insurance Subsidy (HIS)	
	GR	TF	GR	TF
<b>Entities Funded by the State</b>				
State	19.9	12.1	1.5	0.9
County School Boards	39.3		6.9	
State Universities	6.9		0.7	
State Colleges	4.3		0.5	
<i>Total</i>	<i>70.4</i>	<i>12.1</i>	<i>9.6</i>	<i>0.9</i>
<b>Other Entities not Funded by the State</b>				
Counties	40.5		4.1	
Municipalities/Special Districts/Other	8.2		0.9	
<i>Grand Total</i>	<i>119.1</i>	<i>12.1</i>	<i>14.6</i>	<i>0.9</i>

**No increase to employer, employee or retiree health insurance premiums**

**EDUCATION FIXED CAPITAL OUTLAY – FISCAL YEAR 2014-2015**

Education Fixed Outlay funding is comprised of General Revenue and PECO Trust Fund (Public Education Capital Outlay) projects (\$544.8 million) and the Capital Improvement Fee Program projects (\$41.1 million).

**PECO: Maintenance Funding (\$200.6 million total) for the following:**

- Public Schools – \$50.0 million
- Charter Schools – \$75.0 million
- High Growth Districts – \$3.0 million
- Florida Colleges
  - Regular Maintenance Category – \$5.0 million
  - Critical Maintenance – \$10.0 million
- State Universities
  - Regular Maintenance Category – \$37.6 million
  - Critical Deferred Maintenance – \$20.0 million

**PECO: New And Continuation Construction/Renovation/ (\$386.5 million total) for the following:**

- Florida Colleges – \$107.5 million
- Universities (UWF)—\$159.6 million
- Special Facilities Construction – \$59.7 million
  - Glades County (2nd of 3 Years) – \$7.9 million
  - Washington (1st of 3 Years) – \$9.2 million
  - Madison (1st of 2 Years) – \$7.6 million
  - Levy County (1st of 3 Years) – \$11.5 million
  - Calhoun County (1st of 3 Years) – \$7.0 million
  - Holmes (1st of 3 Years) – \$6.3 million
  - Dixie (1st of 3 Years) – \$10.2 million

**PECO: Other Issues:**

- University Lab Schools – \$4.8 million
- Florida School for the Deaf and the Blind – \$1.1 million
- Public Broadcasting Projects – \$2.2 million
- Sarasota Technical Institute – \$3.0 million
- Putnam County Schools – \$1.0 million

**Other Capital Outlay Issues:**

- Capital Improvement Fee Trust Funded Projects – \$41.1 million
- Stetson Sage Science Center – \$3.3 million
- Flagler College Hotel Ponce de Leon Building – \$2.0 million

**EDUCATION FUNDING**

**Education state funding exceeds any previous year.**

The Education overall budget totals \$20.7 billion, which is a \$360.4 million (1.78 percent) increase over the prior year.

- General Revenue is increased by \$314.7 million (2.22 percent) for a total General Revenue allocation of \$14.5 billion
- State trust funds are increased by \$188.1 million (12.56 percent) for a total trust fund allocation of \$6.2 billion (0.75 percent)

### **Voluntary Pre-Kindergarten (VPK)**

The VPK program total budget is \$396.1 million.

- The base student allocations (BSAs) of \$2,437 for the school year program and \$2,080 for the summer program which is an increase of \$54 to both BSA's
- The VPK program provides an increase in per-student funding, but it is anticipated to have fewer students, which nets a decrease in total funding

### **School Readiness**

The School Readiness program total budget is \$5.555 billion, which includes an increase of \$3 million for 650 additional childcare slots.

### **Florida Education Finance Program (FEFP)**

The FEFP budget increases the funds per student by 2.61 percent, which is an increase of \$176.14 per student.

- The FEFP includes \$18.9 billion in total funding, an increase of \$574.8 million in total funds
- \$88.4 million to restore non-recurring funds
- \$46.2 million for retirement issues and health insurance subsidies for retirees
- \$40 million for the Florida Digital Classrooms Allocation
- \$2.8 million increase for Supplemental Academic Instruction
- \$2.8 million increase for the ESE Guarantee
- \$2.0 million increase for the DJJ Supplemental Allocation
- \$2.2 million increase for Student Transportation
- \$6.1 million increase for Instructional Materials
- \$38.3 million for Class Size Reduction

### **Other K-12 program funding**

- The Non-FEFP Budget Entity total funding is \$310.1 million, an increase of \$56.5 million or 22.26 percent from the current year budget.
- The budget restores non-recurring funding for:
  - Culinary Training/Professional Training Kitchen of \$100,000 for a total of \$200,000;
  - Panhandle Area Education Consortium of \$300,000 for a total of \$300,000;
  - Auditory-Oral Education Grant Funding of \$500,000 for a total of \$500,000;
  - Mourning Family Foundation of \$500,000 for a total of \$500,000;
  - Knowledge is Power Program (KIPP) Jacksonville of \$660,000 for a total of \$900,000;
  - The SEED School of Miami of \$375,000 for a total of \$1,400,000;
  - Regional Education Consortium Services of \$1,445,390 for a total of \$2,545,390;
  - Lauren's Kids of \$500,000 for a total of \$3,800,000;
  - Academic Tourney of \$134,524 for a total of \$200,000;
  - Florida Holocaust Museum of \$100,000 for a total of \$300,000;
  - Black Male Explorers of \$200,000 for a total of \$314,701;
  - Florida Association of District School Superintendents Training of \$145,287 for a total of \$1,000,000;
  - Girl Scouts of Florida of \$100,000 for a total of \$499,635;
  - Project to Advance School Success (PASS) of \$100,000 for a total of \$608,983;
  - Best Buddies of \$100,000 for a total of \$900,000;

- Learning through Listening of \$100,000 for a total of \$930,000;
- Learning for Life of \$550,000 for a total of \$1,919,813;
- Big Brothers Big Sisters of \$2,000,000 for a total of \$6,030,248; and
- Florida Alliance of Boys and Girls Clubs of \$1,507,930 for a total of \$5,013,500.
- The budget increases funding for:
  - Teacher of the Year of \$50,000 (266.95-percent increase) for a total of \$68,730;
  - Family Café of \$50,000 (25.00-percent increase) for a total of \$250,000;
  - Teen Trendsetters of \$800,000 (266.67-percent increase) for a total of \$1,100,000;
  - New World School of the Arts of \$150,000 (30.00-percent-increase) for a total of \$650,000;
  - YMCA State Alliance/YMCA Reads of \$2,000,000 (261.45-percent increase) for a total of \$2,764,972;
  - College Reach Out Program of \$500,000 (50.00-percent increase) for a total of \$1,500,000;
  - Communication/Autism Navigator of \$1,600,000 (160.00-percent increase) for a total of \$2,600,000;
  - Florida Diagnostic and Learning Resources Centers of \$717,374 (36.18-percent increase) for a total of \$2,700,000;
  - Assistance to Low Performing Schools of \$1,000,000 (25.00-percent increase) for a total of \$5,000,000;
  - School District Matching Grants Program of \$500,000 (12.50-percent increase) for a total of \$4,500,000;
  - Take Stock in Children of \$250,000 (4.17-percent increase) for a total of \$6,250,000);
  - Autism Program of \$1,500,000 (20.00-percent increase) for a total of \$9,000,000; and
  - Florida School for the Deaf and the Blind of \$966,368 (3.51-percent increase) for a total of \$48,882,504.
- The budget provides new program funding for:
  - Visible Men Academy of \$50,000;
  - Caribbean Chamber Student Summer Entrepreneurship of \$100,000;
  - EO Wilson Biophillia Center of \$100,000;
  - In Search of Me Café of \$100,000;
  - MBF Boat Safety/CPR Program of \$100,000;
  - Men of Vision of \$100,000;
  - Neighborhood Initiative Summer Job Program of \$100,000;
  - PARC-Project Search of \$100,000;
  - Workforce Advantage Academy of \$100,000;
  - YMCA Tech Smart - Tampa Bay of \$100,000;
  - Holocaust Memorial Miami Beach of \$150,000;
  - New Horizon of \$150,000;
  - Single Gender Schools - Broward County Public Schools of \$150,000;
  - Single Gender Schools - Duval County Public Schools of \$150,000;
  - Project PASS JROTC Junior Leadership Corps of \$170,000;
  - YMCA Youth in Government of \$200,000;
  - CDC of Tampa - Work Readiness Training of \$200,000;
  - Coral Gables Environmental Sustainability Design Education Program of \$200,000;
  - Florida Healthy Choices Coalition/E3 Family Solutions of \$200,000;

- Minority Male Mentoring Initiative of \$200,000;
  - Sandra DeLuca Development Center of \$200,000;
  - Northwest Florida Ballet Public School of \$247,471;
  - Tune into Reading of \$250,000;
  - Coral Springs Safety Town of \$250,000;
  - Okaloosa County - Science and Technology Education Middle School of \$250,000;
  - Pinellas Education Foundation - Career Path Planning of \$250,000;
  - Special Olympics of \$250,000;
  - Florida After School Network/Ounce of Prevention Fund of Florida of \$300,000;
  - Project SOS Expansion of \$301,184;
  - Glades Career Readiness Roundtable/West Tech Construction Academy of \$426,628;
  - Advancement Via Individual Determination (AVID) of \$500,000;
  - Boys and Girls Club of Manatee - New DeSoto Club of \$500,000;
  - AMI Kids - Gadsden of \$500,000;
  - City of Hialeah Education Academy of \$500,000;
  - Destination Graduation of \$500,000;
  - Governor's School for Space Science and Technology of \$500,000;
  - Here's Help Opa Locka of \$500,000;
  - Marie Selby Botanical Gardens of \$500,000;
  - AVID Highlands County of \$520,203;
  - Florida Youth Challenge Academy of \$750,000;
  - SRI International Middle School Digital Mathematics of \$750,000;
  - Agenda 2020 City of St. Petersburg of \$975,000;
  - Florida Children's Initiative of \$1,500,000;
  - Pasco Regional STEM School/Tampa Bay Region Aeronautics of \$1,500,000;
  - Hialeah Gardens Educational Center Programs of \$1,870,000;
  - Performance Adjustments to School Districts of \$2,500,000;
  - Jobs for Florida's Graduates of \$3,000,000;
  - Teach for America of \$5,000,000;
  - Administrators Professional Development of \$8,358,210; and
  - Florida Personalized Accounts for Learning of \$18,400,000.
- **The Educational Media and Technology Budget** includes an increase of \$1.8 million. Increases include:
    - \$175,000 workload for the Capital Technical Center to maintain hardware/equipment updates in the Capitol Complex
    - \$199,860 for Florida Channel Closed Captioning
    - \$1 million for the Florida PBS Learning Media Content Library

**The Office of Early Learning Budget** includes an increase of \$11.8 million in GR and Trust. Increases include:

- \$2 million for the Home Instruction Program for Preschool Youngsters (HIPYP)
- \$2 million for School Readiness Teacher Training
- \$10 million for School Readiness Performance Funding
- \$200,000 for Literacy Jump Start Pilot
- \$2 million for the Children's Trust Help Me Grow

**The State Board of Education Budget** includes an increase of \$15.2 million to contract for assessments, products, services, development and administration of the new Florida Standards.

### **Florida College System (FCS)**

The Florida College System total budget is \$1.1 billion, which includes a \$28.1 million increase (2.5 percent) over the prior year.

Additional funding provided in the Florida College System Program Fund includes:

- \$15.5 million for Funding Model Compression
- \$5.0 million increased funding to all colleges through the program fund
- \$4.8 million for colleges to pay summer dual enrollment costs
- \$4.8 million for Retirement Issues, and health insurance subsidies for retirees
- \$1.0 million for Operating Costs of New Facilities;
- \$1.0 million to restore funding for St. Petersburg College - A Day on Service
- \$1.8 million for Chipola College - Civil & Industrial Engineering Program
- \$250,000 for Tallahassee Community College - Wakulla Environmental Institute (Oyster Aquaculture)
- \$250,000 for the College of Central Florida - Appleton Museum

### **Workforce Education**

The Workforce Education total budget is \$489.6 million, which is level-funded from the prior year appropriation.

Operational enhancements were made to:

- authorize \$4 million in funding for a Postsecondary Workforce Education Student Information System Pilot; and
- expand the list of industry certifications for which technical centers may receive performance funding including healthcare and public safety.

Nonrecurring funds were restored for:

- \$500,000 for Lake Tech Center for Advanced Manufacturing; and
- \$500,000 for Hernando District Technical Center.

### **Student Financial Assistance**

The Student Financial Aid – State Programs total budget is \$441 million, a \$24.1 million reduction (5.2 percent) from the prior year.

- \$266.2 million total Bright Futures funding, which provides scholarships for 127,573 students.
- Bright Futures award amounts are maintained at the FY 2013-2014 level.
- Bright Futures funding is reduced by \$43.2 million (14 percent) based on Office of Economic and Demographic Research (EDR) enrollment estimates that forecasts a 26,587 decline in students for 2014-2015.

Funding for need-based and other scholarship programs is increased by \$20.3 million. Increases include:

- \$15 million for need-based financial assistance in Florida Student Assistance Grant programs
- \$1 million for the McKnight Doctoral Fellowship Program
- \$1 million for Honorably Discharged Graduate Assistance Program
- \$219,783 for Children and Spouses of Deceased/Disabled Veterans
- \$196,747 to increase awards for Rosewood Family Scholarships

- \$114,532 for the Minority Teacher Scholarship Program
- \$2.9 million for the Florida National Merit Scholar Incentive Program

### **State University System (SUS)**

There is an increase in state funding for the State University System of \$203 million (9 percent) from the prior year.

Within the SUS there are specific funding increases of:

- \$6 million for the Operating Costs of New Facilities;
- \$7 million for Retirement Issues;
- \$100 million additional funds and \$35 million repurposed from prior year performance funding and \$65 million repurposed from base funds for a total of \$200 million for State University Performance Funding, for which the Board of Governors will allocate the funds;
- \$10 million for preeminent universities; and
- \$80 million of additional funds for specified university initiatives.

### **University Specific Funding Issues**

- **UF receives additional funding of:**
  - \$500,000 for High-Risk Delinquent and Dependent Youth Research
  - \$2,000,000 for Lastinger Center for Learning Algebra Nation
  - \$2,000,000 for Lastinger Center for Learning Summer Algebra Pilot/Duval County School District and Florida State College at Jacksonville
  - \$500,000 for Lastinger Center for Learning Teaching Point
  - \$5,000,000 for Preeminent State Research Universities
  - \$712,310 for Whitney Lab
  - \$1,250,000 for Medical School - Center for Translational Research in Neurodegenerative Disease
  - \$1,500,000 for IFAS - Bok Tower Educational Partnership
  - \$275,000 for IFAS - Cattle Research
  - \$400,000 for IFAS - Cervidae Disease Research
  - \$100,000 for IFAS - Florida Caladium Research
  - \$2,000,000 for IFAS - Research and Extension Workload
  - \$2,000,000 for IFAS - Southwest Florida/Immokalee Research and Education Center
- **FSU receives additional funding of:**
  - \$100,000 for American Legion Boys and Girls State Housing
  - \$600,000 for Charles Hilton Endowed Professorship
  - \$200,000 for Florida Campus Compact
  - \$1,000,000 for Florida Institute for Child Welfare
  - \$400,000 for Health Equity Research Institute
  - \$2,000,000 for Law School
  - \$500,000 for Learning System Institute
  - \$5,000,000 for Preeminent State Research Universities
  - \$2,500,000 for STEM Education Enhancements
- **USF receives additional funding of:**
  - \$1,000,000 for All Children's Hospital Partnership/Johns Hopkins
  - \$5,000,000 for Cybersecurity Initiative



- \$1,250,000 for Medical Schools - Alzheimer's Institute
- \$483,031 for Sarasota Manatee - Mote Marine Lab
- \$100,000 for Sarasota Manatee - Center for Partnerships for Arts - Integrated Teaching (PAInT)
- \$100,000 for Sarasota Manatee - Small Business Development Center
- \$1,399,569 for Sarasota Manatee - STEM Programs at Mote
- \$250,000 for St. Pete - Family Study Center
- \$1,000,000 for St. Pete - Florida Institute of Oceanography
- \$100,000 for St. Pete - Greenhouse Project
- \$1,000,000 for St. Pete - Infant Mental Health Center
- \$500,000 for Medical School - Veteran PTSD Study
- \$350,000 for Medical School - Veterans Service Center
- **FAU receives additional funding of:**
  - \$1,500,000 for AMI Experiential Education Curriculum
  - \$500,000 for Jupiter Bioscience Gateway
  - \$2,000,000 for Max Planck Scientific Fellowship Program
  - \$1,050,000 for Tech Runway
- **UWF receives additional funding of:**
  - \$1,500,000 for Advanced Manufacturing Initiatives
  - \$4,000,000 for Complete Florida Degree Program
  - \$100,000 for FAA Certifications
  - \$150,000 for Haas Center for Business Research and Economic Development - School Start Times Study
  - \$5,000,000 for Office of Economic Development and Engagement
  - \$2,000,000 for Operational Support
  - \$1,000,000 for Physician Assistance Program
  - \$2,000,000 for School of Mechanical Engineering
- **UCF receives additional funding of:**
  - \$2,000,000 for Downtown Presence
  - \$685,000 for Evans Community School
  - \$4,000,000 for Istation
  - \$1,000,000 for Statewide SUS Anti-Hazing Online Education Initiative
  - \$1,000,000 for STEM Instructional Enhancements
  - \$250,000 for The Lou Frey Institute of Politics and Government
  - \$500,000 for Medical School – Crohn's and Colitis Research
- **FIU receives additional funding of:**
  - \$300,000 for College of Education Panther Life Program
  - \$100,000 for Economic Development Study
  - \$300,000 for Fostering Pride
  - \$1,000,000 for Health Embrace Initiative
  - \$475,000 for Washington Center for Internships and Academic Seminars
  - \$800,000 for Medical School - Neuroscience Centers of Florida Foundation
- **NCF receives additional funding of:**
  - \$500,000 for Career Development Program
  - \$885,000 for Master in Data Science and Analytics

- **FAMU receives additional funding of:**
  - \$1,500,000 for Crestview Education Center
  - \$1,000,000 for Distance Learning
  - \$700,000 for Pharmacy Faculty Salary Adjustment
  - \$2,500,000 for STEM Education Enhancements
- UNF receives \$3,100,000 of additional funds for the Culture of Completion and Career Initiative
- And Florida Institute for Human and Machine Cognition receives an additional \$750,000 and Moffitt Cancer Center receives \$2,000,000 additional funds.

### **Vocational Rehabilitation**

The Vocational Rehabilitation total budget is \$250.4 million, of which \$61.8 million is general revenue. General revenue funding is increased by \$17.7 million (40 percent) over the prior year. The increased funding will enable VR to draw down \$68.0 million in federal funds to eliminate waiting lists.

- 15,500 customers are anticipated to be on waiting lists by June 30, 2014.
- The GAA includes a \$1.4 million appropriation which will be available upon the GAA becoming law.

### **Private Colleges and Universities**

Private Colleges and Universities received additional funding of \$48 million (43 percent) over the prior year for the following programs:

- \$5.1 million increase for enrollment and fully funding newly eligible institutions in the FRAG and ABLE programs, and
  - \$1.3 million for ABLE to increase the award amount per student to \$1,800 per award
  - \$18.7 million for FRAG to increase the award amount per student to \$3,000 per award
- **UM receives additional funding of:**
  - \$250,000 for Institute for Cuban American Studies
  - \$6,000,000 for Medical Training and Simulation Lab
- **Barry University receives additional funding of:**
  - \$145,000 for BS Nursing and MSW Social Work
  - \$125,000 for School of Professional and Career Education - Emergency Management Program
  - \$150,000 for School of Social Work
- **Historically Black Colleges and Universities receive additional funding of:**
  - \$513,985 for Bethune Cookman University
  - \$400,000 for Edward Waters
  - \$400,000 for Florida Memorial University
  - \$387,986 for Library Resources Workload
  - \$1,580,000 for the restoration of nonrecurring funds
- \$200,000 for Beacon College Tuition Assistance
- \$2,000,000 for Embry Riddle Aerospace Academy
- \$250,000 for Florida Institute of Technology
- \$12,000,000 for Jacksonville University
- \$500,000 for Nova Southeastern University Health Programs
- \$50,000 for Southeastern University Human Patient Simulator

### **Other Education Program Funding**

There is additional funding for other specific educational programs of:

- \$500,000 for Centers for Independent Living
- \$50,000 for the ABLE Trust High-Skill/High Tech Program
- \$200,000 for Lighthouses for the Blind and Visually Impaired
- \$884,000 for the Board of Governor's administrative workload and \$500,000 for the FAMU-FSU College of Engineering Feasibility Study
- \$1.4 million for various adult workforce community educational programs
  - \$500,000 for South Apopka Adult Community Education Center
  - \$43,000 for a Workforce Education Scholarship Pilot Program
  - \$100,00 for Lotus House Women's Shelter
  - \$250,000 for the Bay Welding Program for Shipbuilding
  - \$500,000 for Smart Horizons Online Career Education Program

## **HEALTH CARE**

### **Overview**

- The Health Care Appropriations Subcommittee budget totals \$31.9 billion (\$8.3 billion general revenue and \$23.6 billion trust funds). Includes funding for 33,089 authorized positions.
- There is a 2.3-percent increase in total spending and a 5.77-percent increase in general revenue funds over the Fiscal Year 2013-2014 Appropriation. Includes a 1.18-percent reduction in state positions or a reduction of 395 FTE.

### **Highlights**

- **Medicaid Price Level and Workload Adjustment - \$600.4 million, \$260.0 million GR**—Funding for Medicaid caseloads and price level adjustments as agreed upon by the February 2014 Social Service Estimating Conference for an anticipated 3.7 million Medicaid beneficiaries. No category of Medicaid eligibility is eliminated or reduced. No provider rates are reduced.
- **Florida Kid Care Enrollment - \$36.3 million, \$12.7 million GR**—Fully funds the KidCare program for the 2014-2015 Fiscal Year to serve approximately 269,778 children.
- **Medicaid Provider Rate Increases - \$37.6 million total, \$15.1 million GR**—Provides funding to:
  - increase private duty nursing rates by 5 percent;
  - increase Prescribed Pediatric Extended Care (PPEC) reimbursement rates by 9 percent;
  - increase occupational, speech, and physical therapy reimbursement rates by 5.26 percent;
  - increase reimbursement for Pediatricians by 10.1 percent;
  - increase reimbursement for Assistive Care Services from \$9.23 per member day to \$12.20; and
  - provide a 2-percent increase to Adult Day Training Providers.
- **Long Term Care Waitlist Reductions - \$12.6 million, \$5.1 million GR**—Funding to reduce waitlist clients for the Elderly Long Term Care Waiver. Will serve approximately 823 additional individuals at an annual cost of approximately \$15,276 per slot.
- **Personal Needs Allowance Increase - \$40.2 million, \$18.4 million GR**—Funding to increase personal needs allowance from \$35 to \$105 per month for residents in institutional settings. This funding triples the amount of money that Medicaid beneficiaries living in state homes can use each month at their personal discretion for items that improve quality of life.
- **Low Income Pool Funding - \$2.2 billion, \$9.1 million GR**—Funding to continue the Low Income Pool based upon the approval by the Centers for Medicare and Medicaid Services for a one year

extension. The Physician Upper Payment Limit program is now included within LIP (approximately \$204 million total funds).

- **Special Payments to Hospitals - \$11.4 million, \$5.3 million GR**—Funding provided as special Medicaid payments to hospitals eligible for the Rural Hospital Financial Assistance program and sole community hospitals that qualify as rural hospitals as well as funding to increase reimbursement to rural hospitals to assist in the transition to DRG reimbursement methodology.
- **Alzheimer’s Disease and Community Care for the Elderly Initiatives - \$9.0 million GR**—Funding (\$8.0 million recurring and \$1.0 million nonrecurring) to reduce the waitlist by 392 individuals for Alzheimer’s respite services and 751 for the Community Care for the Elderly program.
- **Program of All-Inclusive Care for the Elderly (PACE) - \$13.0 million, \$5.3 million GR**—Funding to support the Program of All-Inclusive Care for the Elderly (PACE) by funding 600 additional slots in: Palm Beach (200), Broward (125), Miami-Dade (125), Pinellas (100), Lee (30), Collier (10), and Charlotte (10).
- **Local Service Programs - \$5.3 million GR**—Provides nonrecurring funding for local service programs that provide an array of services for seniors, including hot meals programs, adult daycare programs, and other senior services.
- **Restoration of Nonrecurring Funds in Children and Families - \$35.4 million, \$30.2 million GR**
  - \$2.0 million Healthy Families Program
  - \$1.1 million children’s substance abuse services
  - \$2.5 million community adult substance abuse services
  - \$4.0 million community adult mental health services
  - \$3.0 million community adult mental health services – County Criminal Justice Grants
  - \$17.6 million maintenance adoption subsidies (MAS)
- **Maintenance Adoption Subsidies (MAS) Growth - \$16.5 million, \$11.0 million GR**—Provides additional funding for an anticipated increase of 3,000 new adoptions. This includes funding of \$5.4 million (\$3.2 million GR) in the back-of-the-bill for additional adoptions in the current year that exceed previous estimates.
- **Improvements to the Child Welfare System - \$56.9 million, \$53.9 million GR**
  - \$2.0 million for the statistical evaluation of characteristics that contribute to and prevent child abuse and neglect in the department’s child welfare system
  - \$2.5 million to expand child welfare and domestic violence co-location partnerships for cases involving abuse and/or neglect attributable to domestic violence
  - \$18.6 million for an additional 270 additional Child Protective Investigators (CPIs) to reduce the investigator-to-caseload ratio and supervisor-to-investigator ratio
  - \$8.1 million increase to six county Sheriffs that perform child abuse investigations in lieu of the department
  - \$5.0 million to expand the Healthy Families Program that provides voluntary, in-home services to prevent child abuse and neglect that may lead to the removal of the child from the home
  - \$10.0 million to Community Based Care (CBC) agencies
  - \$3.0 million specifically for sexually exploited youth
  - \$5.0 million to implement Family Intensive Treatment (FIT) teams that provide wrap-around substance abuse services to families of children in the child welfare system
  - \$2.8 million to the Department of Health’s Child Protection Teams to support costs associated with developing new assessment tools for alleged child abuse and neglect cases

- **Continuation and Increase of Substance Abuse and Mental Health Initiatives - \$27.5 million**
  - \$12.0 million to continue and increase the children and adolescent Community Action Treatment (CAT) teams to a total of 16 teams at \$750,000 each
  - \$10.0 million total to continue substance abuse services directed to pregnant women and their affected children. This includes the restoration of nonrecurring funds with a \$1.0 million increase over the current year
  - \$2.5 million provided as a cost-of-living increase to the state’s four contracted mental health facilities
  - \$3.0 million to the Orange County public receiving facility to divert mental health patients from the criminal justice system
- **Homelessness Coalitions - \$1.0 million GR**—Provides for direct services to the homeless population.
- **APD Medicaid Waiver Waiting List - \$20.0 million, \$8.1 million GR**—Funding to serve all “intensive needs” clients who are currently on the waiting list for services. Funding is expected to serve approximately 1,260.
- **Alzheimer’s Research Funding - \$3 million GR**—Provides funding for Alzheimer’s Research through the Ed and Ethel Moore Alzheimer’s Research Program contingent upon the passage of House Bill 709. The program is created within the Department of Health to fund research leading to prevention of, or a cure for, Alzheimer’s disease. Funding will be awarded for grants and fellowships through a competitive process for research relating to the prevention, diagnosis, treatment, and cure of Alzheimer’s disease.
- **Epilepsy Services Program - \$1 million GR**—Provides additional nonrecurring funding to support the statewide program.
- **Funding for Rural Health Needs - \$4.5 million GR**—Provides additional funding to serve the health care needs of rural areas in the state:
  - \$3 million - Sacred Heart Hospital Rural Primary Care Residency Program
  - \$300,000 - Florida State University - College of Medicine - Immokalee
  - \$750,000 - Alachua County Organization for Rural Needs (ACORN)
  - \$480,000 - Nova Southeastern University - Rural and Underserved Areas
- **Florida NCI Cancer Centers - \$60 million, \$45 million GR**—Provides funding to support the Florida Consortium of National Cancer Institute Centers Program contingent upon the passage of House Bill 5203. The program is created within the Department of Health to enhance the quality and competitiveness of cancer care in the state, further a statewide biomedical research strategy responsive to the health needs of Florida’s citizens, and capitalize on the potential educational opportunities available to its students. HB 5203 provides for an allocation of funding to participating cancer centers based on three factors:
  - Cancer Care, weighted at 40 percent
  - Cancer Research, weighted at 30 percent
  - Cancer Training, weighted at 30 percent
- **Biomedical and Cancer Research - \$33.6 million, \$12.9 million GR**—Provides funding for the following:
  - \$10.0 million - James and Ester King Biomedical Research Program
  - \$10.0 million - William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program
  - \$2.0 million - Endowed Cancer Chair – Mayo Cancer Center in Jacksonville
  - \$5.6 million - Sanford-Burnham
  - \$3.0 million - Vaccine and Gene Therapy Institute
  - \$3.0 million - Torrey Pines Institute of Molecular Research

- **New State Veterans’ Nursing Home - \$11 million TF**—Provides funding for the planning, design and construction of one new State Veterans’ Nursing Home – Year 1 of 3-year construction project.
- **Fixed Capital Outlay for State Facilities - \$44.7 million total, \$9.1 million GR**
  - Department of Health: \$19.9 million total, \$6.1 million GR
    - \$18.8 million for maintenance, repairs, and renovations at the County Health Departments and state laboratories and \$1.1 million for the construction of a new Children’s Medical Services facility.
  - Department of Veterans’ Affairs: \$18.8 million TF
    - \$11 million for the construction of a new State Veterans’ Nursing Home, \$6.2 for capital equipment and \$1.6 million for maintenance, repairs, and renovations at state nursing home facilities.
  - Agency for Persons with Disabilities: \$3.7 million, \$3.0 million GR
    - \$2.7 million for maintenance, repairs, and renovations at state institutions, \$1.0 million for improvements and repairs at the Billy Joe Rish Park, which is tailored to citizens with developmental and intellectual disabilities.
  - Department of Children and Families: \$2.3 million TF
    - Provides maintenance and repair funding to address ADA, life-to-safety, handicap, and other code and licensure concerns at state institutions.

## JUSTICE

	Current Yr 2013-2014 Approp	2014-2015 JA Budget	JA Rec Over/ (under) Base	JA Rec Over/(under) 2014-2015	
				\$	%
<b>FTE</b>	44,416	44,884	566		1.1%
<b>GR</b>	\$ 3,659.0	\$ 3,851.7	\$ 241.4	\$ 192.7	5.3%
<b>State Trust</b>	\$ 534.3	\$ 541.1	\$ (247.7)	\$ 6.8	1.3%
<b>Federal Funds</b>	\$ 246.6	\$ 246.0	\$ (1.0)	\$ (0.6)	-0.2%
<b>Total</b>	<u>\$ 4,439.9</u>	<u>\$ 4,638.8</u>	<u>\$ (7.3)</u>	<u>\$ 198.9</u>	<u>4.5%</u>
		(in millions)			

### Department of Corrections

The Department of Corrections total budget is \$2.3 billion, an increase of \$111.9 million from the current year budget, or 5.1 percent. The bill provides:

- \$23.2 million to address the department’s current year deficit;
- \$12.4 million for current year Criminal Justice Estimating Conference (CJEC) projected increase to inmate population;
- \$39.5 million (488 FTE) for 2014-2015 CJEC projected increase. This issue provides for opening 3 work camps and 2 re-entry centers, which are newly-constructed, bonded facilities;
- \$9.0 million to restore security salary lapse, lowering the department’s vacancy rate to below 8 percent;

- \$3.1 million for electronic monitoring for the projected increase in court ordered community corrections monitoring and the monitoring of inmates at all privately-operated centers and one department-operated work release center;
- \$5.3 million for maintenance and repair, including \$4.0 million for repairs for the Tomoka kitchen;
- \$5.0 million for automated time and attendance system;
- \$3.3 million for substance abuse treatment;
- \$500,000 for replacement of motor vehicles (transport inmates); and
- debt service reduction associated with contract reductions \$8.2 million.

### **Justice Administration Entities**

The Justice Administration Entities total budget is \$835.3 million, an increase of \$27.4 million from the current year budget, or 3.4 percent (this does not include the funding increase for State Attorneys, Public Defenders, and Regional Conflict Counsels in administered funds).

- Guardian ad Litem: \$6 million (105 FTE) for volunteer initiative. This funding is part of GAL's 3-year plan of serving 100 percent of all children in the dependency system.
- Capital Collateral Regional Counsels: \$587,000 (5 FTE) for workload.

### **Department of Juvenile Justice**

The Department of Juvenile Justice total budget is \$551.3 million, an increase of \$26.4 million over current year budget, or 5 percent. The bill provides:

- \$37.4 million for current year Detention Cost Share and Medicaid deficit to cover behavioral Health Overlay Services (BHOS) that transferred from AHCA in October 2013;
- \$10.0 million for Detention Cost Share with counties. This provides funding to support the proposed rule being promulgated by DJJ and the Governor's Office;
- \$10.8 million and \$7.5 million fund shift from AHCA for Medicaid funds to properly fund BHOS costs in FY 2014-2015;
- \$2.0 million for PACE Centers statewide including specific funding for a Clay County PACE center;
- \$3.4 million for CINS/FINS statewide, which increases total funding to \$35.7 million for FY 2014-2015;
- \$5.5 million for new funding for other prevention services; and
- \$2.9 million for maintenance and repair for DJJ facilities statewide.

### **Department of Law Enforcement**

The Department Law Enforcement's total budget is \$259.1 million, an increase of \$17.6 million from the current year budget, or 7.3 percent. The bill provides:

- \$3.9 million for the Standards and Training TF to fund law enforcement training centers;
- \$925,056 (9 FTE) to expand Cybercrime Capacity;
- \$880,000 for maintenance contracts for lab equipment;
- \$2.2 million (18 FTE) for firearm purchase workload; and
- \$4.5 million in trust funds to replace the Computerized Criminal History System and to support critical information systems.

### **Department of Legal Affairs (Attorney General's Office)**

The Department of Legal Affairs' total budget is \$204.8 million, an increase of \$12.3 million from the current year budget, or 6.4 percent. The bill provides:

- \$1 million (10 FTE) for criminal appeals workload;
- \$522,288 (2 FTE) for statewide prosecution workload;
- \$150,000 for law library funding;
- \$221,530 (4 FTE) for Crime Stopper and Victims Compensation workload; and
- \$390,240 (2 FTE) in GR and \$602,500 in trust funds for data management.

### **Parole Commission**

The Parole Commission's total budget is \$9.5 million, an increase of \$866,394 from the current year budget, or 10 percent. The bill provides:

- \$462,132 (9 FTE) for clemency investigations workload, and
- \$125,000 for capital clemency workload.

### **State Courts**

The State Courts' total budget is \$502 million, an increase of \$25 million, or 5.3 percent (this does not include the funding increase in administered funds). The bill provides:

- \$1.3 million and 12 FTE of which 3 are DCA judges, 2 in the second district, and 1 in the fifth district. The remaining FTE are support staff for the judges;
- \$5.5 million for the continuation of drug courts programs in Broward, Escambia, Hillsborough, Marion, Orange, Pinellas, Polk, and Volusia counties. Drug courts provide treatment services for prison-bound offenders;
- \$1.0 million for veterans' courts in Okaloosa, Pasco, Pinellas, Clay, Orange, and Duval counties. Veterans' courts provide substance abuse treatment and mental health treatment to veterans and service members charged with or on probation for criminal offenses;
- \$2.3 million for the restoration or renovation of small county courthouses in Calhoun, Washington, and Jefferson counties;
- \$3.5 million for Child Advocacy Centers; and
- \$3.0 million in maintenance and repair for the 2nd, 3rd, and 5th DCA courthouses; and
- \$73.0 million for the construction of a new courthouse for the 4th DCA.

## **TRANSPORTATION & ECONOMIC DEVELOPMENT**

### **\$11.9 billion**

\$206 million General Revenue

\$11.7 billion Trust Funds

- The Transportation & Economic Development Appropriations Conference Committee budget is \$11.9 billion. This includes a total of \$206 million of general revenue funds and \$11.7 billion in trust funds. It is a 9.5-percent increase over the current year budget.
- The following was provided to invest in safer roadways and communities:
  - 28 additional Troopers in the Highway patrol
  - \$3.2 million to replace 110 pursuit vehicles, all over 120,000 miles



- The budget fully funds all the key aspects of the Dept. of Military Affairs’ budget request. It includes an additional \$3.1 million for the Guard Tuition Assistance program, bringing that funding total to \$4.5 million for the year, and \$2.5 million is provided for constructing a new Special Forces headquarters at Camp Blanding.
- This budget requires \$116 million of trust fund transfers to General Revenue. These come from the State Economic Enhancement and Development Trust Fund, the State Housing Trust Fund, and the Local Government Housing Trust Fund.
- Affordable Housing programs were funded at \$167.7 million, divided between the State Apartment Incentive Loan program (SAIL) and the State Housing Initiatives Partnership (SHIP).
- Economic Development is funded at \$233.1 million. This is approximately 18 percent greater than historical funding levels of approximately \$197 million.
  - Within these resources, \$71 million is provided to the Governor to best utilize economic incentives to take advantage of emerging trends and opportunities that promote job growth and business opportunities around the state.
  - Visit Florida’s budget is increased from \$63.5 million to \$74 million. Within these funds, \$5 million to promote Medical Tourism. Space Florida’s budget was maintained at \$19.5 million.
- The budget funds State Aid to Libraries at \$27.4 million and provides \$3.0 million for public library construction grants. The Library Cooperative, which provides funding to multi-type library cooperatives in meeting the educational and informational needs of Florida residents, increased funding by 33 percent for a total of \$2.0 million.
- Funds were provided for numerous museum, culture, and arts opportunities, as well as historic preservation grants in communities around the state. Cumulatively, the budget provides \$70.8 million for these items, 224 percent greater than the current year of \$21.8 million. The following Department of State approved grant lists were funded in their entirety: Cultural General Program Support, Culture Builds Florida, Cultural Endowment Grants, Cultural Facilities, Historic Preservation Small Matching Grants, and the Historic Facilities Special Category Grants.
- This budget invests \$9.2 billion in our transportation infrastructure needs through the Work Program.

**AGENCY SUMMARIES**

**\$11.9 billion**

**Department of Economic Opportunity**

**\$1.1 Billion Total Budget**

- |  |   |
|--|---|
| • Community Development Block Grant Program  | \$30.0 million                                      |
| • Weatherization Grant Program   | \$2.0 million                                       |
| • Low Income Energy Assistance Grant Program   | \$16.0 million                                      |
| • Community Services and Energy Assistance   | \$100.0 million                                     |
| • Skills Assessment and Training/Ready to Work   | \$4.0 million                                       |
| • Regional Planning Councils   | \$2.5.0 million                                     |
| • Quick Response Training  | \$12.0 million                                      |
| • Fund Regional Workforce Boards   | \$283.3 million                                     |
| • Economic Development Incentives  | \$71.0 million (\$16 million is based on reversion) |
| • Quick Action Closing Fund Program <ul style="list-style-type: none"> <li>• Qualified Targeted Industries Program</li> <li>• Qualified Defense Contractors Program</li> </ul> |   |

- Brownfield Bonus Program
- High Impact Performance Incentive Program
- Brownfield Redevelopment Program
- Innovation Incentive Program
- Black Business Loan Program \$2.2 million
- Hispanic Business Initiative \$1.5 million
- Space Florida \$19.5 million
- Enterprise Florida \$19.9 million
- Visit Florida \$74 million
- Florida Housing Finance Corporation \$167.6 million
  - SAIL \$67.6 million
  - SHIP \$100.0 million
- Vacant Position Reductions -\$274.9K (4.5 FTE)
  - Finance & Administration -\$32.2K (.5 FTE)
  - CareerSource FL -\$128.7K (2 FTE)
  - Workforce Services -\$61K (1 FTE)
  - Housing & Community Assistance -\$53K (1 FTE)
- Supplemental Nutrition & Assistance Program -\$2.1 million

**Department of Highway Safety & Motor Vehicles**

**\$435.5 Million Total Budget**

- Provide funding for 28 Highway Patrol positions \$3.5 million
- Provide funding for replacement of motor vehicles \$3.2 million
- Provide increase for incidental and court overtime \$2.0 million
- Motorist Modernization and DRIVE (IT) \$3.4 million
- Fixed Capital Outlay major repairs of state-owned property \$4.8 million
- Provide funding for additional license plates \$2.9 million

**Department of Military Affairs**

**\$100.1 Million Total Budget**

- Increase funding for National Guard Tuition Assistance \$3.1 million
- About Face Program \$1.25 million
- Forward March Program \$0.75 million
- Fixed Capital Outlay-Special Forces Headquarters \$2.5 million

**Department of State**

**\$162.5 Million Total Budget**

- Cultural and Museum funding \$34.9 million
- Cultural Facilities Program \$19.7 million
- Historic Preservation Grants \$1.9 million
- Restoration of Historic Properties \$14.3 million
- Special Elections \$3.1 million
- State Aid to Libraries \$27.4 million
- Library Cooperatives \$2.0 million

**Department of Transportation**

**\$10.1 Billion Total Budget**

- Fund 5-year Work Program \$9.2 billion

## AGRICULTURE & NATURAL RESOURCES

### Overview

The Agriculture & Natural Resources Appropriations Subcommittee budget is \$3.5 billion in total funding (\$505.7 million in general revenue funds and \$3.0 billion in trust funds) and includes 8,844.75 authorized positions.

There is a \$194.2 million increase (62.3 percent) in general revenue funds and a \$162.8 million increase (5.7 percent) in trust funds over the current year appropriation. There is a net decrease of 20 (less than 1 percent) in the number of positions. Finally, there is \$23 million in trust fund transfers to the General Revenue Fund.

### Highlights

- **Everglades Restoration \$135 million (\$44.3 million GR)**
  - \$32 million—Restoration Strategies Regional Water Quality Plan
  - \$40 million—C-44 reservoir and associated treatment areas
  - \$18 million—C-43 Caloosahatchee River Basin Storage Reservoir
  - \$5 million—Kissimmee River Restoration project
  - \$5 million—C-111 South Dade project
  - \$2 million—Picayune Strand restoration
  - \$3 million—Northern Everglades and Estuaries protection (DACS)
  - \$30 million—Tamiami Trail bridge project in the FDOT Work Plan
- **Indian River Lagoon and Lake Okeechobee Basin \$22.8 million GR**
  - \$10 million—Sediment & muck removal in northern and central lagoon
  - \$3 million—Dispersed water management in the Northern Everglades
  - \$4 million—Water quality monitoring devices in the Caloosahatchee River and Estuary, St. Lucie River, and Indian River Lagoon
  - \$2.8 million—South Florida Water Management District operational support for excessive Lake Okeechobee water discharges
  - \$2 million—Lake Worth Lagoon restoration
  - \$1 million—Northern Estuaries Resource Recovery pilot program to reestablish oyster populations in the St. Lucie and Caloosahatchee Estuaries
- **Northern Everglades - \$23.6 million (\$20.6 million GR)**—Provides \$3.0 million for implementation of water resource protection best management practices, \$10.6 million for hybrid wetlands in the Northern Everglades and Estuaries Protection Area, and \$10.0 million for Lake Okeechobee agricultural projects.
- **Springs Protection/Restoration/Preservation - \$30 million GR**—Provides funds (\$10 million from current year and \$20 million additional) for springs projects that represent all geographic regions of the state to protect quality and quantity of water that flows from springs.
- **Florida Forever - \$57.5 (\$10.0 million GR)**—Provides funds to the Florida Forever program (\$52.5 million) for conservation easements and land acquisitions for springs protection, water resource protection, and military buffering, and \$5.0 million to be transferred to DACS for Rural and Family Lands Protection program to acquire permanent easements to protect agricultural lands in the path of development.

- **Petroleum Tanks Cleanup Program - \$110 million TF**—Clean-up of contaminated petroleum sites.
- **Drinking Water and Wastewater Revolving Loan programs - \$203.2 million (\$12.5 million GR)**—Financial assistance to local governments for the construction of drinking water systems and critical environmental infrastructure.
- **Beach Restoration and Inlet Management - \$47.3 million (\$25.5 million GR)**—Financial assistance to local governments and special taxing authorities for beach and dune restoration and inlet sand management.
- **Community Water Projects - \$88.5 million GR**—Provides funds for various stormwater, wastewater treatment, water supply, and flood mitigation economic development incentives in local communities.
- **Small Community Wastewater Treatment Grants - \$21.0 million**—Funds for disadvantaged small communities to assist with meeting their needs for adequate sewer facilities.
- **Dry-cleaning Solvent and Hazardous Waste Site Cleanup - \$10.5 million TF**—Provides fund for the Dry-cleaning Solvent Cleanup program for eligible contaminated sites (\$6.5 million) and for multi-year cleanup projects at abandoned sites or sites where responsible parties are insolvent that are contaminated by a variety of hazardous substances (\$4 million).
- **Land Management and Invasive Plant Control - \$5 million TF**—Provides additional funds to control invasive aquatic plants (\$3 million) and improve public hunting programs and conduct natural resource management on wildlife management areas (\$2 million).
- **Lake Restoration - \$5.4 million TF**—Provides funds to conduct lake, river, and wetland aquatic habitat restoration and enhancement activities (\$3.4 million) and Lake Apopka (\$2 million).
- **Boating Infrastructure and Improvements - \$5.2 million**—Funds for local governments for various boating access and maintenance and repair projects, including public boat ramps and navigational markers.

### Department of Agriculture and Consumer Services

#### **TOTAL BUDGET for FY 2014-2015: \$1.5 billion**

- Increase of \$55 million over the current year appropriation—a 3.7-percent increase; 5 net FTE positions added.

#### Summary

- **Northern Everglades - \$23.6 million (\$20.6 million GR)**—Provides \$3.0 million for implementation of water resource protection best management practices, \$10.6 million for hybrid wetlands in the Northern Everglades and Estuaries Protection Area, and \$10.0 million for Lake Okeechobee.
- **Rural and Family Lands Protection Program - \$5 million TF**—Provides funds to acquire permanent easements to protect agricultural lands in the path of development.
- **Agricultural Nonpoint Source Best Management Practices - \$12.1 million (\$6.7 million GR)**—Provides \$1.4 million from water management districts for research, development, and implementation of best management practices, \$4 million to implement new numeric nutrient criteria and cost-share projects such as irrigation efficiencies, \$5 million for springs protection, and \$1.7 million for water supply planning.

- **Forestry Wildfire Equipment - \$3 million GR**—Provides funds for: replacement of critical firefighting equipment used in wildland fire suppression, detection and prevention; wildland fire program support; and emergency/disaster response after hurricanes and tornadoes.
- **Food Distribution - \$2.7 million GR**—Provides funds for Farm Share (\$1.5 million) and Food Banks (\$1 million), which collect and distribute surplus food and grocery items to people in poverty or times of crisis, and \$175K for community food outreach projects.
- **Florida Agricultural Marketing and Promotion Campaign - \$5.3 million (\$0.4 million GR)**— Provides funds for the “Fresh From Florida” campaign and seafood and aquaculture promotions.
- **Citrus Health - \$13.7 million TF**—Provides funds to protect the economic well-being of the Florida citrus industry, including \$6.1 million for the Citrus Health Response program (Citrus Health Management Areas, the Citrus Nursery Inspection Program, field inspections and regulatory compliance checks); \$4.0 million for citrus research to develop new tools to combat greening and to develop new varieties of citrus trees that are resistant to greening; \$2.0 million for construction of the La Crosse citrus budwood laboratory and two greenhouses; \$1.6 million for citrus tree removal and Asian Citrus Psyllid monitoring and biological control.
- **Oyster Re-Seeding and Disaster Relief - \$8.5 million TF**—Provides \$1.8 million for Florida Oyster Fishery Disaster Relief, \$5.4 million for Oyster Re-seeding and Rehabilitation, \$0.9 million to upgrade oyster processors’ facilities, and \$0.4 million for an oyster resource best management practices study.
- **Aquaculture Development and Upgrades - \$0.9 million (\$0.8 million GR)**—Provides \$0.8 million for Aquaculture Development projects and \$100K for DACS Aquaculture Center upgrades.
- **Energy Projects - \$4.5 million TF**—Provides funds for the State Energy program and the Energy Efficiency and Conservation Block Grant to reduce fossil fuel emissions and energy use and improve energy efficiency, and provides financial assistance to qualified entities for various energy conservation activities.
- **Agricultural Facilities - \$5.75 million GR**—Provides funds for community agricultural promotional and educational facilities, including the Florida Agricultural Museum (\$0.5 million) and the Florida Horse Park (\$2.0 million).
- **Infrastructure Maintenance and Repair - \$3.1 million TF**—Provides funding for making repairs and renovations to state farmers’ markets and DACS buildings and laboratories.

### Department of Citrus

#### **TOTAL BUDGET for FY 2014-2015: \$52.3 million**

- Decrease of \$8.9 million from current year appropriation—a 14.6 percent decrease; 2 positions eliminated (3.5 percent).
- **Economic and Market Research - \$0.5 million GR**—Provides \$0.5 million for economic and market research data to support marketing efforts.

### Department of Environmental Protection

#### **TOTAL BUDGET for FY 2013-2014: \$1.3 billion**

- Increase of \$263.2 million over the current year appropriation—a 20-percent increase; 23 net positions eliminated (<1 percent).

## Summary

- **Everglades Restoration - \$135 million (\$44.3 million GR)**
  - \$32 million—Restoration Strategies Regional for Water Quality Plan
  - \$40 million—C-44 reservoir and associated treatment areas
  - \$18 million—C-43 Caloosahatchee River Basin Storage Reservoir
  - \$5 million—Kissimmee River Restoration project
  - \$5 million—C-111 South Dade project
  - \$2 million—Picayune Strand restoration
  - \$3 million—Northern Everglades and Estuaries protection (DACS)
  - \$30 million—Tamiami Trail bridge project in the FDOT Work Plan
- **Indian River Lagoon and Lake Okeechobee Basin - \$22.8 million GR**
  - \$10.0 million—Sediment & muck removal in northern and central lagoon
  - \$3.0 million—Dispersed water management in the Northern Everglades
  - \$4.0 million—Water quality monitoring devices in the Caloosahatchee River and Estuary, St. Lucie River, and Indian River Lagoon
  - \$2.8 million—South Florida Water Management District operational support for excessive Lake Okeechobee water discharges
  - \$2.0 million—Lake Worth Lagoon restoration
  - \$1.0 million—Northern Estuaries Resource Recovery pilot program to reestablish oyster populations in the St. Lucie and Caloosahatchee Estuaries
- **Eau Gallie River Muck Removal - EGRET \$10 million GR**—Provides funding to remove muck in the Eau Gallie River and Elbow Creek, which flows into the Indian River.
- **Florida Forever - \$57.5 million (\$10 million GR)**—Provides \$52.5 million for conservation easements and purchase of conservation lands for springs and water resource protection and military buffering and \$5.0 million to be transferred to DACS for Rural and Family Lands Protection program.
- **Springs Protection/Restoration/Preservation - \$25 million GR**—Provides funds (\$10 million from current year and \$15 million additional) for springs projects that represent all geographic regions of the state to protect quality and quantity of water that flows from springs.
- **Florida Keys Wastewater Treatment Plan - \$50 million**—Provides for \$50 million in bonds for constructing sewage collection, treatment, and disposal facilities included in the Florida Keys Area of Critical State concern.
- **Drinking Water and Wastewater Revolving Loan programs - \$225.2 million (\$13.5 million GR)**—Provides financial assistance to local governments for the construction of drinking water systems and critical environmental infrastructure.
- **Total Maximum Daily Loads - \$9.4 million TF**—Provides funds for grants to local governments for storm water quality restoration projects, nonpoint source best management practices, and monitoring water quality.
- **Community Water Projects - \$88.5 million GR**—Provides funding for various projects, including stormwater, wastewater treatment, and flood mitigation.
- **Beach Restoration and Inlet Management - \$47.3 million (\$25.5 million GR)**—Provides financial assistance to local governments and special taxing authorities for beach and dune restoration as well as inlet management.
- **Petroleum Tanks Cleanup Program - \$110 million TF**—Provides funds for the clean-up of contaminated petroleum sites.

- **Dry-cleaning Solvent and Hazardous Waste Site Cleanup - \$10.5 million TF**—Provides fund for the Dry-cleaning Solvent Cleanup program for eligible contaminated sites (\$6.5 million) and for multi-year cleanup projects at abandoned sites or sites where responsible parties are insolvent, which are contaminated by a variety of hazardous substances (\$4.0 million).
- **Small County Wastewater Grants - \$21 million TF**—Provides funds for disadvantaged small communities to assist with meeting their needs for adequate sewer facilities.
- **Federal Grants - \$24.8 million TF**—Clean Marina Program (\$1.8 million), Federal Land/Water Conservation Grants (\$5 million), Florida Coastal Zone Management Program (\$1 million), and National Recreation Trail Grants (\$5 million), and Nonpoint Source Management Planning grants (\$12 million).
- **Infrastructure Maintenance and Repair - \$21.6 million TF**—Provides funding for making repairs and renovations to state park facilities, coastal and aquatic managed areas, and land management improvements.
- **Florida Recreation Development Assistance Program - \$6.3 million (\$5.5 million GR)**—Provides \$2.5 million for the entire small park development project list and \$3.8 million for additional local parks.
- **St. Andrews State Park - \$2.2 million TF**—Provides funds for the stabilization of the inlet along the western side of St. Andrews Inlet in Bay County.
- **Gasparilla Island State Park Assessment and Evaluation - \$1 million GR**—Provides for survey of land for potential purchase to expand the park's boundaries.

#### **Fish and Wildlife Conservation Commission**

##### **TOTAL BUDGET for FY 2014-2015: \$364.3 million**

- Increase of \$47.6 million over the current year appropriation—a 15.02-percent increase; no change in number of positions.

#### **Summary**

- **Boating Infrastructure and Improvements - \$5.2 million**—Provides funds to local governments for various boating access and maintenance and repair projects, including public boat ramps and navigational markers.
- **Lake Restoration - \$6.4 million TF**—Provides funds to conduct lake, river, and wetland aquatic habitat restoration and enhancement activities (\$3.4 million), including Lake Apopka (\$3.0 million).
- **Artificial Reef Construction - \$11.8 million TF**—Provides grants to local governments, qualified nonprofit entities and state universities for local artificial reef planning, development, assessments, and management, as well as restoring damage to the northern gulf from the Deepwater Horizon oil spill.
- **Land Management and Invasive Plant Control - \$5 million TF**—Provides additional funds to control invasive aquatic plants (\$3 million) and improve public hunting programs and conduct natural resource management on wildlife management areas (\$2 million).
- **Youth Hunting and Fishing Programs - \$1.8 million TF (\$1.1 million GR)**—Provides funds to operate the Youth Everglades Conservation Camp (\$.5 million), to repair and maintain the Everglades and Ocala Youth Camps (\$1.1 million), and to increase marketing campaigns related to recreational hunting & fishing donations to youth programs with emphasis on serving foster children and underprivileged youth (\$.2 million).

- **Black Bear Conflict Assistance - \$0.8 million TF**—Provides funds to improve capacity to respond to conflicts and to work proactively with residents, local governments, and businesses.
- **Lionfish Outreach/Control - \$0.4 million TF**—Provides funds for public awareness and to pay \$10 bounties at publicized derbies.

**Trust Fund Sweeps**

- Inland Protection Trust Fund \$40 million
- Invasive Plant Control Trust Fund \$3 million

**GOVERNMENT OPERATIONS**

**Overview of Budget**

The Government Operations Appropriations Subcommittee’s budget totals \$1.9 billion (\$289.0 million in general revenue funds and \$1.6 billion in trust funds) and includes funding for 11,376 authorized positions.

There is a \$56.9 million (3.0 percent) increase in total spending, a \$6.1 million (2.2 percent) increase in general revenue funds, and a \$50.8 million (3.2 percent) increase in trust funds. There is a net reduction of 5.00 positions from the current fiscal year.

**Department of Management Services**

- \$28.4 million in Fixed Capital Outlay for building repairs and maintenance in the Florida Facilities Pool (FFP). Presently, the FFP backlog of repairs totals nearly \$99 million.
- \$805K is provided for repairs and maintenance to the Historic Capitol.
- \$2.2 million for enhancements to the Statewide Law Enforcement Radio System (SLERS). The funding will better protect law enforcement officers by addressing the 850 square miles in our state currently without mobile or portable handheld radio coverage.
- \$3.5 million to fund the Florida Interoperability Network and Mutual Aid Build-out (SLERS). The funding will ensure law enforcement officers have statewide radio coverage during times of emergency and storm evacuation.
- \$4.0 million for a Facilities Management System to provide the State Division of Real Estate the technology tools necessary to better manage leases, building maintenance, and repairs to state facilities.
- \$2.0 million for a voluntary wellness pilot program for state employees.
- \$300K for the preparation of a transition plan for the migration the Northwood Shared Resource Center to the Southwood Shared Resource Center with the goal of providing data center cost savings in future years.
- Florida Commission on Human Relations – \$1.0 million for construction and relocation costs associated with moving the commission’s headquarters to the state Capital Circle Office Complex in Tallahassee. Funding was provided for additional staff and technology related funding.
- Reductions of \$6.0 million. The reductions eliminate spending authority for federal grants that have expired and savings realized from a decline in state utility costs.

**Department of Revenue**

- \$23.5 million for Fiscally Constrained Counties and \$173,900 for aerial photography of counties with population of 50,000 or less.



- \$32.5 million in budget authority to distribute funds to the clerks of the court. The funding provides for the implementation of ch. 2013-44, L.O.F.
- \$1.2 million for relocating Department of Revenue offices into state facilities, which will provide cost savings in future years.
- \$2.5 million to increase the classification of auditors to attract highly qualified personnel and address retention of the current audit staff.
- \$837K for the One-Stop Business Registration Portal.
- Reductions of \$2.3 million. The reductions include federal spending authority that is no longer needed and savings from reduced building rental costs.

#### **Department of Financial Services**

- Reductions of \$3.3 million; including 16.00 vacant positions of more than 120 days.
- \$9.0 million and 22.00 positions for FLAIR replacement study (state accounting system).
- \$3.5 million in Fixed Capital Outlay funding for the State Fire Marshall for repairs to the State Fire College and the Arson Laboratory.
- \$2.2 million for the replacement of the Risk Management Information Claims System.
- \$850K for the Fire Marshall to purchase fire trucks and arson lab equipment.
- Storm mitigation and research (Office of Insurance Regulation)—\$1.8 million for enhancements to the Florida Public Hurricane Loss Model and the Wall of Wind located at Florida International University.
- \$671K and 3.00 insurance fraud investigators for enhanced consumer protection.
- Office of Financial Regulation—\$810K and 5.00 positions for the establishment of a Check Cashing Transaction Database to implement ch. 2013-139, L.O.F.
- \$250K to fund a new Fire Fighter Memorial at the Capitol Complex.

#### **Department of Business and Professional Regulation**

- \$3.0 million increase for the Florida Construction Recovery Fund to pay claims.
- \$1.1 million and 4.00 FTE for the Unlicensed Activity Program to provide dedicated program staff and enhance the operations of the program.
- \$500K for Visit Florida to promote tourism in Florida.
- \$360K for replacement equipment at the University of Florida Racing Laboratory.
- \$1.3 million for the Building Code Compliance and Mitigation Program and to provide training for local building code staff.
- \$500K in reductions associated with program reductions and building rental savings.

#### **Department of Lottery**

- \$5.6 million for Instant Ticket and Terminal draw games contracts—based on Revenue Estimating Conference estimates.
- \$865K for replacement of motor vehicles in excess of 150,000 miles.
- \$471K for replacement of IT infrastructure and new Fantasy 5 draw machines.
- Reductions of \$194K—based on efficiencies due to implementation of mobile sales tools and document management system.

#### **Public Service Commission**

- Reductions of 10 FTE and \$1.0 million. The reductions include eliminating spending authority from expired federal grants and savings from reduced building rental costs.

### **Northwood & Southwood Shared Resource Centers**

- \$2.14 million to implement a disaster recovery solution for the state data centers.
- \$4.1 million for various LBR issues such as: hardware refresh, monitoring tools, additional licenses, storage area network consolidation, Windows enterprise agreement, backup expansion, enterprise vault cloud service, additional blade servers, and mainframe replication.
- Reduction of 10 vacant positions over 120 days and \$5.0 million in total reductions.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, or upon becoming law, whichever occurs later.

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### **HB 5003 - Implementing 2014-2015 General Appropriations Act**

**By: Appropriations Committee; McKeel**

**Tied Bills: None**

**Companion Bills: SB 2502**

**Committee(s) of Reference: None**

**Category: Budget, Corrections, Courts, Environmental Protection, Government Operations, Health, Juvenile Justice, Pre-K through 12 Education, Public Employees, Transportation**

This bill is commonly referred to as the budget "implementing bill". The bill provides the statutory authority necessary to implement and execute the General Appropriations Act (GAA) for Fiscal Year 2014-2015. The statutory changes are effective for only one year and either expire on July 1, 2015, or revert to the language as it existed before the changes made by the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to July 1, 2014.

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### **HB 5005 - Florida Retirement System**

**By: Appropriations Committee; McKeel**

**Tied Bills: None**

**Companion Bills: SB 2506**

**Committee(s) of Reference: None**

**Category: Budget, Public Employees, Retirement**

HB 5005, relating to the Florida Retirement System, increases the employer contribution for the Retiree Health Insurance Subsidy (HIS) from 1.20 to 1.26 percent of employees' salaries and adjusts the employer-paid contribution rates for normal cost and unfunded actuarial liability for the Florida Retirement System (FRS), based on the 2013 Actuarial Valuation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 5007 - Collective Bargaining**

**By: Appropriations Committee; McKeel**

**Tied Bills: None**

**Companion Bills: SB 2504**

**Committee(s) of Reference: None**

**Category: Government Operations, Public Employees**

HB 5007, relating to collective bargaining for state employees, resolves the collective bargaining issues remaining at impasse between the State of Florida and the bargaining representatives for state employees for the 2014-2015 fiscal year which were not resolved in the General Appropriations Act or other legislation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 7073 - Information Technology Governance**

**By: Appropriations Committee; McKeel**

**Tied Bills: None**

**Companion Bills: CS/SB 928**

**Committee(s) of Reference: None**

**Category: Government Operations**

The bill establishes an enterprise information technology (IT) governance structure within the executive branch. Specifically the bill:

- creates the Agency for State Technology (AST) within the Department of Management Services (DMS) and establishes an executive director of the agency who serves as the state's chief information officer and is appointed by the Governor and confirmed by the Senate;
- establishes 11 other positions within the AST to include a deputy executive director, a chief planning officer, 6 strategic planning coordinators, a chief operations officer, a chief information security officer, and a chief technology officer;
- authorizes a type two transfer of all records, property, unexpended balances of appropriations, administrative authority, administrative rules in chapters 71A-1 and 71A-2, F.A.C., pending issues, and existing contracts of the Agency for Enterprise Information Technology (AEIT) to AST;
- authorizes a type two transfer of the Northwood and Southwood Shared Resource Centers from DMS to AST and creates the state data center;
- defines the duties and responsibilities of the AST to include:
  - developing and implementing IT architecture standards,
  - establishing project management and oversight standards,
  - performing project oversight on IT projects with total costs of \$10 million or more,
  - performing project oversight on any cabinet agency IT project with total costs of \$50 million or more,
  - providing operational management and oversight of the state data center, and
  - identifying opportunities for standardization and consolidation of IT services that support common business functions;

- establishes the Technology Advisory Council within AST for purposes of making recommendations to the executive director and defines the council's membership;
- clarifies the IT security duties of AST, individual agencies, and the Florida Department of Law Enforcement's Cybercrime Office;
- requires AST to conduct a feasibility study and to provide recommendations for managing state government data;
- requires AST to contract for the completion of a risk assessment of IT security on the state data center and its state agency customers;
- repeals sections of law relating to AEIT, the Northwood and Southwood Shared Resource Centers, energy efficient standards for the state centers, and statewide e-mail service; and
- appropriates a total of \$4,810,994 million and 27 full-time equivalent positions for Fiscal Year 2014-2015.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **Agriculture & Natural Resources Appropriations Subcommittee**

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### **SB 678 - Trust Funds within Department of Agriculture and Consumer Services**

**By: Hays**

**Tied Bills: None**

**Companion Bills: HB 7079**

**Committee(s) of Reference: Appropriations**

**Category: Agriculture, Budget**

Consistent with all remaining trust funds administered by the Department of Agriculture and Consumer Services, the bill codifies into ch. 570, F.S., the Administrative Trust Fund, the Federal Grants Trust Fund, the Florida Saltwater Products Promotion Trust Fund, the Plant Industry Trust Fund, the Pest Control Trust Fund, the Citrus Inspection Trust Fund, and the Incidental Trust Fund.

The bill terminates the Agricultural Law Enforcement Trust Fund, the Market Trade Show Trust Fund, and the Relocation and Construction Trust Fund effective July 1, 2014; transfers all cash balances and revenues to other trust funds; and amends ss. 253.025, 571.24 and 932.7055, F.S., making conforming changes. The bill requires the Department of Agriculture and Consumer Services to pay any outstanding debts or obligations. The bill also requires the Chief Financial Officer to close out and remove the terminated funds from the various state accounting systems.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 5501 - Documentary Stamp Tax Distributions**

**By: Agriculture & Natural Resources Appropriations Subcommittee; Albritton**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Appropriations Committee**

**Category: Budget, Environmental Protection, Taxes**

The bill amends statutes to conform to the funding decisions included in the General Appropriations Act for Fiscal Year 2014-2015.

The General Appropriations Act for Fiscal Year 2014-2015 authorizes the second \$50 million in Everglades Restoration bonds for the Florida Keys Wastewater Plan and provides \$4.27 million for debt service secured by a distribution from documentary stamp tax receipts.

Current law allows documentary stamp tax receipts that are dedicated for other uses to be available to pay debt service for bonds issued before January 1, 2013. The bill amends section 201.15, Florida Statutes, to extend this provision to bonds issued before January 1, 2015.

The bill also requires that the amount necessary to pay the annual debt service authorized in Specific Appropriation 1626A of the Fiscal Year 2014-2015 General Appropriations Act for the Keys Wastewater bonds be transferred from the Water Management Lands Trust Fund to the General Revenue Fund. There is a net loss to trust funds and a net gain to the General Revenue Fund.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## Education Appropriations Subcommittee

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### **SB 676 - Welfare Transition Trust Fund/Department of Education**

**By: Galvano**

**Tied Bills: None**

**Companion Bills: HB 7067**

**Committee(s) of Reference: Appropriations**

**Category: Budget, Pre-K through 12 Education**

Senate Bill 676 re-creates the Welfare Transition Trust Fund within the Department of Education without modification. This trust fund is used exclusively for the Temporary Assistance for Needy Families (TANF) Federal Block Grant to provide child care services to eligible individuals participating in the School Readiness program.

Section 19(f), Article III of the State Constitution requires that all newly created trust funds terminate not more than four years after initial creation unless re-created. This provision requires that trust funds be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of created or recreating that trust fund. The Welfare Transition Trust Fund was created in the Department of Education effective July 1, 2011, by ch. 2011-157, L.O.F., in s. 1001.283, F.S., and is scheduled to terminate on July 1, 2015.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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### **HB 5101 - Education Funding**

**By: Education Appropriations Subcommittee; Fresen**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Appropriations Committee**

**Category: Budget, Higher Education and Workforce, Pre-K through 12 Education**

The bill conforms statute to the funding decisions in the 2014-2015 General Appropriations Act and addresses issues relating to the education system. Specifically, the bill:

- requires the Department of Education to make monthly transfers from the Public Education Capital Outlay (PECO) and Debt Service Trust Fund into a separate sub-account to reserve funds for the purposes of paying debt service and ensuring that sufficient cash balances within the fund are available to pay debt service for PECO bonds;

- prohibits the State Board of Education from approving new baccalaureate degree programs at Florida College System institutions, and the St. Petersburg College (SPC) Board of Trustees from approving baccalaureate degree programs at SPC, from March 31, 2014, through May 31, 2015;
- increases the number of schools participating in the additional hour of intensive reading from 100 to 300;
- establishes the Florida Digital Classrooms Allocation categorical in the Florida Education Finance Program (FEFP) and defines the eligible uses of the categorical and the process for school districts to receive their share of the categorical;
- requires the Department of Education to develop a five-year strategic plan for establishing Florida digital classrooms to assist schools in their efforts to integrate technology in classroom teaching and learning;
- repeals the requirement that New College of Florida function solely as an undergraduate institution and authorizes the college to establish a two-year master's degree in data science and analytics upon approval from the Board of Governors;
- establishes the Florida Center for Cybersecurity at the University of South Florida;
- increases the maximum number of scholarships available through the Rosewood Family Scholarship Program from 25 to 50 and increases the maximum annual award from \$4,000 to \$6,100;
- creates the National Merit Scholar Incentive Program to provide merit-based financial aid awards to eligible Florida high school graduates who earn a National Merit Scholarship or National Achievement Scholarship and who enroll in a four-year degree program at an eligible Florida public or independent postsecondary institution;
- establishes the Complete Florida Plus Program at the University of West Florida (UWF) to facilitate degree completion for the state's adult learners and provide information and access to distance learning courses and programs offered by Florida's state universities and colleges, and transfers the services and functions of the Florida Virtual Campus to UWF's Complete Florida Plus Program;
- modifies eligibility for lab schools to receive sparsity funds by changing the date before which the school must have been in operation from 2002 to 2013 and clarifying that the lab school must be a permanent high school center in order to be eligible to receive funds;
- clarifies that school districts are only required to pay the standard rate of tuition to public postsecondary institutions for dual enrollment courses during spring and fall terms;
- authorizes a public postsecondary institution to receive funding for dual enrollment courses taken during the summer term, subject to specific appropriation; and
- requires the Pasco County Sheriff's Office and Pasco-Hernando State College to negotiate an interlocal agreement governing the operations of the Law Enforcement and Corrections Academy.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## Finance & Tax Subcommittee

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CS/SB 156 (ch. 2014-6, L.O.F.) - Motor Vehicle and Mobile Home Taxes, Fees, and Surcharges

By: Appropriations; Negron and others

Tied Bills: None

Companion Bills: HB 7123

Committee(s) of Reference: Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

Category: Taxes, Transportation

The bill reduces the following fees, taxes, and surcharges applied to the licensure of motor vehicles and mobile homes:

Type of Fee or Tax	Current Fee	New Fee
Florida Real Time Vehicle Information System Fee s. 320.03(5), F.S.	\$1.25	\$0.50
Registration Service Charge s. 320.04(1)(a), F.S.	\$5.00	\$2.50
Automated Vending Fee s. 320.04(1)(b), F.S.	\$3.00	\$1.00
Retroreflection Material Fee s. 320.06(3)(b), F.S.	\$1.50	\$0.50
License Tax Surcharge s. 320.0804, F.S.	\$4.00	\$1.20
License Tax Surcharge s. 320.08046, F.S.	\$5.50	\$1.00
<u>Section 320.08, F.S., License Taxes</u>		
Motorcycles and Mopeds		
Any motorcycle	\$13.50	\$10.00
Any moped	\$6.75	\$5.00
Ancient or antique	\$8.50	\$7.50
Automobiles and Tri-Vehicles		
Net weight <2500 lbs.	\$19.50	\$14.50
Net weight 2500-3499 lbs.	\$30.50	\$22.50
Net weight ≥3500 lbs.	\$44.00	\$32.50
Ancient, antique, or street rod	\$10.25	\$7.50
Light Trucks		
Net weight <2000 lbs.	\$19.50	\$14.50
Net weight 2000-3000 lbs.	\$30.50	\$22.50
Net weight 3001-5000 lbs.	\$44.00	\$32.50
Trucks defined as "goats"	\$10.25	\$7.50
Ancient or antique	\$10.25	\$7.50



The bill also adjusts the distribution of the current \$225 initial registration fee in order to avoid negative impacts to the Highway Safety Operating Trust Fund as a result of the above fee reductions. The bill will reduce total state revenues by \$307.4 million in the first year (Fiscal Year 2014-2015) and by \$394.9 million annually.

The bill became law on April 3, 2014, chapter 2014-6, Laws of Florida, and becomes effective September 1, 2014.

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**CS/HB 803 (ch. 2014-36, L.O.F.) - Communications Services Tax**

**By: Finance & Tax Subcommittee; Boyd**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 898**

**Committee(s) of Reference: Finance & Tax Subcommittee; Appropriations Committee**

**Category: Taxes, Utilities and Communications**

For the purposes of the communications services tax, the bill adds to the definition of “information services,” data processing and other services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser’s primary purpose for the underlying transaction is the processed data or information. This has the effect of clarifying that such services are excluded from the definition of “communications services” and are not subject to state and local communications services taxes.

The bill has no fiscal impact.

The bill became law on May 12, 2014, chapter 2014-36, Laws of Florida, and becomes effective July 1, 2014.

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**SB 1676 (ch. 2014-25, L.O.F.) - Internal Revenue Code**

**By: Appropriations**

**Tied Bills: None**

**Companion Bills: HB 7153**

**Committee(s) of Reference: Commerce and Tourism**

**Category: Taxes**

Florida imposes a 5.5 percent tax on the taxable income of corporations doing business in Florida. The determination of taxable income for Florida tax purposes begins with the taxable income used for federal income tax purposes. This linkage to the federal Internal Revenue Code requires annual updates to Florida’s tax code if the administrative and bookkeeping benefits of “piggybacking” on the federal system are to be retained.

This bill updates Florida's Corporate Income Tax Code by adopting the Internal Revenue Code as in effect on January 1, 2014.

The Revenue Estimating Conference has estimated that the bill will not have a fiscal impact.

The bill became law on May 12, 2014, chapter 2014-25, Laws of Florida, and operates retroactively to January 1, 2014.

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**HB 5601 (ch. 2014-38, L.O.F.) - Economic Development**

**By: Finance & Tax Subcommittee; Workman and others**

**Tied Bills: None**

**Companion Bills: HB 257; CS/HB 567; HB 653; HB 769; HB 815; HB 847; HB 899; HB 1015**

**Committee(s) of Reference: Appropriations Committee**

**Category: Economic Development, Taxes**

The bill is an omnibus economic development and tax cut package containing the following provisions:

- Three temporary "tax holiday" periods where sales of certain goods will be exempt from the sales tax – a "back to school" holiday for certain clothing, school supplies, and computers; a hurricane supplies holiday; and an energy efficient products holiday
- A temporary sales tax exemption for cement-mixing drums
- Permanent sales tax exemptions for child restraint systems, bicycle helmets marketed for use by youth, therapeutic pet food, and meal plans sold by institutions of higher education
- An increase in the amount of credits available under the New Markets Tax Credit program from \$178.8 million to \$216.34 million
- A delay in the repeal of the Community Contributions Tax Credit program by one year and an increase in the annual cap for that program from \$14.0 million to \$21.9 million
- Clarification of the statutory definition of "prepaid calling arrangement" to provide that certain prepaid mobile communications services are subject to state and local sales taxes instead of state and local communications services taxes
- A decrease in the sales tax rate on charges for electricity from 7.00 percent to 4.35 percent and an additional gross receipts tax of 2.60 percent on those same charges
- Authority for sales tax dealers to receive credit for 64.4 percent of the tax paid on bad debts incurred through private-label credit cards
- An increase in the percentage of collections from the cigarette tax paid to the H. Lee Moffitt Cancer Center from 2.75 percent to 4.04 percent
- Authority for local governments to lower local business tax rates by majority vote without going through a reclassification process
- Clarification of the procedures governing the publication of certain statistics regarding tourist development taxes
- Exclusion from the insurance premium tax of the portion of the premium retained by agents selling title insurance and bail bonds

The total state and local government impact of the bill is \$63.8 million on a recurring basis. Adding the purely non-recurring impacts of \$71.9 million to this amount yields a total impact of \$135.7 million, all but \$0.5 million of which is tax cuts and incentives.

The bill became law on May 12, 2014, chapter 2014-38, Laws of Florida, and becomes effective July 1, 2014.

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**CS/HB 7081 (ch. 2014-40, L.O.F.) - Tax Administration**

**By: Appropriations Committee; Finance & Tax Subcommittee; Caldwell**

**Tied Bills: None**

**Companion Bills: CS/SB 1654**

**Committee(s) of Reference: Appropriations Committee**

**Category: Government Operations, Taxes**

This bill contains recommendations for general tax administration improvements, primarily consisting of legislative concepts submitted by the Department of Revenue (DOR). This bill:

- revises the procedures local governments may use to authorize ad valorem exemptions for economic development;
- clarifies that charges for the storage of towed vehicles resulting from a “lawful impoundment” by a law enforcement agency are not taxable;
- clarifies and reorganizes the statutes pertaining to the application of current criminal penalties regarding certain tax violations;
- provides that DOR can require certain individuals and entities seeking to obtain a dealer’s certificate of registration to post a cash deposit, bond, or other security if that business will be operated at an identical location of a previous business that would have been required to post such security (this requirement can be waived if absence of tax liability or an arms-length transfer of the business can be demonstrated);
- permits certain local government entities to publish aggregate data on certain tourism taxes.
- increases the authority of the Executive Director of DOR to compromise tax assessed from \$250,000 up to \$500,000 when there is doubt as to liability or collectability;
- provides definitions for “automated sales suppression device” or “zappers” and “phantom-ware”, and criminalizes the knowing sale, purchase, installation, transfer, or possession of such software or software devices that can be used to falsify records of cash registers and other point-of-sale systems;
- establishes a requirement for employers to comply with requests for all work records during an audit as a prerequisite to earn a lower unemployment tax contribution rate instead of the “standard rate” at 5.4 percent; and
- standardizes the interest rate provisions for unemployment taxes to make them the same rate as is applied to other taxes administered by the DOR.

The Revenue Estimating Conference has determined that several provisions of the bill will have positive indeterminate impacts on state and local revenues. Also, the increase in compromise authority will have an indeterminate impact of unknown direction on state and local revenues. The change in interest rates applicable to late reemployment assistance tax remittances will have an insignificant impact on general revenue and a -\$0.6 million impact on state trust funds in 2014-2015 (-\$0.2 million recurring).

The bill became law on May 12, 2014, chapter 2014-40, Laws of Florida, and became effective on that date.

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## **Government Operations Appropriations Subcommittee**

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### **SB 680 - Federal Grants Trust Fund/Department of Business and Professional Regulation**

**By: Hays**

**Tied Bills: None**

**Companion Bills: HB 7041**

**Committee(s) of Reference: Appropriations**

**Category: Budget, Business and Professional Regulation, Government Operations**

Senate Bill 680 re-creates the Federal Grants Trust Fund within the Department of Business and Professional Regulation (DBPR) without modification. The trust fund is used to deposit funds received from the federal government.

Section 19(f), Article III of the Florida Constitution requires that all newly created trust funds terminate not more than four years after initial creation unless re-created. This provision also requires that trust funds be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of creating or re-creating that trust fund. The Federal Grants Trust Fund was created in DBPR effective July 1, 2011, in ch. 2011-60, L.O.F., and was scheduled to terminate on July 1, 2015.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 682 - Federal Grants Trust Fund/Department of Financial Services**

**By: Hays**

**Tied Bills: None**

**Companion Bills: HB 7043**

**Committee(s) of Reference: Appropriations**

**Category: Budget, Financial Services, Government Operations**

Senate Bill 682 re-creates the Federal Grants Trust Fund within the Department of Financial Services (DFS) without modification. The trust fund is used to deposit funds received from the federal government.

Section 19(f), Article III of the Florida Constitution requires that all newly created trust funds terminate not more than four years after initial creation unless re-created. This provision also requires that trust funds be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of creating or re-creating that trust fund. The Federal Grants Trust Fund was created in DFS effective July 1, 2011, in ch. 2011-29, L.O.F., and was scheduled to terminate on July 1, 2015.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 5403 - Surplus Lines Tax Revenue**

**By: Government Operations Appropriations Subcommittee; Ingram**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Appropriations Committee**

**Category: Budget, Financial Services, Government Operations, Repeals of Existing Laws, Taxes**

House Bill 5403 amends ss. 624.523, 626.932(5), 626.938(7), F.S., and repeals s. 9 of ch. 2009-70, L.O.F., relating to the distribution of surplus lines tax revenues. The bill conforms to the 2014-2015 fiscal year General Appropriations Act by:

- providing for the distribution of collected surplus lines tax revenues in the amount of 8.8 percent to be deposited into the Insurance Regulatory Trust Fund within the Department of Financial Services and 91.2 percent to be deposited into the General Revenue Fund;
- repealing s. 9 of ch. 2009-70, L.O.F., relating to the June 30, 2014, sunset of the previous distribution of 100 percent of collected surplus lines tax revenues to the General Revenue Fund;
- providing \$198.7 million in general revenue funds contained within the Fiscal Year 2014-2015 General Appropriations Act.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, except as otherwise provided.

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## Health Care Appropriations Subcommittee

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### HB 5201 - Medicaid

**By: Health Care Appropriations Subcommittee; Hudson**

**Tied Bills: None**

**Companion Bills: SB 2512**

**Committee(s) of Reference: Appropriations Committee**

**Category: Budget, Health, Social Services**

HB 5201 conforms to the 2014-15 General Appropriations Act. The bill:

- amends s. 395.302, F.S., relating to the definition of “rural hospital” to include hospitals meeting the qualifications of a federal “sole community hospital” having up to 340 beds and removes an obsolete statutory provision in the definition of rural hospital;
- creates s. 409.909(5), F.S., relating to the Statewide Medicaid Residency Program;
- requires the Agency for Health Care Administration—beginning in the 2015-2016 fiscal year—to reconcile each participating hospital’s number of residents calculated under the program’s statutory formula with the most recent Medicare cost report submitted by the hospital (in any year in which retroactive adjustments are needed due to the reconciliation, those adjustments will be applied to the hospital’s allocation for that year);
- amends s. 409.911(2)(a), F.S., so that data used by the Agency for Health Care Administration to measure hospitals’ Medicaid and charity care will be applied to the 2014-2015 fiscal year;
- amends s. 409.911(4)(d), F.S., to provide that any non-state-owned or operated hospital that was eligible for public-hospital disproportionate share payments on July 1, 2011, remains eligible for those payments during the 2014-2015 fiscal year;
- amends s. 409.965, F.S., to exempt children receiving services in a prescribed pediatric extended care (PPEC) facility from mandatory enrollment within the Statewide Medicaid Managed Care program;
- amends s. 409.968, F.S., to provide that reimbursement for prescribed pediatric extended care services provided to children enrolled in a Medicaid managed care plan will be paid to the prescribed pediatric extended care service provider by the Agency for Health Care Administration on a fee-for-service basis;
- amends s. 409.972, F.S., by adding Medicaid recipients residing in Agency for Persons with Disabilities-licensed group homes and children receiving services in a prescribed pediatric extended care center to the list of recipients exempt from mandatory managed care enrollment under Statewide Medicaid Managed Care but who are allowed to join managed care plans voluntarily;
- amends s. 409.975, F.S., to repeal the requirement in the Statewide Medicaid Managed Care program that persons eligible for the Medically Needy program must enroll in managed care plans and pay a monthly premium of an amount up to their share of cost calculated under the Medically Needy program;
- repeals requirements for Medicaid managed care plans related to Medically Needy; and

- repeals and replaces two paragraphs of proviso in the General Appropriations Act to correct a scrivener's error, relating to funding items for Jackson Hospital and Manatee ER Diversion.

Subject to the Governor's veto powers, the bill will be effective July 1, 2014, except as otherwise provided.

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**HB 5203 - Cancer Centers**

**By: Health Care Appropriations Subcommittee; Hudson**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Appropriations Committee**

**Category: Budget, Health**

HB 5203 conforms to the 2014-15 General Appropriations Act. The bill:

- creates s. 381.915, F.S., the Florida Consortium of National Cancer Institute Centers Program within the Department of Health (DOH) to enhance the quality and competitiveness of cancer care in the state, further a statewide biomedical research strategy responsive to the health needs of Florida's citizens and capitalize on the potential educational opportunities available to its students;
- revises the statutory distribution of certain funds deposited into the Biomedical Research Trust Fund;
- directs DOH to make payments to Florida-based cancer centers recognized by the National Cancer Institute (NCI) at the National Institutes of Health and to calculate an allocation fraction to be used for distributing funds to participating cancer centers;
- provides that the allocation fraction is based on three factors:
  - number of reportable cases,
  - peer-review costs,
  - biomedical educational and training,and assigns weights to each of the primary allocation factors;
- assigns tier-designated weights to each of a participating center's program metric factors based on the NCI status of the center;
- requires that participating cancer centers meet minimum criteria for funding;
- requires DOH, in conjunction with participating cancer centers, to submit a report to the Cancer Control Research Advisory Council on specific metrics relating to cancer mortality and external funding for cancer-related research in the state;
- authorizes DOH to adopt rules to administer the Florida Consortium of National Cancer Institute Centers Program; and
- specifies that funding for the program is subject to an appropriation in the GAA.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **Justice Appropriations Subcommittee**

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### **SB 2510 - Court-appointed Counsel**

**By: Senate Appropriations**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: None**

**Category: Budget, Courts**

SB 2510 conforms to the Fiscal Year 2014-15 General Appropriations Act (GAA) by increasing the flat fees for court appointed attorneys representing indigent criminal defendants in certain types of cases, eliminating language that permits the chief judge in each circuit to establish a limited registry of court-appointed attorneys to represent indigent defendants, establishing a cross-circuit conflict representation pilot project in two public defender offices and one regional conflict counsel office, and changing the funding source for costs that exceed the flat fees.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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### **HB 5301 - Additional Judgeships**

**By: Justice Appropriations Subcommittee; McBurney**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Appropriations Committee**

**Category: Budget, Courts**

House Bill 5301 conforms to the Fiscal Year 2014-15 General Appropriations Act by creating three additional appellate judgeships within the state. Specifically, it creates two additional judgeships in the Second District Court of Appeal and one additional judgeship in the Fifth District Court of Appeal.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 5303 - Counsel in Proceedings for Executive Clemency**

**By: Justice Appropriations Subcommittee; McBurney**

**Tied Bills: None**

**Companion Bills: SB 2508**

**Committee(s) of Reference: Appropriations Committee**

**Category: Administrative Procedure, Budget, Government Operations**

HB 5303 conforms to the 2014-2015 General Appropriations Act by removing the authority of the trial courts to appoint a public defender, criminal conflict and civil regional counsel, or other attorneys to represent an indigent defendant in death penalty executive clemency proceedings and giving the Board of Executive Clemency the authority to appoint private counsel in such cases.

The Board of Executive Clemency may appoint private counsel to represent a person sentenced to death for relief by executive clemency at such time as the board deems appropriate for clemency consideration. The bill requires the Board to maintain a list of private counsel available for appointment and provides that attorney compensation may not exceed \$10,000.

The bill specifies that the provision of counsel for executive clemency does not create a statutory right to counsel in such proceedings.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **Transportation & Economic Development Appropriations Subcommittee**

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**SB 684 - State Economic Enhancement and Development Trust Fund/Department of Economic Opportunity**

**By: Gardiner**

**Tied Bills: None**

**Companion Bills: HB 7053**

**Committee(s) of Reference: Appropriations**

**Category: Budget, Transportation**

SB 684 re-creates the State Economic Enhancement and Development (SEED) Trust Fund within the Department of Economic Opportunity, which would otherwise expire on July 1, 2015. It re-creates the trust fund without modification, providing for the continuation of the current purpose and uses of the fund. This trust fund serves as: a depository for funds to be used for funding infrastructure and job creation opportunities and for transportation facilities, affordable housing programs, and projects in accordance with ch. 420, F.S.; economic development incentives for job creation and capital investment; workforce training associated with locating a new business or expanding an existing business; and

tourism promotion and marketing services, functions, and programs. The bill also repeals the provision for the scheduled termination of the trust fund.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 686 - Termination of Trust Funds within Department of Economic Opportunity**

**By: Gardiner**

**Tied Bills: None**

**Companion Bills: HB 7059**

**Committee(s) of Reference: Appropriations**

**Category: Budget, Economic Development**

SB 686 terminates the Community Services Block Grant Trust Fund, Energy Consumption Trust Fund, Economic Development Transportation Trust Fund, and the Low Income Home Energy Assistance Program Block Grant Trust Fund within the Department of Economic Opportunity.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 2514 - Bicycle and Pedestrian Ways**

**By: Senate Appropriations**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: None**

**Category: Budget, Transportation**

SB 2514 authorizes the use of statewide transportation revenues to be used by the Florida Department of Transportation for the cost of planning, land acquisition, design and construction of multi-use trails.

The department is required to give funding priority to projects identified by the Florida Greenways and Trails Council as a priority within the Florida Greenways and Trails System under ch. 260, F.S. The projects: support the transportation needs of bicyclists and pedestrians; have national, statewide, or regional importance; and facilitate an interconnected system by completing gaps between existing trails.

Priority projects recommended for funding must be included in the department's tentative work program developed pursuant to s. 339.135, F.S.; and, after construction is complete, there will be no further obligation of the department to provide funds for the operation and maintenance of the trail.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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***HOUSE OF REPRESENTATIVES***  
***Economic Affairs Committee***  
**Representative Jimmy Patronis, Chair**  
**Representative Tom Goodson, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**



***Economic Development & Tourism Subcommittee***

**Representative Carlos Trujillo, Chair**  
**Representative Elizabeth Porter, Vice Chair**

***Transportation & Highway Safety Subcommittee***

**Representative Daniel Davis, Chair**  
**Representative Lake Ray, Vice Chair**

***Veteran & Military Affairs Subcommittee***

**Representative Ronald Renuart, Chair**  
**Representative Jimmie Smith, Vice Chair**



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**CS/HB 7095 - Professional Sports Facilities**

**By: Appropriations Committee; Economic Affairs Committee; Patronis and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1216**

**Committee(s) of Reference: Appropriations Committee**

**Category: Economic Development**

The bill creates the Sports Development Program, a new professional sports franchise facility incentive program, and project evaluation process through the Department of Economic Opportunity (DEO). Applications will be collected annually and ranked by DEO before being presented to the Legislature for consideration. To receive funding, a project must be approved by the Legislature through conforming bill or general law and approved by the Governor.

Eligible beneficiaries include: franchises of the National Football League, National Basketball Association, National Hockey League, Major League Soccer, Major League and Minor League Baseball, North American Soccer League; the Professional Rodeo Cowboy Association; and promoters of National Association of Stock Car Auto Racing and Breeders' Cup Limited events.

A certified applicant's annual distribution is based on the amount of new incremental state sales taxes and capital investment the project is expected to create. A certified applicant may receive an annual distribution up to \$3 million for 30 years. Total annual distributions are capped at \$13 million.

The bill contains clawback provisions in the event that: an applicant fails to produce the anticipated amount of new incremental state sales taxes; the beneficiary using the facility relocates or folds; or an applicant gives false or misleading information to DEO.

The bill also creates an expedited approval process for new facilities and projects already under construction. Such applications must be submitted to DEO after May 1, 2014, and may be approved by the Legislative Budget Commission on or after January 1, 2015. The bill limits the amount of total annual distributions that may be awarded through this process to \$7 million.

The bill makes changes to the Spring Training Retention program, which changes the terms of a certified applicant's annual distribution to shorten the period a certified applicant may receive an annual distribution and to increase the amount distributed to each certified applicant annually. Language is also inserted to prevent any current certified applicant from receiving a second certification through the program.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**HB 7175 - Department of Transportation**

**By: Economic Affairs Committee; Goodson**

**Tied Bills: None**

**Companion Bills: CS/SB 696, CS/CS/HB 1161, SB 642, CS/CS/SB 1048, SB 1152, includes parts of CS/HB 345, CS/CS/CS/SB 218**

**Committee(s) of Reference: None**

**Category: Economic Development, Environmental Protection, Local Government, Repeals of Existing Laws, Transportation**

The bill is a comprehensive bill related to the Department of Transportation (DOT). In summary, the bill:

- repeals the Florida Transportation Corporation Act and related authority for the Auditor General to audit these corporations;
- gives the Florida Transportation Commission monitoring authority over the Mid-Bay Bridge Authority;
- repeals the Florida Statewide Passenger Rail Commission;
- repeals obsolete statutory language regarding permits for wreckers towing disabled vehicles;
- increases the maximum weight limit for auxiliary power units from 400 to 550 pounds, conforming to federal law;
- authorizes DOT to fund strategic airport investment projects at up to 100 percent of the project's cost if certain criteria are met;
- provides that DOT may not enter into any lease-purchase agreement with any expressway authority, regional transportation authority, or other entity;
- requires DOT to purchase all plant materials from Florida commercial nursery stock, except as prohibited by applicable federal law or regulation;
- authorizes DOT to improve and maintain roads that are part of the county road system or city street system if they provide access to a state park;
- authorizes DOT to enter into a concession agreement with a not-for-profit entity or private sector business or entity for commercial sponsorship displays on multi-use trails and related facilities;
- eliminates a contractor affidavit requirement while still requiring the vehicles to be registered in Florida;
- revises a limitation on contractors and affiliates to provide testing, construction, engineering, and inspection services;
- clarifies an existing public records exemption by providing that a document that reveals the identity of a person who has requested or obtained from DOT a bid package, plan, or specifications pertaining to any project to be led by DOT before the two working days before the deadline for obtaining such materials remains a public record;
- authorizes greater flexibility for DOT to sell property acquired as right-of-way that is no longer needed for the construction, operation, and maintenance of a transportation facility;
- provides statutory guidelines regarding unsolicited lease proposals;
- clarifies that DOT may collect and enforce tolls, fares, administrative fees, and other applicable charges due in connection with use of a public or private transportation facility;



- removes the obligation that Alligator Alley excess toll revenues to indefinitely be used to operate and maintain a fire station located on Alligator Alley, and authorizes the use of such revenues to reimburse a county or another local governmental entity for the direct actual cost of operating the fire station by interlocal agreement ending on June 30, 2018;
- authorizes DOT to solicit investors willing to enter into agreements to purchase the revenue stream from one or more existing DOT leases for wireless communication facilities on property owned or controlled by DOT through the issuance of an invitation to negotiate, with the proceeds received by DOT used for fixed capital expenditures for the statewide transportation system;
- revises state law relating to the designation, voting membership, and reapportionment of metropolitan planning organizations;
- includes Enterprise Florida, Inc., as an entity with which DOT will consult regarding economic development transportation project contracts and authorizes DOT to terminate a grant award if construction of the transportation project does not begin within four years after the date of the initial grant award;
- deletes obsolete references to the Toll Facilities Revolving Trust Fund;
- makes the following changes regarding environmental mitigation:
  - clarifies information to be included in the environmental impact inventory and bases the amount of mitigation needed for transportation projects on the Uniform Mitigation Assessment Method rather than impact acres,
  - removes the requirement for DOT to establish an escrow account and replaces it with the identification of mitigation funds in DOT's work program,
  - clarifies continuing responsibility of entity performing mitigation,
  - provides transition provisions for the March 1, 2014, WMD mitigation plans and clarifies requirements for WMD mitigation plans,
  - replaces statutorily prescribed mitigation cost of \$75,000 per impact acre adjusted by the Consumer Price Index with actual cost for WMD/DEP provided mitigation services, and
  - creates a provision to grandfather WMD or DEP mitigation sites initiated with DOT mitigation funds under the current statutory scheme;
- provides that public service warning signs on water management district property are subject to the Highway Beautification Act of 1965 and all applicable federal laws and agreements;
- makes the following changes to the state's outdoor advertising statute:
  - revises various definitions,
  - clarifies DOT's duties relating to outdoor advertising,
  - clarifies that outdoor advertising signs may only be permitted on parcels of land that are in commercial or industrial zones, and creates a process for resolving compliance issues,
  - revises DOT's authority to enter private land to remove illegal signs,
  - clarifies that a license is not required of a business that solely constructs signs,
  - clarifies disciplinary action for delinquent accounts and the effects of an outdoor advertising license suspension,
  - clarifies permit requirements to insure compliance with federal regulations,
  - clarifies that DOT may deny or revoke any permit requested or granted if the application contains false or misleading information,
  - clarifies DOT's authority to remove signs with cancelled permits in addition to those with revoked permits,

- clarifies the notification and permitting processes for signs currently in violation of permit requirements,
- clarifies the vegetation management permit process,
- removes the fine of \$75 against an owner who has been assessed the costs of removing a sign,
- allows permitted signs to be relocated rather than acquired when the relocation results from a transportation project,
- allows for the clarification and expansion of commerce and local control exemptions unless DOT is notified by the federal government that the exemptions will adversely affect federal funds, and provides for the removal of the signs if the signs are not allowed,
- clarifies that compensation for signs acquired by DOT includes both conforming and nonconforming signs,
- clarifies the process for allowing sign heights to be increased when constructing sound walls,
- allows the logo sign program on all limited access roads, and
- ensures DOT's authority to remove cancelled signs;
- repeals a pilot program for tourist-oriented commerce outdoor advertising signs;
- establishes a pilot program for the School District of Palm Beach County to recognize its business partners by publicly displaying their names on school district property in unincorporated areas of the county;
- directs the Florida Transportation Commission to conduct a study of the potential for the state to obtain revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road; and
- provides that payment of maintenance costs will become an eligible use of Pinellas Bayway toll revenue.

The bill has an indeterminate fiscal impact on both state and local government revenues and expenditures. The bill contains provisions that put the state in alignment with federal law to avoid the potential loss of federal funds.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, except as otherwise provided.

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## **Economic Development & Tourism Subcommittee**

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**HB 231 (ch. 2014-29, L.O.F.) - Admissions Tax**

**By: Brodeur and others**

**Tied Bills: None**

**Companion Bills: SB 330**

**Committee(s) of Reference: Economic Development & Tourism Subcommittee; Finance & Tax Subcommittee; Economic Affairs Committee**

**Category: Economic Development, Taxes, Tourism**

Section 212.04, F.S., provides that every person who sells or receives anything of value by way of admissions is exercising a taxable privilege at the rate of six percent of the sales price of admission. The section exempts from this tax admission to specified sporting events, including all-star games produced by the National Football League (NFL), Major League Baseball (MLB), National Hockey League (NHL), and National Basketball Association (NBA). The MLB Home Run Derby, held in conjunction with the MLB All-Star Game, and the Rookie Challenge, Celebrity Game, 3-Point Shooting Contest, and Slam Dunk Challenge, all produced as part of the NBA's All-Star Game festivities, are also exempt from the admissions tax.

HB 231 adds the Major League Soccer All-Star Game to the list of events exempted from the sales tax on admissions. It also replaces the list of specific NBA All-Star Game-associated events exempted under current law with language that includes all NBA-produced all-star events held at an arena, convention center, municipal facility, or other such facility.

The Revenue Estimating Impact Conference met on January 17, 2014, and estimated this bill would have no revenue impact on state or local government in Fiscal Year 2014-2015, but would have a negative, indeterminate impact on state and local government revenues thereafter.

The bill became law on May 12, 2014, chapter 2014-29, Laws of Florida, and becomes effective July 1, 2014.

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**CS/CS/CS/HB 325 - Brownfields**

**By: Economic Affairs Committee; Local & Federal Affairs Committee; Economic Development & Tourism Subcommittee; Stone; Hutson and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 586**

**Committee(s) of Reference: Economic Development & Tourism Subcommittee; Local & Federal Affairs Committee; Economic Affairs Committee**

**Category: Economic Development, Environmental Protection, Local Government**

The bill amends the Brownfields Redevelopment Act (act) and revises the provisions relating to the process for designating brownfield areas and clarifies the criteria that must be satisfied when a brownfield area designation is proposed by a local government or a person other than a governmental entity, such as an individual, corporation, community-based organization, or not-for-profit corporation.

The bill clarifies the requirements that apply to all brownfield area designations and clarifies which provisions of the act relating to public hearings, conditions, and criteria apply when a local government proposes to designate a brownfield area within or outside certain redevelopment areas.

The liability portion of the bill expands the protections provided to the entity responsible for the brownfield site rehabilitation. The liability protection applies to causes of action accruing on or after July 1, 2014. The bill also provides the circumstances under which liability protection would not apply and provides that liability protection does not limit the right of a third party other than the state to pursue an action for damages to persons for bodily harm.

The bill does not have a fiscal impact on state or local government revenues.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 374 - Growth Management**

**By: Detert**

**Tied Bills: None**

**Companion Bills: HB 189**

**Committee(s) of Reference: Community Affairs; Commerce and Tourism; Rules**

**Category: Local Government**

SB 374 revises the prohibition on initiative or referendum processes for local comprehensive plan amendments or map amendments by removing a provision that allows such initiatives or referendum processes for any local comprehensive plan amendment or map amendment that affects more than five parcels of land under certain conditions.

The bill prohibits initiative or referendum processes for any local comprehensive plan amendment or map amendment unless the initiative or referendum process is expressly authorized by specific language in a local government charter which was lawful and in effect on June 1, 2011.

The bill effectively exempts the Town of Longboat Key's referendum charter provision from the state statutory provision prohibiting such initiative or referendum processes for local comprehensive plan amendments or map amendments. The bill provides that it is the intent of the Legislature that initiative and referendum processes be prohibited in regard to any local comprehensive plan amendment or map amendment, except as narrowly permitted under s. 163.3167(8)(b), F.S.

The bill does not have a fiscal impact on state or local government revenues.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**CS/SB 398 - Florida Tourism Hall of Fame**

**By: Commerce and Tourism; Detert and others**

**Tied Bills: None**

**Companion Bills: HB 749**

**Committee(s) of Reference: Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations**

**Category: Tourism**

In 2001, the Florida Tourism Industry Marketing Corporation (VISIT Florida) established the Florida Tourism Hall of Fame to recognize persons, living or dead, whose work in the tourism industry has made significant contributions to the economic climate in Florida. CS/SB 398 codifies the Florida Tourism Hall of Fame in statute.

VISIT Florida will continue to administer the Hall of Fame without appropriation of state funds. The Department of Management Services must set aside an area on the Plaza Level of the Capitol Building for the Hall of Fame and consult with VISIT Florida regarding the design and theme of the area.

The bill does not have a fiscal impact on state or local governments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 513 - State Poet Laureate**

**By: Raulerson and others**

**Tied Bills: None**

**Companion Bills: SB 290**

**Committee(s) of Reference: Economic Development & Tourism Subcommittee; Economic Affairs Committee**

**Category: Economic Development**

The bill creates the position of State Poet Laureate within the Department of State (DOS) and provides requirements for the selection, terms of service, and duties of the position. The bill assigns the nominations process for the State Poet Laureate to the Florida Council on Arts and Culture (council), housed within DOS. The bill also expands the duties of the council to include the promotion of poetry and related activities.

DOS is authorized to establish duties for the State Poet Laureate. Such duties may include performing readings of poetry authored by the occupant and engaging in outreach activities for the benefit of schools and communities. The bill also authorizes DOS to adopt rules to implement the provisions of the bill.

The bill does not have a fiscal impact on state or local government.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 979 - Homelessness**

**By: Appropriations Committee; Economic Development & Tourism Subcommittee; Peters and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1090**

**Committee(s) of Reference: Economic Development & Tourism Subcommittee; Appropriations Committee**

**Category: Social Services**

The bill modifies the training and technical assistance program under the Affordable Housing Planning and Community Assistance Act (act), to provide that an acceptable use of the act is to meet the needs of the homeless. The bill amends the act to provide that training and technical assistance is available for designated lead agencies of homeless assistance Continuums of Care (CoCs) to provide or secure housing and other services for the homeless and directs the Department of Economic Opportunity to contract with a nonprofit entity to provide such training and technical assistance.

The bill revises the qualifications and eligible activities for "Challenge Grants" administered by the Office of Homelessness. Local homeless coalitions, municipal or county government, or other public agencies or private, not-for-profit corporations are authorized to act as a lead agency. The Department of Children and Families (DCF) must establish varying levels of grant awards up to \$500,000 per lead agency. The award levels must be based upon the total population within the CoC catchment area and

reflect the differing degrees of homelessness in the catchment planning areas. DCF, in consultation with the Homelessness Council, must specify a grant award level in the notice of the solicitation of grant applications. The CoC plan must implement a coordinated assessment or central intake system to screen, assess, and refer persons seeking assistance to the appropriate service provider.

Lead agencies are required to submit a final report to DCF documenting outcomes and are authorized to allocate the grant to programs or services that implement the local homeless assistance CoC plan and provide subgrants to a local agency to implement programs or services identified in the lead agency's application to DCF.

The provisions authorized in the bill are contingent upon a specific legislative appropriation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 1140 - Public Records/Division of Emergency Management/Emergency Planning**

**By: Military and Veterans Affairs, Space, and Domestic Security; Hays**

**Tied Bills: None**

**Companion Bills: CS/HB 7011**

**Committee(s) of Reference: Military and Veterans Affairs, Space, and Domestic Security;**

**Governmental Oversight and Accountability; Rules**

**Category: Emergency Management, Government in the Sunshine**

The Division of Emergency Management (DEM) is required to institute a multifaceted public education campaign on emergency preparedness. The campaign must promote the personal responsibility of individual citizens to be self-sufficient for up to 72 hours following a natural or manmade disaster. In 2006, DEM launched the "Get a Plan" campaign to encourage individuals, families, and businesses to develop disaster plans in preparation of and in response to natural or manmade disasters. It is an online tool that allows individuals, families, and businesses to create an emergency plan tailored to the specific needs of the user.

Current law provides a public record exemption for any information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency. Current law also provides a public record exemption for any security system plan held by an agency for any privately-owned or -leased property. For purposes of the exemption, a security system plan includes, in part, threat response plans, emergency evacuation plans, and sheltering arrangements.

The bill creates a public record exemption for any information furnished by a person or business to the DEM for the purpose of being provided assistance with emergency planning. It provides for retroactive application of the public record exemption.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

The bill does not appear to have a fiscal impact on local government. The bill may create a minimal fiscal impact on DEM.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 1142 - Ticket Sales**

**By: Commerce and Tourism; Lee and others**

**Tied Bills: None**

**Companion Bills: CS/HB 1057**

**Committee(s) of Reference: Commerce and Tourism; Criminal Justice; Appropriations**

**Category: Consumer Protection, Law Enforcement**

Section 817.355, F.S., provides that a person who counterfeits, forges, alters, or possesses any ticket, token, or paper that is designed for admission to any sports, amusement, concert, or other facility offering services to the general public, with the intent to defraud such facility, is guilty of a first degree misdemeanor.

The bill amends s. 817.355, F.S., to provide that a person commits a third degree felony when they engage in a second or subsequent violation of the statutory provisions relating to the fraudulent creation or possession of admission tickets. The same criminal penalty applies to a person who counterfeits, forges, alters, clones, or possesses ten or more tickets with intent to defraud a facility that host sports, amusements, concerts, or other events open to the public.

The bill amends s. 817.361, F.S., to define the terms "issuer," "multiuse ticket," and "theme park complex" relating to the sale or transfer of a multiuse ticket. The bill provides that a multiuse ticket is nontransferable unless otherwise specifically indicated on the ticket or on the ticket issuer's website. The bill increases the criminal penalties for a first time violation of the provisions related to using a multiuse ticket that has already been used for admission from a second degree misdemeanor to first degree misdemeanor. The criminal penalties for a second or subsequent violation are increased from a first degree misdemeanor to a third degree felony.

The bill has no fiscal impact on state or local government revenues.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 7023 - Economic Development**

**By: Economic Affairs Committee; Economic Development & Tourism Subcommittee; Hutson; Campbell**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1634**

**Committee(s) of Reference: Transportation & Economic Development Appropriations Subcommittee; Economic Affairs Committee**

**Category: Economic Development**

CS/HB 7023 modifies several programs administered by the Department of Economic Opportunity (DEO) to assist employers, small cities, and rural areas; improve accountability; and conform to federal requirements. Specifically, the bill addresses the following areas:

Reemployment Assistance Program

- Repeals the requirement that applicants for reemployment assistance must complete an initial skills review to receive benefits and directs DEO to allow a claimant to choose whether to take the skills assessment. DEO is authorized to competitively procure an online assessment system that will work seamlessly with the Reemployment Assistance Claims and Benefits Information system referred to as CONNECT.
- Requires DEO to provide an alternate means for filing claims for reemployment assistance when electronic means of filing claims is unavailable. DEO must provide public notice of the system's unavailability.
- Makes Reemployment Assistance installment plans a permanent option. Employers will continue to have the option to make quarterly contributions to the UC Trust Fund for an annual \$5 administrative fee.
- Amends Florida's Short-Time Compensation program to bring the state into compliance with new federal requirements.

Loan Programs Administered by DEO

- Establishes requirements to increase accountability and improve performance of all loan programs administered by DEO under chapter 288, F.S.
- Creates the Florida Microfinance Act and Microfinance Guarantee Program to make short-term microloans to entrepreneurs and small businesses for start-up costs, working capital, and the acquisition of business supplies and equipment. The bill also appropriates \$10 million in nonrecurring funds from the General Revenue Fund to DEO for Fiscal Year 2014-2015 to implement the Microfinance Program.

Space Florida

- Requires Space Florida to consult with VISIT Florida in developing a space tourism marketing plan.
- Authorizes, rather than requires, Space Florida to develop a proposal to establish a Center of Excellence for Aerospace.
- Requires Space Florida to support state universities that are members of the Federal Aviation Administration's Center of Excellence for Commercial Space Transportation.
- Authorizes the Department of Transportation, in consultation with Space Florida, to fund strategic spaceport launch support facilities investment projects at up to 100 percent of the project's costs if certain conditions are met.

### Rural Areas and Small Cities

- Allows a new or existing eligible business that receives a rural job tax credit to receive a sales tax refund of up to 50 percent of the amount of sales tax on purchases of electricity paid by the business. Tax refunds for all eligible businesses may not exceed \$600,000 per calendar year.
- Directs DEO to distribute Small Cities Community Development Block Grant Program grants and loan guarantees through a competitive selection process established by rule and revises provisions in the program to provide greater flexibility in addressing the diverse community and economic development needs of Florida's rural communities.
- Renames "rural areas of critical economic concern" as "rural areas of opportunity" throughout Florida Statutes.

### Economic Development Program Evaluation

- Requires the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to include the New Markets Development Program in the evaluation of economic development programs required under ch. 288, F.S.

### Permit Extension

- Extends and renews for two years after its previously scheduled date of expiration any building permit and any permit issued by the Department of Environmental Protection or a water management district that has an expiration date from January 1, 2014, through January 1, 2016. The extension includes any local government-issued development order or building permit including certificates of levels of service.

### Florida Defense Support Task Force

- Increases the administrative costs of the Florida Defense Support Task Force from \$200,000 to \$250,000.

### Gulf Coast Restoration

- Provides that the terms of the initial board of directors of Triumph Gulf Coast, Inc., begin upon a legislative appropriation of funds to the Recovery Fund and clarifies that the Auditor General is required to conduct an annual operational audit of the Recovery Fund and Triumph Gulf Coast, Inc.

### Land Development Regulations

- Corrects a cross-reference that inadvertently left newly-created cities out of the requirement to update comprehensive plans.

The Revenue Estimating Conference estimated that the provision related to the rural job tax credit will have a negative fiscal impact of \$600,000 on state revenues and \$200,000 on local revenues for the 2014-2015 fiscal year. \$10 million in nonrecurring funds from the General Revenue Fund is appropriated to DEO to implement the Florida Microfinance Act for the 2014-2015 fiscal year.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## Transportation & Highway Safety Subcommittee

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**CS/CS/SB 102 - Drivers Leaving the Scene of a Crash**

**By: Appropriations; Transportation; Diaz de la Portilla and others**

**Tied Bills: None**

**Companion Bills: CS/HB 183**

**Committee(s) of Reference: Transportation; Criminal Justice; Appropriations Subcommittee on**

**Transportation, Tourism, and Economic Development; Appropriations**

**Category: Courts, Law Enforcement, Motorists, Safety, Sentencing, Transportation**

CS/CS/SB 102 creates the "Aaron Cohen Life Protection Act," to create and increase penalties for drivers who leave the scene of an accident. Specifically, the bill:

- creates a third "leaving the scene of an accident offense" that makes it a second degree felony, ranked in Level 6 of the ranking chart, for a person to leave the scene of an accident involving "serious bodily injury";
- ranks leaving the scene of an accident involving an injury, a serious bodily injury, or a death, one level higher in the ranking chart if the victim of the offense is a "vulnerable road user;"
- defines the term "Vulnerable road user" to mean a pedestrian, including workers within the right-of-way or upon or along the highway or a person lawfully operating or riding on a bicycle, motorcycle, scooter, moped, animal, farm vehicle, skateboard, roller skates, in-line skates, horse-drawn carriage, electric personal mobility device or wheelchair;
- creates a new 4-year mandatory minimum term of imprisonment applicable to persons who leave the scene of an accident involving death;
- increases from two years to four years the mandatory minimum term of imprisonment applicable to persons who are driving under the influence and who leave the scene of an accident involving death;
- allows a defendant to move to depart from the four-year mandatory minimum sentence for leaving the scene of an accident involving death, unless the defendant was driving under the influence at the time of the violation;
- requires a driver who leaves the scene of a crash involving injury, serious bodily injury, or death to:
  - have his or her driver license revoked for at least three years, and
  - complete a victim's impact panel session, if one exists, or a driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway; and
- requires the Department of Highway Safety and Motor Vehicles (DHSMV) to include in its approved driver improvement course curriculum instruction specifically addressing the rights of vulnerable road users relative to vehicles on the roadway.

The Criminal Justice Impact Conference met on January 30, 2014 and found that CS/SB 102, which is similar to this bill, will have an indeterminate negative impact on prison beds. The bill may also have an insignificant negative fiscal impact on DHSMV relating to programming hours to include in the driver improvement course curriculum instruction specifically addressing the rights of vulnerable road users relative to vehicles on the highway.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 132 - Specialty License Plates**

**By: Transportation; Rules; Latvala and others**

**Tied Bills: None**

**Companion Bills: CS/HB 65**

**Committee(s) of Reference: Transportation; Rules; Transportation; Appropriations**

**Category: Motorists, Transportation**

The bill creates a Fallen Law Enforcement Officers specialty license plate, a Florida Sheriffs Association specialty license plate, a Keiser University specialty license plate, and a Moffitt Cancer Center specialty license plate. The annual use fee for each plate is \$25. The specialty license plates created by this bill are created notwithstanding the statutory moratorium on the creation of new plates pursuant to s. 45, ch. 2008-176, L.O.F., as amended by s. 21, ch. 2010-223, L.O.F. Each sponsoring organization must presell a minimum of 1,000 vouchers within 24 months of the start of voucher sales before the department can begin manufacturing the specialty license plate.

The bill revises the distribution of annual use funds for the Challenger/Columbia specialty license plate. As a result of this bill, the annual use funds for the Challenger/Columbia plate may be used to support the Space Mirror Memorial at the Kennedy Space Center.

Lastly, the bill extends the presale period for the St. Johns River specialty license plate and the Hispanic Achievers specialty license plate by shifting each plate into a 24 month presale voucher phase beginning July 1, 2014. Accordingly, the respective supporting organizations must meet the minimum presale requirement of 1,000 presale vouchers by June 30, 2016.

The bill has an insignificant negative impact to the Department of Highway Safety and Motor Vehicles related to programming cost required by the bill. These expenditures can be absorbed within existing resources.

Subject to the Governor's veto powers, except as otherwise provided, the effective date of this bill is October 1, 2014.

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**CS/CS/CS/SB 218 - Transportation**

**By: Transportation; Appropriations; Transportation; Grimsley**

**Tied Bills: None**

**Companion Bills: CS/HB 345, SB 2514, includes parts of CS/CS/HB 1161, HB 7175, CS/SB 772, CS/CS/SB 1048**

**Committee(s) of Reference: Transportation; Communications, Energy, and Public Utilities; Commerce and Tourism; Appropriations; Transportation**

**Category: Economic Development, Transportation**

The bill is a comprehensive bill related to transportation. In summary, the bill:

- clarifies that a commercial motor vehicle or trailer designed to transport unprocessed logs or pulpwood may display an amber light affixed to the rearmost point of the vehicle or trailer;
- authorizes the Department of Transportation (DOT) to improve and maintain roads that are part of the county road system or city street system if they provide access to a state park;
- authorizes DOT to use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and pay the cost of planning, land acquisition, design, and construction of such trails and related facilities;
- makes statutory changes regarding who is responsible for paying for utility relocation for transportation projects under various circumstances;
- authorizes DOT to solicit investors willing to enter into agreements to purchase the revenue stream from one or more existing DOT leases for wireless communication facilities on property owned or controlled by DOT through the issuance of an invitation to negotiate. Proceeds received by DOT from leases for wireless communications facilities shall be used for fixed capital expenditures for the statewide transportation system;
- allows a municipality within a rural area of critical economic concern (RACEC) or a RACEC community to compete for project funding using the existing criteria of the Small County Outreach Program (SCOP) at up to 100 percent of the project costs, excluding capacity projects. The funding for municipalities would be subject to an additional appropriation in excess of those appropriated for SCOP;
- authorizes Tampa-Hillsborough County Expressway Authority, with the consent of the county within whose jurisdiction the activities occur to construct, operate, and maintain facilities, including managed lanes and transit support facilities, outside of Hillsborough County;
- provides a process for the disposal of personal property found on a public transportation system; and
- makes the following changes regarding outdoor advertising:
  - clarifies the already existing permit exemption of signs for rural business directional signs to make the provision applicable to signs located outside an incorporated area,
  - repeals language providing that the rural small business sign permit exemption does not apply in charter counties,
  - provides additional new exemptions to sign permit requirements with the caveat that they may not be implemented or continued if the federal government notifies DOT that the state's allocation of federal transportation funds will be adversely affected, and
  - expands the tourist-oriented directional sign program by repealing the restriction limiting the program to roads in a RACEC and providing that the program applies to intersections on rural and conventional state, county or municipal roads.

The bill has an indeterminate fiscal impact on both state and local government revenues and expenditures.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 225 - Child Safety Devices in Motor Vehicles**

**By: Transportation & Highway Safety Subcommittee; Perry and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 518; SB 454**

**Committee(s) of Reference: Transportation & Highway Safety Subcommittee; Transportation & Economic Development Appropriations Subcommittee; Economic Affairs Committee**

**Category: Law Enforcement, Motorists, Safety, Transportation**

Current law governing the use of child restraint devices (CRDs) requires every motor vehicle operator to properly use a crash-tested, federally-approved CRD when transporting a child five years of age or younger. However, for children aged four through five years, a separate carrier, an integrated child seat, or a seat belt may be used. A driver who violates this requirement is subject to a \$60 fine, court costs and add-ons, and having three points assessed against his or her driver license. However, with the court's approval the driver may elect to participate in a child restraint safety program, the completion of which authorizes the court to waive the penalties and assessment of points.

CS/HB 225 revises CRD requirements for child passengers in motor vehicles. The bill revises the provision allowing a seat belt to be used in lieu of a specialized device for children between four and five years of age. The bill specifies the device used for a child aged four through five must be a separate carrier, an integrated child seat, or a booster seat. An exception is made to allow the use of a seat belt for children between four and five years of age when the motor vehicle operator is not a member of the child's immediate family and the child is being transported either gratuitously, in the case of a medical emergency involving the child, or when a medical condition necessitates an exception as evidenced by appropriate documentation from a health professional.

The bill has an indeterminate positive fiscal impact for state and local governments. Additional fine revenues may be generated through citations issued for violating the new CRD requirements.

Subject to the Governor's veto powers, the effective date of this bill is January 1, 2015.

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**CS/CS/SB 226 - Public Records/Automated License Plate Recognition Systems Exemption**

**By: Governmental Oversight and Accountability; Transportation; Brandes**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/HB 599**

**Committee(s) of Reference: Transportation; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Law Enforcement, Local Government, Motorists, Safety, Transportation**

An “automated license plate recognition system” (ALPR) is a mass surveillance method that uses optical character recognition of images to read vehicle license plates. ALPRs are used by law enforcement as a method of cataloging the movements of traffic or individuals. In Florida, ALPR technology has been utilized by local and state law enforcement for the last several years.

CS/CS/SB 226 creates a public record exemption for the following ALPR information held by a public agency:

- Images and data containing or providing personal identifying information obtained through the use of an ALPR system
- Personal identifying information of an individual in data generated or resulting from images obtained through the use of an ALPR system

Specifically, the bill provides that such information is confidential and exempt from s. 119.07(1), F.S., and s. 24(a), Art. I of the state constitution.

The bill authorizes release of the information to a criminal justice agency performing official duties. The bill also provides that the person to whom a license plate is registered may have access to their own information.

The bill provides for retroactive application of the public record exemption and for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. The bill also provides a statement of public necessity as required by the state constitution.

The bill will have an insignificant negative fiscal impact on agencies that collect ALPR data related to training staff responsible for complying with public record requests. An agency could incur costs associated with redacting the confidential and exempt information prior to releasing a record. The costs, however, would be absorbed, as they are part of the day-to-day responsibilities of the agency.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 230 - Orlando-Orange County Expressway Authority**

**By: Appropriations; Transportation; Simmons**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 311**

**Committee(s) of Reference: Transportation; Community Affairs; Appropriations**

**Category: Local Government, Transportation**

The bill changes the “Orlando-Orange County Expressway Authority Law” to the “Central Florida Expressway Authority Law.” Specifically, the bill:

- creates the Central Florida Expressway Authority (CFX) and provides for the transfer of governance and control, legal rights and powers, responsibilities, terms and obligations of the Orlando-Orange County Expressway Authority (OOCEA) to CFX;
- provides for the composition of the governing body of CFX and the appointment of its officers;
- provides ethics and accountability requirements of CFX board members and employees, including post-employment restrictions and disclosure requirements;
- provides that the area served by CFX is within the geographical boundaries of Orange, Seminole, Lake, and Osceola Counties;
- removes the existing OOCEA requirement that the route of a project be approved by a municipality before the right-of-way can be acquired;
- requires that CFX encourage the inclusion of locally-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities;
- removes the existing OOCEA authority to waive payment and performance bonds for certain public works projects awarded pursuant to an economic development program;
- provides that, upon termination of the lease-purchase agreement of the Central Florida Expressway System, title will be retained by the state and extends the terms of lease-purchase agreements from 40 to 99 years;
- provides for the transfer of the Osceola County Expressway System to CFX the later of December 31, 2018, or when the debt service coverage ratio meets a certain threshold; and
- provides for the repeal the Osceola County Expressway Authority Law when the Osceola County Expressway System is transferred to CFX.

The bill does not have a fiscal impact on state or local government.

Subject to the Governor’s veto powers, the effective date of this bill is upon becoming a law.

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**CS/CS/HB 343 - Rental Car Surcharge**

**By: Economic Affairs Committee; Transportation & Highway Safety Subcommittee; Nuñez and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 484**

**Committee(s) of Reference: Transportation & Highway Safety Subcommittee; Finance & Tax Subcommittee; Economic Affairs Committee; Appropriations Committee**

**Category: Motorists, Taxes, Tourism, Transportation**

Current law imposes a surcharge of \$2.00 per day or any part of a day upon the lease or rental of a motor vehicle licensed for hire and designed to carry less than nine passengers, regardless of whether the vehicle is licensed in Florida.

The bill provides that if a member of a car-sharing service uses a motor vehicle pursuant to an agreement with a car-sharing service for less than 24 hours, in lieu of the daily rental car surcharge, a surcharge of \$1.00 per usage is imposed. If a member of a car-sharing service uses the same motor vehicle for 24 consecutive hours or more, the usual surcharge of \$2 per day or any part of a day shall be imposed.

The bill defines “car-sharing service” as a membership-based organization or business or division thereof that requires the payment of an application or membership fee and provides member access to motor vehicles:

- only at locations not staffed by car-sharing service personnel employed solely for the purpose of interacting with car-sharing service members;
- twenty-four hours per day, seven days per week;
- only through automated means, which may include, but are not limited to, smartphone applications or electronic membership cards;
- on hourly or shorter increments;
- without a separate fee for refueling the motor vehicle;
- without a separate fee for minimum financial responsibility liability insurance; and
- owned or controlled by the car sharing service or its affiliates.

The bill provides that the lease, rental, or usage of a motor vehicle at an airport is not eligible for the imposition of the surcharge for car-sharing services in lieu of the standard rental car surcharge.

The Revenue Estimating Conference determined that the bill will have an insignificant negative impact to the General Revenue Fund and a negative recurring impact of up to \$0.9 million to trust funds.

Subject to the Governor’s veto powers, the effective date of this bill is January 1, 2015.

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**SB 392 - State Speed Zones**

**By: Brandes; Clemens**

**Tied Bills: None**

**Companion Bills: HB 761**

**Committee(s) of Reference: Transportation; Community Affairs; Appropriations**

**Category: Transportation**

The bill eliminates the statutorily specified minimum speed limits on all highways that are a part of the National System of Interstate and Defense Highways with at least four lanes and authorizes the Department of Transportation (DOT) to determine the safe and advisable minimum speed limit on all such highways. The bill gives DOT the discretion to set minimum speed limits on all highways that are a part of the National System of Interstate and Defense Highways with at least four lanes.

The bill increases by five miles per hour the existing authorized maximum allowable speed limits on Florida's state highways as follows:

- 75 mph on limited access highways
- 70 mph on any other highways outside an urban area of 5,000 or more persons with at least four lanes divided by a median strip
- 65 mph on other roadways under DOT jurisdiction

DOT would still determine a reasonable and safe speed limit on a particular highway segment after an engineering study and traffic investigation and post appropriate speed limit signage.

Depending on the impacts on the number of motorists that exceed the legal speed limit, there may be an indeterminate fiscal impact on state and local governments due to changes in traffic ticket revenue.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 754 - Certificates of Title**

**By: Transportation; Banking and Insurance; Bradley**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 7063**

**Committee(s) of Reference: Banking and Insurance; Transportation**

**Category: Consumer Protection, Motorists, Safety, Transportation**

Currently, before a total loss vehicle may be acquired by a salvage motor vehicle dealer, the vehicle owner (usually the insurance company) must apply for a salvage certificate of title (Salvage Title) or a certificate of destruction (COD). A Salvage Title indicates that the vehicle is repairable and a COD indicates that the vehicle is not repairable. When applying for a Salvage Title or COD, the Department of Highway Safety and Motor Vehicles (DHSMV) is provided with an estimate of repair costs. If the estimated costs of repairing the vehicle are equal to or more than 80 percent of the current retail cost of

the vehicle, as established in an official used car guide, DHSMV is required to declare the vehicle unrebuildable and issue a COD.

CS/CS/SB 754 revises the bright-line process for applying for a salvage certificate of title or certificate of destruction after a motor vehicle is declared a total loss. Specifically, the bill:

- defines a “late model vehicle” as an automobile 7 years or newer;
- raises the 80-percent COD threshold to 90 percent, and limits its application to late model vehicles with a value of at least \$7,500 just prior to sustaining the damage resulting in total loss;
- applies a narrative description requiring a certificate of destruction for all other vehicles when the vehicle is damaged, wrecked, or burned to the extent that the only residual value of the vehicle is as a source of parts or scrap metal, or when the vehicle comes into this state under a title or other ownership that indicates that the vehicle is non-repairable, junked, or for parts or dismantling only;
- requires DHSMV to provide a summary report regarding certificates of title for rebuilt vehicles including legislative recommendations to the Governor, President of the Senate, and the Speaker of the House of Representatives;
- revises and strengthens current airbag regulations by defining airbag, counterfeit airbag, and nonfunctional airbags;
- prohibits knowingly importing, manufacturing, offering for sale, or reinstalling fake or junk-filled airbag compartments; and
- provides additional fake or junk-filled airbag violations.

The bill will allow a greater number of salvage vehicles to be repaired, inspected, and returned to the road. It is expected to have an insignificant positive fiscal impact to both the General Revenue Fund (GR) and the Highway Safety Operating Trust Fund (HSOTF).

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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### **CS/CS/SB 820 - Transportation Facility Designations**

**By: Community Affairs; Transportation; Bullard**

**Tied Bills: None**

**Companion Bills: HB 521; CS/HB 7149; SB 158; SB 258; SB 716; SB 1564; includes part of CS/CS/HB 7005**

**Committee(s) of Reference: Transportation; Community Affairs**

**Category: Transportation**

The bill makes the following honorary designations and directs the Department of Transportation (DOT) to erect suitable markers:

Bay County - Lieutenant Colonel Carl John Luksic, USAF, Memorial Highway, and Allan Bense Highway

Brevard County - Dr. Martin Luther King, Jr., Memorial Highway.

Broward County - Trooper Kimberly Ann Hurd Memorial Highway, Robert L. Clark Memorial Highway, The Honorable Dale G. Bennett Boat Ramp, and Dr. Von Mizell Drive.

Citrus County - Sheriff Charles Simeon Dean Highway.

Gadsden County - James Harold Thompson Highway and Julia Munroe Woodward Highway.

Gulf County - Gulf County Veterans Memorial Highway.

Hillsborough County - C. Blythe Andrews Road, Roland Manteiga Road, RADM LeRoy Collins, Jr., Veterans Expressway, Sergeant Paul Smith Memorial Highway, Deputy Sheriff David Anthony Abella Memorial Highway, and POW/MIA Memorial Highway.

Jackson County - Governor Mixson Highway.

Jefferson County - CPT Tecarie "CZ" Czarnecki and TSgt David A. Stone Memorial Highway and Trooper James Herbert Fulford, Jr., Memorial Highway.

Lake County - Specialist Alexander Miller Memorial Highway, Sergeant Jess Thomas Memorial Highway, Staff Sergeant Michael A. Bock Memorial Highway, and Specialist Ronald Gaffney Memorial Highway.

Lee County - Henry Ford Bridge.

Levy County - David W. Moss Memorial Highway.

Miami-Dade County - Larcenia Bullard Way, Tomas-Minerva Vinuela Way, Nelson Mandela Boulevard, Ronald A. Silver Drive, Rene Ledesma Way, Reverend John A. Ferguson Street, Sergeant Carl Mertes Street, Detective Sergeant Steven E. Bauer Street, Sergeant Lynette Hodge Street, Full Gospel Assembly Street, Ebenezer Christian Academy Street, Bishop Abe Randall Boulevard, Jacob Fleishman Street, Bishop Isaiah S. Williams, Jr., Street, Reverend Wilner Maxi Street, Belen Presidents Way, Arthur & Polly Mays Memorial Highway, Lourdes Guzman-DeJesus Street, Wellness Way, Betty Pino Way, Sabre Way, Pastor Jocelyne Bouchette Street, Gerbuns Augustin Avenue, U.S. Army sergeant Amaru Aguilar-Borgen Memorial Highway, Ralph Sanchez Way, Miami Springs Boulevard, Guillermo Zamora Boulevard, and Detective Stephan L. Vinson, Sr. Memorial Highway.

Miami-Dade and Monroe Counties - Purple Heart Trail.

Monroe County - Indian Key Irving R. Eyster Bridge.

Nassau County - Nassau County Deputy Sheriffs Memorial Highway and Francis Gibbs Memorial Highway

Okaloosa County - Colonel Bud Day Overpass, C. Wayne Ansley Highway, and Walter Francis Spence Parkway.

Orange County - Elias "Rico" Piccard Memorial Highway, Bessie Coleman Street, Robert Pittman, Jr., Road, and Historic Pine Castle Station.

Pinellas County - C.W. "Bill" Young Memorial Highway.

Santa Rosa County - Warren E. "Charlie" Brown Memorial Highway.

Sarasota County - KMI Kentucky Military Institute Bridge.

St. Johns County - Ponce de Leon Bridge.

Taylor County - SP4 Billy Jacob Hartsfield Bridge.

Volusia County - Fred Karl Memorial Highway.

Walton County - Dr. Martin Luther King, Jr., Avenue.

The bill also authorizes a private entity to erect a memorial near the Sunshine Skyway Bridge for the 35 people who died when a ship named the MV Summit Venture collided with the bridge in 1980.

The bill has an estimated negative fiscal impact of approximately \$72,000 on the State Transportation Trust Fund, which is the cost to DOT to erect the markers specified in the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 863 - Motor Vehicle Crash Reports**

**By: Transportation & Highway Safety Subcommittee; Kerner; Campbell and others**

**Tied Bills: CS/CS/CS/HB 865**

**Companion Bills: CS/SB 876; CS/SB 1046**

**Committee(s) of Reference: Transportation & Highway Safety Subcommittee; Transportation & Economic Development Appropriations Subcommittee; Economic Affairs Committee**

**Category: Consumer Protection, Law Enforcement, Motorists, Transportation**

CS/HB 863 revises motor vehicle crash report access requirements. Currently, crash reports are confidential and exempt from public record disclosure requirements for a period of 60 days after the date they are filed. However, they are available to various entities, including but not limited to, the parties involved in the crash and their legal and insurance representatives, prosecutors, law enforcement, the Department of Transportation, and legitimate news media such as radio and television stations licensed by the Federal Communications Commission, qualified newspapers, and free newspapers of general circulation.

A person attempting to access a crash report within the 60-day period is required to:

- present a valid driver license or other photographic identification, proof of status, or identification that demonstrates his or her qualifications to access; and
- file a written sworn statement with the state or local agency in possession of the information stating that information from a crash report made confidential and exempt by this section will not be used for any commercial solicitation of accident victims or knowingly disclosed to any third party during the time that information remains confidential and exempt.

The bill requires a written sworn statement for each individual crash report requested.

The bill does not appear to have a fiscal impact to state or local governments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/HB 865 - Pub. Rec./Motor Vehicle Crash Reports**

**By: Economic Affairs Committee; Government Operations Subcommittee; Transportation & Highway Safety Subcommittee; Kerner; Campbell and others**

**Tied Bills: CS/HB 863**

**Companion Bills: CS/SB 1046; CS SB 876**

**Committee(s) of Reference: Transportation & Highway Safety Subcommittee; Government Operations Subcommittee; Economic Affairs Committee**

**Category: Government in the Sunshine, Motorists, Transportation**

The bill revises the exception to the public record exemption for motor vehicle crash reports by providing further access restrictions for free newspapers of general circulation, published once a week or more often, available and of interest to the public generally for the dissemination of news.

Specifically, the bill only allows these free newspapers to access a crash report within the authorized 60-day period after the date the crash report was filed if the free newspaper:

- distributes a minimum of 7,500 copies by mail or by carrier as verified by a postal statement or by a notarized printer's statement of press run;
- has the intention of being of general distribution and circulation; and
- contains news of general interest with a minimum of ten pages per publication.

However, the bill prohibits such newspapers from accessing the home, cellular, employment, or other telephone number or the home or employment address of any of the parties involved in the crash if the newspaper requests ten or more crash reports within a 24-hour period.

The bill provides that the revised exception to the public record exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature. It also provides a statement of public necessity as required by the state constitution.

The bill may create a negative fiscal impact to entities soliciting crash victims or engaged in a business that profits from the sale of crash victim information and may create a minimal fiscal impact on state and local governments.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/HB 863 or similar legislation takes effect.

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**CS/SB 1024 - Off-highway Vehicles**

**By: Transportation; Dean**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 1193**

**Committee(s) of Reference: Transportation; Commerce and Tourism**

**Category: Consumer Protection, Law Enforcement, Safety, Transportation**

Current law defines several types of off-highway vehicles (OHVs). Included in this definition are all-terrain vehicles (ATVs) and recreational off-highway vehicles (ROVs). ATVs and ROVs are not allowed to be operated on public roads in the state except as permitted by the managing local, state, or federal agency. The law requires all OHVs operated on public lands in this state to be titled and issued a certificate of title for easy determination of ownership.

CS/SB 1024 expands the definitions for ATVs and ROVs to:

- remove any reference to the type of seating (straddle vs. non-straddle) and steering control (handle bars vs. steering wheel);
- remove the limitation that an ATV is designed for use by a single operator with no passenger; and
- increase the width requirement of ROVs in the definitions from 64 inches to 65 inches.

The bill also revises an OHV violation provision related to operation on public lands. The bill prohibits carrying more passengers than an OHV is designed by the manufacturer to carry and revises the penalty provision to clarify that the penalty applies to all OHV violations, not just ATVs.

These revisions may result in an increased number of ROVs being titled as ATVs and qualifying for operation on certain roads and trails on public lands that are currently restricted to ATV operation. The increased ROV width may result in more ROVs being titled in Florida.

The bill will create an indeterminate positive fiscal impact to state and local government revenues as a result of payments of increased OHV titling fees. It is unknown how many additional OHVs will be titled pursuant to the revised definitions or how many additional violations may occur pursuant to the revised passenger violation and penalty provision.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 1070 - Fuel Terminals**

**By: Transportation; Community Affairs; Simpson**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 947**

**Committee(s) of Reference: Community Affairs; Transportation**

**Category: Energy, Local Government, Transportation**

The bill provides legislative intent that fuel terminals are critical infrastructure statewide for the storage and distribution of fuel in adequate quantities. As such, the terminals are critical to the state's economy and to the health, safety, welfare, and quality of life of residents and visitors. The bill defines terms related to fuel terminals.

The bill provides that local governments may not amend their land development regulations, zoning districts, use maps, or comprehensive plans in such a way that would conflict with a fuel terminal's classification as a permitted and allowable use, including but not limited to, an amendment that causes a fuel terminal to be a nonconforming use, structure, or development. The bill also requires that local governments allow a fuel terminal damaged or destroyed by a natural disaster or other catastrophe to be repaired to its pre-existing capacity. Local governments are expressly authorized to adopt, implement, modify, and enforce applicable federal and state requirements for fuel terminals, including local safety and building standards. Such an exercise of local authority may not conflict with federal or state safety and security requirements for fuel terminals.

The bill does not have a fiscal impact on state or local governments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 1161 - Department of Transportation**

**By: Economic Affairs Committee; Transportation & Highway Safety Subcommittee; Goodson**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1048, SB 1152, includes parts of CS/HB 345, HB 7175, CS/CS/SB 218**

**Committee(s) of Reference: Transportation & Highway Safety Subcommittee; Transportation & Economic Development Appropriations Subcommittee; Economic Affairs Committee**

**Category: Transportation**

The bill amends a number of provisions relating to the Department of Transportation (DOT). The bill authorizes DOT to enter into agreements with investors to purchase the revenue stream from wireless communications leases. The bill also authorizes DOT to enter into a concession agreement for commercial sponsorship on multiuse trails and related facilities. The bill revises provisions related to public service warning signs on water management district property. The bill also updates the state's outdoor advertising statutes. Specifically, the bill:



- revises various definitions;
- clarifies DOT's duties relating to outdoor advertising;
- clarifies that outdoor advertising signs may only be permitted on parcels of land that are in commercial or industrial zones; and creates a process for resolving compliance issues;
- revises DOT's authority to enter private land to remove illegal signs;
- clarifies that a license is not required of a business that solely constructs signs;
- clarifies disciplinary action for delinquent accounts and effects of an outdoor advertising license suspension;
- clarifies permit requirements to insure compliance with federal regulations;
- clarifies that DOT may deny or revoke any permit requested or granted if the application contains false or misleading information;
- clarifies DOT's authority to remove signs with cancelled permits in addition to those with revoked permits;
- clarifies the notification and permitting processes for signs currently in violation of permit requirements;
- clarifies the vegetation management permit process;
- removes the fine of \$75 against an owner who has been assessed the costs of removing a sign;
- allows permitted signs to be relocated rather than acquired when the relocation results from a transportation project;
- allows for the clarification and expansion of commerce and local control exemptions unless DOT is notified by the federal government that the exemptions will adversely affect federal funds, and provides for the removal of the signs if the signs are not allowed;
- clarifies that compensation for signs acquired by DOT includes both conforming and nonconforming signs;
- clarifies the process for allowing sign heights to be increased when constructing sound walls;
- allows the logo sign program on all limited access roads;
- ensures DOT's authority to remove cancelled signs;
- repeals a 2012 provision allowing DOT to request permission from the federal government for a tourist-oriented sign program; and
- provides for a pilot program for the School District of Palm Beach County to recognize business sponsorships.

The bill may have an indeterminate positive fiscal impact on state revenues related to various outdoor advertising permits and the potential for investor agreements to purchase the revenue stream for wireless communications facility leases.

Failure of the state to maintain outdoor advertising control may result in reduced amounts of state highway funds from the federal government of 10 percent, which correlates to approximately \$160 million annually.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 7005 - Transportation**

**By: Economic Affairs Committee; Transportation & Economic Development Appropriations**

**Subcommittee; Transportation & Highway Safety Subcommittee; Articles**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1272; includes parts of CS/CS/HB 3; HB 101; CS/CS/CS/HB 185; CS/HB 469; CS/CS/SB 820; CS/CS/HB 839; CS/HB 883; HB 927; CS/CS/SB 1048; CS/HB 1181; CS/CS/SB 244; SB 478; SB 766; CS/CS/SB 1184; CS/CS/SB 1260; SB 1366**

**Committee(s) of Reference: Transportation & Economic Development Appropriations Subcommittee; Economic Affairs Committee**

**Category: Consumer Protection, Courts, Insurance, Law Enforcement, Motorists, Safety, Transportation**

This is a comprehensive bill relating to transportation. In addition to other substantive, technical, and conforming changes, the bill:

- revises provisions related to driver license suspensions for non-driving related reasons to mandate fewer suspensions of driving privileges in certain circumstances;
- provides that beginning in Fiscal Year 2014-2015, at least \$5 million per year from the State Transportation Trust Fund shall be made available for the Intermodal Logistic Center Infrastructure Support Program. Current funding is up to \$5 million per year;
- revises the Move-Over Act to add sanitation vehicles and utility service vehicles to the list of roadside vehicles for which a driver must move over or slow down;
- requires the Department of State to establish a retention schedule for automated license plate recognition system records;
- revises the road rage reduction act by removing the minimum speed threshold a vehicle is prohibited from traveling when in the left-hand lane;
- prohibits buses from stopping to load or unload passengers in a manner that restricts traffic if there is a reasonable means for the bus to stop parallel to the travel lane;
- revises ignition interlock device (IID) requirements:
  - clarifying the court has the discretion to order IID installation for a first-time DUI offender,
  - authorizing the court to order a qualified sobriety and drug monitoring program in addition to the IID requirement,
  - requiring IID vendors to have their devices certified, providing IID contract guidelines,
  - revising the types of authorized work vehicles an offender who is subject to IID installation may drive, and
  - requiring the Office of Program Policy Analysis & Government Accountability (OPPAGA) to conduct a study on the effectiveness of IID use as an alternative to driver license suspension;
- allows unattended motor vehicles to be started by remote control;
- lengthens the timeframe that seasonal delivery personnel are authorized to use golf carts, low-speed vehicles and utility vehicles from October 15 until midnight January 31 of each year;
- expands the types of GPS devices that may be attached to a motor vehicle windshield;
- removes the word "Florida" from the information that must not be obscured on a license plate;
- expands the entities authorized to conduct autonomous vehicle testing to include research organizations associated with accredited educational institutions;

- revises provisions related to a Habitual Traffic Offender (HTO) designation, allowing an HTO to provide proof of compliance to the clerk of court and have the HTO status removed;
- authorizes the clerk of the court's designee to receive the \$7.50 disable parking citation waiver fees;
- revises DHSMV's process of withholding renewal or replacement motor vehicle and vessel registrations when a lien on the vehicle or vessel is claimed;
- revises specialty license plate annual use fee provisions requiring such proceeds to be used in the state unless derived from the sale of a United States Armed Forces or veterans-related specialty license plate;
- revises the specialty license plate annual use fee compliance process by:
  - defining administrative costs as expenditures which are considered direct operating costs of a specialty license plate organization,
  - authorizing DHSMV to commission an independent actuarial consultant or independent certified public accountant,
  - having expertise in nonprofit and charitable organizations, to assist in determining compliance, and
  - revising the enforcement remedies DHSMV is authorized to use, including specific guidance on discontinuing and resuming revenue distributions;
- extends the statutory moratorium on the issuance of new specialty license plates to July 1, 2016;
- replaces the "Sportsmen's National Land Trust" specialty license plate with the "Wildlife Foundation of Florida" (WFF) specialty license plate, requires the annual use fees to be distributed to the WFF and used in the same manner as provided in current law, and revises the allocation of annual revenues distributed to the WFF;
- replaces the "Catch Me Release Me" specialty license plate with the "Protect Our Oceans" specialty license plate;
- creates a new military related "special use" license plate that will be stamped with the word "veteran";
- allows a Florida resident to be issued an "Amateur Radio" special license plate if he or she holds a valid official amateur radio station license that is "recognized" instead of issued by the Federal Communications Commission;
- provides that motor vehicle registration is not required on Port District roads for the purpose of transporting cargo, containers, and other equipment between port facilities of a single deep water port, and that DOT will designate Port District roads with appropriate signage;
- provides requirements for a licensed RV dealer who conducts an off-premises sale that is not in conjunction with a public vehicle show;
- Requires DHSMV to begin to review and prepare for the development of a secure and uniform system for issuing an optional digital proof of driver license and authorizes DHSMV to contract with private entities to develop the system;
- revises the markings on driver licenses and identification cards for a person designated a sexual predator to contain the marking "SEXUAL PREDATOR" instead of the statutory reference "775.21, F.S.";
- applies the driver license markings requirements for sexual predators and sexual offenders to those who are subject to such a registration in another state;
- exempts individuals who are homeless or whose annual income is below 100 percent of the poverty level from paying the \$25 identification card fee;

- authorizes state or local law enforcement to impose a fine on and impound an unauthorized wrecker, tow truck, or other motor vehicle;
- limits to once every eight years the number of referenda for consolidation or dissolution to which a transportation authority may be subject, and limits the application of such referenda to only future bond issuances;
- requires the Department of Agriculture and Consumer Services (DACS) to confirm, during their normal inspections, that a disabled fueling assistance decal is placed on each pump for self-service gas stations, and clarifies that local laws with regards to fueling assistance for self-service gasoline stations are allowed;
- prohibits a local government from requiring a retail outlet that sells motor fuel to provide air and vacuum supply without charge, and preempts and supersedes all such local government ordinances;
- authorizes the Office of Insurance Regulation (OIR) to approve premium discounts for motor vehicle insurance policies for vehicles equipped with autonomous driving technology or electronic crash avoidance technology;
- requires local governments who provide traffic control services to another local government to respond to requests regarding the evaluation, installation, operation, or maintenance of such traffic control devices within 60 days after receiving the request;
- authorizes, but does not require, the governing body of a county to create a “yellow dot critical motorist medical information program” for the purpose of assisting emergency medical responders and program participants in the event of a motor vehicle accident or a medical emergency involving a participant’s vehicle; and
- revises the “Walter Francis Spence Parkway” road designation contained in CS/CS/SB 820 to be located on that portion of S.R. 293/Mid-Bay Bridge Extension between the Mid-Bay Bridge Toll Plaza and S.R. 85 in Okaloosa County.

The bill has an indeterminate fiscal impact on state and local government revenues and expenditures.

Subject to the Governor’s veto powers, except as otherwise provided, the effective date of this bill is July 1, 2014.

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**CS/HB 7007 - Pub. Rec./Payment of Tolls and Associated Charges**

**By: Economic Affairs Committee; Transportation & Highway Safety Subcommittee; Artiles and others**

**Tied Bills: None**

**Companion Bills: CS/SB 616**

**Committee(s) of Reference: Government Operations Subcommittee; Economic Affairs Committee**

**Category: Consumer Protection, Government in the Sunshine, Local Government, Motorists, Transportation**

Current law provides a public record exemption for the personal identifying information provided to, acquired by, or in the possession of the Department of Transportation (DOT), a county, or an expressway authority for the purpose of using a credit card, charge card, or check for the prepayment of

electronic toll facilities. This prepayment system is the electronic transponder method of toll payment known as the SunPass system.

The bill expands the current public record exemption to include the personal identifying information of customers who use the post-payment method of toll payment known as the Toll-By-Plate system. It also adds municipalities to the current list of public records custodians to whom the exemption applies.

The exemption is retroactive, applying to the personal identifying information of Toll-By-Plate customers before, on, or after the effective date.

The bill could create a minimal fiscal impact on state and local agencies with staff responsible for complying with public records requests as staff could require training related to the expansion of the public record exemption. An agency could incur costs associated with redacting the exempt information prior to releasing a record. The costs, however, would be absorbed, as they are part of the day-to-day responsibilities of the agency.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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## **Veteran & Military Affairs Subcommittee**

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### **HB 559 - Military Veterans**

**By: Metz and others**

**Tied Bills: None**

**Companion Bills: SB 724**

**Committee(s) of Reference: Veteran & Military Affairs Subcommittee; Transportation & Economic Development Appropriations Subcommittee; Economic Affairs Committee**

**Category: Military, Motorists**

The bill relates to military special use license plates issued by the Florida Department of Highway Safety and Motor Vehicles.

The bill renames the "Korean Conflict Veteran" special use license plate as the "Korean War Veteran" special use license plate.

The bill also redesigns several special use license plates for military service members or veterans by requiring that the likeness of the relevant campaign medal or badge be placed on the respective plate. Specifically, the bill requires that the following military special use license plates be redesigned: Florida National Guard; United States Armed Forces Reserve; Ex-POW; Pearl Harbor survivor; Operation Desert

Storm; Operation Desert Shield; Operation Iraqi Freedom; Operation Enduring Freedom; Combat Action Badge; Vietnam War Veteran; and the renamed Korean Conflict Veteran.

The bill also creates a new military special use license plate for recipients of the Combat Medical Badge.

The bill is expected to have an insignificant negative fiscal impact on the General Revenue Fund and the State Transportation Trust Fund, and an insignificant positive fiscal impact on the State Homes for Veterans Trust Fund.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 731 - POW-MIA Chair of Honor Memorial**

**By: Government Operations Appropriations Subcommittee; Hood and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 608**

**Committee(s) of Reference: Veteran & Military Affairs Subcommittee; Government Operations Appropriations Subcommittee; Economic Affairs Committee**

**Category: Military**

The bill establishes the POW-MIA Chair of Honor Memorial (memorial) to honor the sacrifices endured by members of the United States Armed Forces who were held as Prisoners Of War or remain Missing In Action.

The bill requires the Department of Management Services (DMS) to consider recommendations from the Florida Department of Veterans' Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Department of State's (DOS) Florida Historical Commission (commission), when approving the design and placement of the memorial. The bill also requires the DMS to coordinate with DOS's Division of Historical Resources.

The memorial will be funded by the Florida chapters of Rolling Thunder, Inc., without a direct appropriation of state funds. DMS is expected to incur minimal costs associated with the maintenance of the area in which the memorial is placed.

The bill requires DMS, in consultation with the commission, to dedicate a memorial garden on the Capitol Complex. Monuments constructed on or after July 1, 2014, are required to be placed in the memorial garden.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 7015 (ch. 2014-1, L.O.F.) - Military and Veteran Support**

**By: Economic Affairs Committee; Appropriations Committee; Veteran & Military Affairs**

**Subcommittee; Smith and others**

**Tied Bills: None**

**Companion Bills: CS/SB 860**

**Committee(s) of Reference: Appropriations Committee; Economic Affairs Committee**

**Category: Business and Professional Regulation, Health, Higher Education and Workforce, Military, Motorists, Pre-K through 12 Education**

The Florida G.I. Bill makes numerous changes to Florida law relating to military installations, military personnel, veterans, and their families. Among other issues, the bill addresses the following:

Encroachment

The bill appropriates \$7,489,975 in nonrecurring funds from the General Revenue Fund to the Department of Environmental Protection to acquire non-conservation land adjacent to military installations to protect against encroachment. The lump sum appropriation will be used to acquire non-conservation land adjacent to MacDill Air Force Base, Naval Support Activity Panama City, and Naval Station Mayport.

Armories

The bill appropriates \$12.5 million in nonrecurring funds from the General Revenue Fund to the Department of Military Affairs (DMA) to continue renovations to Florida National Guard armories as part of the Florida Armory Revitalization Program.

Education

The bill creates the "Congressman C.W. Bill Young Veteran Tuition Waiver Program," which waives out-of-state fees for honorably discharged veterans who attend a state college, state university, career center, or charter technical career center.

The bill appropriates \$1.53 million in recurring funds from the General Revenue Fund to DMA to supplement funding for tuition scholarships and book stipends for Florida National Guard members who participate in Educational Dollars for Duty, which is the Florida National Guard's education assistance program.

The bill also appropriates \$250,000 in nonrecurring funds from the General Revenue Fund to the DMA for information technology upgrades to administer the Educational Dollars for Duty program.

Florida Is For Veterans, Inc.

The bill creates Florida Is For Veterans, Inc., a nonprofit corporation administratively housed within the Florida Department of Veterans' Affairs. The purpose of Florida Is For Veterans, Inc., is to promote Florida to retired and recently separated military service members. Florida Is for Veterans, Inc., will be charged with promoting the value of military skillsets to businesses in the state and assisting in training veterans through the Veteran Employment and Training Services (VETS) program.

The VETS program is a workforce training program that caters to the unique training needs of veterans and is structured to serve as a hub where employers can be connected with veterans looking for jobs. Training needed to fulfill workforce needs can be funded through the VETS program. The VETS program will also provide services such as résumé building and helping veterans translate military training into civilian workforce skills. The VETS program will contract with one or more universities to establish entrepreneurial training programs for veterans.

#### Employment

The bill expands Florida's veterans' preference in the public employment process by including all veterans, Florida National Guard members, and members of the United States Armed Forces Reserves. The bill also expands the process to include the mother, father, legal guardian, or un-remarried widow or widower of a United States Armed Forces member who died in the line of duty under combat related conditions.

The bill authorizes, but does not require, private sector employers to establish a veterans' preference process for honorably discharged veterans and certain spouses.

#### Professional Licensure

The bill revises the Department of Business and Professional Regulation's (DBPR) and Department of Health's (DOH) professional licensure fee waiver programs to expand career opportunities for veterans and their spouses. The bill does this by extending the time period within which each department must waive initial licensing fees for honorably discharged veterans and their spouses, at the time of discharge, from 24 months after discharge to 60 months after discharge.

The bill also expands career opportunities in the medical field for active duty and veteran physicians by streamlining the DOH application process for a temporary certificate for practice in areas of critical need. The bill streamlines the Florida licensure requirements for certain health care practitioners who served in the United States Armed Forces or the U.S. Public Health Service if other eligibility criteria are met.

The bill expands career opportunities for veterans by providing alternative work experience requirements to obtain a DBPR permit to operate as a certified designated representative of a prescription drug wholesale distributor. Specifically, an applicant with similar work experience performed in the military may apply for a permit.

#### Driver Licensing

The bill exempts an active duty military service member's spouse, as well as dependents who reside with the service member, from the requirement that they obtain a Florida driver license if they begin employment in the state or a dependent of the service member enrolls in public school. To qualify for the exemption, the person claiming the exemption must be in possession of a valid military identification card and either a valid driver license or learner's permit issued by another state or a valid military driving permit.

#### Florida Veterans' Walk of Honor and Florida Veterans' Memorial Garden

The bill authorizes the creation of the Florida Veterans' Walk of Honor and Florida Veterans' Memorial Garden to recognize and honor those military veterans who have made significant contributions to the state through their service to the United States. The memorials will be placed on the Capitol Complex and will not require an appropriation of state funds.



### Florida State Veterans' Nursing Homes

The bill revises the residency requirement for admission into one of the state's veterans' nursing homes or the Florida State Veterans' Domiciliary Home to remove the one-year residency requirement. As a result of the change, veterans who meet all other requirements for admission will be eligible for admission if they are current state residents.

### Fiscal Impact

The bill appropriates approximately \$21.7 million from the General Revenue Fund. The estimated fiscal impact on state colleges, state universities, and career centers is \$11.7 million as a result of the out-of-state fee waiver provision. Other provisions in the bill are estimated to have an indeterminate fiscal impact on state and local governments.

The bill became law on March 31, 2014, chapter 2014-1, Laws of Florida, and becomes effective July 1, 2014, except as otherwise provided.

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# ***HOUSE OF REPRESENTATIVES***

## ***Education Committee***

**Representative H. Marlene O'Toole, Chair**  
**Representative Elizabeth Porter, Vice Chair**

### **2014 SUMMARY OF PASSED LEGISLATION**



#### ***Choice & Innovation Subcommittee***

**Representative Michael Bileca, Chair**  
**Representative George Moraitis, Jr., Vice Chair**

#### ***Higher Education & Workforce Subcommittee***

**Representative Jeanette Nuñez, Chair**  
**Representative Ray Rodrigues, Vice Chair**

#### ***K-12 Subcommittee***

**Representative Janet Adkins, Chair**  
**Representative Manny Diaz, Jr., Vice Chair**



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**CS/SB 1642 (ch. 2014-23, L.O.F.) - Education Accountability**

**By: Appropriations; Education**

**Tied Bills: None**

**Companion Bills: CS/HB 7117**

**Committee(s) of Reference: Appropriations Subcommittee on Education; Appropriations**

**Category: Pre-K through 12 Education, Public Employees**

CS/SB 1642 codifies certain recommendations made by the Commissioner of Education based on an executive order issued by Florida Governor Rick Scott on September 23, 2013. Based on the commissioner's recommendations, the bill:

- simplifies the school grades calculations for elementary, middle, and high schools by eliminating extraneous point categories and focusing on student performance, graduation, and eligibility for college credit;
- prohibits the State Board of Education (state board), in calculating the student performance components of a school grade, from including the student performance of English language learners that have been enrolled in a school in the U.S. for less than two years;
- requires development of a district report card that includes certain indicators of success;
- establishes a hold harmless provision that insulates schools and districts from any penalty or reclassification in the 2015-2016 school year based on 2014-2015 grades as new state assessments in mathematics and English language arts are implemented;
- restructures school improvement rating provisions to make sure alternative schools and exceptional student education (ESE) centers receive ratings and to focus on learning gains for students in alternative schools and ESE centers;
- authorizes district school boards to adopt teacher- or principal-selected assessments for certain hard-to-measure courses and subjects such as Band or Art;
- authorizes district school boards to establish performance standards for teacher evaluation ratings for the 2014-2015 school year as new statewide, standardized assessments are implemented;
- links student performance on state assessments in the 2014-2015 school year to the 2013-2014 performance expectations in order to limit the potential for a wide variance in student performance for the 2014-2015 school year; and
- provides for bonus money, subject to appropriation, to school districts that more effectively align teacher evaluations to student performance and utilize local assessments.

The bill requires the Hillsborough County School District superintendent to attest annually to the state board that the district meets criteria relating to the approval of certain personnel evaluation and performance pay provisions. Prior law required the Department of Education to establish in rule a process by which the department would approve and renew an exemption from certain personnel evaluation and performance pay provisions for the Hillsborough County School District.

The bill authorizes a district superintendent to exempt a child with a medical complexity from state assessments for up to one year and authorizes the commissioner to grant one- to three-year and permanent exemptions.

The bill became law on May 12, 2014, chapter 2014-23, Laws of Florida, and becomes effective July 1, 2014.

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## **Choice & Innovation Subcommittee**

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### **CS/CS/SB 188 (ch. 2014-41, L.O.F.) - Education Data Privacy**

**By: Judiciary; Education; Hukill and others**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 195**

**Committee(s) of Reference: Education; Criminal Justice; Judiciary**

**Category: Pre-K through 12 Education**

This bill strengthens Florida law regarding student data privacy and security by:

- clarifying that parents must be notified annually regarding their rights with respect to education records;
- clarifying that a parent may be awarded attorney's fees and court costs if the parent is granted injunctive relief in an action to enforce his or her rights regarding education records;
- prohibiting any agency or institution from collecting information regarding the political affiliation, voting history, religious affiliation, or biometric information of a student or a student's parent or sibling;
- prohibiting the disclosure of confidential and exempt education records to:
  - any person, public body, body politic, or political subdivision unless disclosure is authorized by the federal Family Educational Rights and Privacy Act (FERPA) or in response to a subpoena or court order, and
  - federal government agencies unless disclosure is authorized by FERPA, required by federal law, or in response to a subpoena or court order; and
- requiring that governing boards of agencies or institutions may only designate directory information in accordance with FERPA at a regularly scheduled meeting, at which time the board must consider any potential risks to student privacy from such designation.

The bill defines biometric information as information collected from the electronic measurement or evaluation of any physical or behavioral characteristics that may be personally identifiable, including characteristics of fingerprints, hands, eyes, and the voice. Thus, the bill prohibits agencies and institutions from using such technologies as fingerprint scans, palm scans, retina or iris scans, face geometry scans, or voice prints.



The bill provides a time-limited exception to the prohibitions regarding collection of biometric information for school districts using a palm scanner system to identify students for breakfast and lunch programs as of March 1, 2014. Such a district has until the end of the 2014-15 school year to phase out the system.

In addition, the bill requires the Florida Department of Education to create a statewide process for assigning students identification numbers that are not social security numbers (SSN), thereby phasing out the use of SSNs for that purpose.

The bill became law on May 12, 2014, chapter 2014-41, Laws of Florida, and became effective upon that date.

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**CS/HB 313 (ch. 2014-30, L.O.F.) - Single-Gender Public School Programs**

**By: Choice & Innovation Subcommittee; M. Diaz and others**

**Tied Bills: None**

**Companion Bills: CS/SB 514**

**Committee(s) of Reference: Choice & Innovation Subcommittee; Education Appropriations Subcommittee; Education Committee**

**Category: Pre-K through 12 Education**

The bill provides additional guidelines for establishing single-gender elementary, middle, or high schools by requiring district school boards establishing such schools to:

- separate students into grade-level, single-gender classes for instruction in core courses;
- open enrollment to all students within the school district;
- require administrators and teachers to participate in professional development that includes scheduling and instructional strategies; and
- provide the Department of Education a comparison of the academic performance of students in gender-specific schools with that of students in other public schools in the school district.

The bill became law on May 12, 2014, chapter 2014-30, Laws of Florida, and becomes effective July 1, 2014.

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## Higher Education & Workforce Subcommittee

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**CS/HB 115 (ch. 2014-27, L.O.F.) - Public Meetings/University Direct-Support Organization**

**By: Government Operations Subcommittee; Pigman**

**Tied Bills: None**

**Companion Bills: CS/SB 318**

**Committee(s) of Reference: Higher Education & Workforce Subcommittee; Government Operations Subcommittee; Education Committee**

**Category: Higher Education and Workforce**

The bill creates a public meeting exemption for any portion of a meeting of the board of directors of a university's direct-support organization (DSO), or of a committee of the DSO, in which the board or committee discusses a proposal seeking research funding from the DSO or a plan or program for either initiating or supporting research. The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

University DSOs are subject to public record and public meeting laws. Current law provides that certain records held by a DSO are confidential and exempt from public records requirements. However, there was no similar public meeting exemption for DSO board meetings during which confidential and exempt records are discussed.

The bill became law on May 12, 2014, chapter 2014-27, Laws of Florida, and becomes effective October 1, 2014.

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**CS/SB 236 (ch. 2014-8, L.O.F.) - Renaming of Florida College System Institutions**

**By: Education; Richter**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 137**

**Committee(s) of Reference: Education; Community Affairs**

**Category: Higher Education and Workforce**

The bill amends current law to change the name of "Edison State College" to "Florida SouthWestern State College" and to change the name of "Pasco-Hernando Community College" to "Pasco-Hernando State College." Both colleges complied with the statutory requirements for the name changes.

Current law permits an institution in the Florida College System to change its name and use the designation "college" or "state college" if the name change has been approved by the institution's district board of trustees, the institution has been authorized to grant baccalaureate degrees, and the

institution has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools. A district board of trustees that approves such a name change must seek statutory codification of the name change during the next regular legislative session.

This bill became law on May 12, 2014, chapter 2014-8, Laws of Florida, and becomes effective July 1, 2014.

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**CS/CS/SB 286 - Concrete Masonry Education**

**By: Governmental Oversight and Accountability; Regulated Industries; Richter and others**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 147**

**Committee(s) of Reference: Community Affairs; Regulated Industries; Governmental Oversight and Accountability**

**Category: Higher Education and Workforce**

The bill creates the "Concrete Masonry Education Act," and establishes the Florida Concrete Masonry Education Council, Inc., (council) as a nonprofit corporation operating as a direct-support organization of the Department of Economic Opportunity (DEO). The bill:

- outlines administrative powers and duties of the council including the power to plan, implement, and conduct educational programs related to the field of concrete masonry, particularly for individuals seeking employment;
- provides for the appointment of a 13-member governing board;
- allows the council to accept grants, donations, contributions, and gifts and to collect self-imposed, voluntary assessments on concrete masonry units produced and sold by concrete masonry manufacturers in the state;
- requires the council to adopt bylaws that must be approved by DEO; and
- prohibits the council from participating or intervening in any political campaign on behalf of or in opposition to any candidate for public office or any state or local ballot initiative.

There is no fiscal impact on state or local revenues or expenditures. There is an indeterminate fiscal impact on concrete masonry manufacturers.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/HB 487 (ch. 2014-33, L.O.F.) - Agricultural Industry Certifications**

**By: Appropriations Committee; Agriculture & Natural Resources Subcommittee; Higher Education & Workforce Subcommittee; Raburn and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1206**

**Committee(s) of Reference: Higher Education & Workforce Subcommittee; Agriculture & Natural Resources Subcommittee; Appropriations Committee**

**Category: Agriculture, Higher Education and Workforce**

Current law requires the State Board of Education (state board) to work with Workforce Florida, Inc., to develop and adopt rules for implementing an industry certification process.

The bill requires the Department of Agriculture and Consumer Services (DACS), in cooperation with the Institute of Food and Agricultural Science at the University of Florida and the College of Agriculture and Food Sciences at Florida Agriculture and Mechanical University, to annually provide to the state board and the Department of Education (DOE) information and industry certifications for farm occupations to be considered for placement on the Industry Certification Funding List and the Postsecondary Industry Certification Funding List. The information and industry certifications provided must be based on the best available data.

The bill defines industry certification as a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a credential that is nationally recognized and must be:

- within an industry that addresses a critical local or statewide economic need;
- linked to an occupation that is included in the workforce system's targeted occupation list; or
- linked to an occupation that is identified as emerging.

The bill requires the state board to use the expertise of DACS to develop and adopt rules for implementing an industry certification process and specifies that, for farm occupations, industry certification must require students to demonstrate skill proficiency and be based upon the best available data to address critical local or statewide economic needs. The bill also requires the list of industry certifications approved by Workforce Florida, Inc., DACS, and DOE to be published and updated annually.

The bill does not appear to have a fiscal impact on state or local governments or the private sector.

The bill became law on May 12, 2014, chapter 2014-33, Laws of Florida, and becomes effective July 1, 2014.

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**CS/CS/CS/HB 851 - Postsecondary Education Tuition and Fees**

**By: Appropriations Committee; Education Appropriations Subcommittee; Higher Education & Workforce Subcommittee; Nuñez and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1400; HB 5101. This bill contains elements of other bills that were listed as companion measures. Please see [myfloridahouse.gov](http://myfloridahouse.gov) or Leagis/Bill Navigator for an additional listing.**

**Committee(s) of Reference: Higher Education & Workforce Subcommittee; Education Appropriations Subcommittee; Appropriations Committee**

**Category: Higher Education and Workforce**

The bill expands affordable access to higher education for all Floridians by:

- revising the Florida Prepaid College Program to reduce contract costs and require that the amount paid to a state university for an advance payment contract may not exceed 100 percent of the amount charged by the university;
- eliminating the automatic annual rate of inflation increases currently authorized for state universities, Florida College System institutions, and workforce education programs;
- establishing uniform block tuition for all adult education students;
- specifying that the Board of Governors may approve a tuition differential increase only for a state university that is designated preeminent, and limits the amount to a total of 6 percent provided the university meets certain performance metrics;
- expanding fee waivers for Purple Heart recipients to include career centers; and
- providing a waiver of out-of-state postsecondary fees for students, including but not limited to, students who are undocumented for federal immigration purposes and who:
  1. attended a Florida secondary school for 3 consecutive years,
  2. apply for enrollment in a postsecondary institution within 24 months after graduation, and
  3. submit a high school transcript as documentary evidence of attendance and graduation.

Students who qualify for the out-of-state fee exemptions are eligible for the waiver for up to 110 percent of the credit hours required for a degree or certificate, but are not eligible for state financial aid. These students must be counted as out-of-state students for purposes of calculating the system-wide total enrollment of non-resident students in the State University System. Postsecondary institutions must prioritize the enrollment of veterans over students who are eligible for the out-of-state fee waiver.

The bill amends provisions relating to the determination of residency status for tuition purposes by:

- expanding the definition of “parent” and reducing the amount of time a student must live with an adult relative to qualify for residency from five years to three years;
- clarifying that the immigration status of the parent of a dependent child, who is a U.S. citizen, cannot be the sole basis for denial of classification as a resident for tuition purposes; and
- clarifying language relating to the impact of marriage on residency classification.

The fiscal impact of the bill is indeterminate.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

**CS/HB 993 (ch. 2014-37, L.O.F.) - Pub. Rec./Animal Researchers at Public Research Facilities**

**By: Higher Education & Workforce Subcommittee; Cummings**

**Tied Bills: None**

**Companion Bills: CS/SB 414**

**Committee(s) of Reference: Higher Education & Workforce Subcommittee; Government Operations Subcommittee; Education Committee**

**Category: Administrative Procedure, Higher Education and Workforce**

The bill creates a public records exemption for personal identifying information of a person employed by, under contract with, or volunteering for a public research facility, including a state university, that conducts animal research or is engaged in activities related to animal research. Such information is exempt from public records requirements when the information is contained in the following records:

- Animal records, including animal care and treatment records
- Research protocols and approvals
- Purchase and billing records related to animal research or activities
- Animal care and committee records
- Facility and laboratory records related to animal research or activities

The bill provides for retroactive application of the public records exemption.

The public records exemption is subject to the Open Government Sunset Review Act and must stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature. The bill also provides a statement of public necessity as required by the state constitution.

The bill does not appear to have a fiscal impact on state or local governments.

The bill became law on May 12, 2014, chapter 2014-37, Laws of Florida, and becomes effective July 1, 2014.

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## **K-12 Subcommittee**

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**CS/HB 337 (ch. 2014-31, L.O.F.) - Florida Teachers Classroom Supply Assistance Program**

**By: K-12 Subcommittee; Fresen**

**Tied Bills: None**

**Companion Bills: SB 886**

**Committee(s) of Reference: K-12 Subcommittee; Appropriations Committee; Education Committee**

**Category: Pre-K through 12 Education**

CS/HB 337 amends provisions relating to the Florida Teachers Classroom Supply Assistance Program, which provides funding for teachers to purchase supplies and materials for their classrooms. The bill requires school districts to estimate each year the number of classroom teachers that will be employed by the district or a charter school in the district on September 1. If, by July 1, the district determines the number of classroom teachers, then the district and each charter school board may provide each teacher his or her proportionate share of program funds by August 1 of that year. All eligible teachers must be provided their proportionate share by no later than September 30.

The bill became law on May 12, 2014, chapter 2014-31, Laws of Florida, and becomes effective July 1, 2014.

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**CS/CS/HB 433 (ch. 2014-32, L.O.F.) - Educator Certification**

**By: Education Committee; K-12 Subcommittee; Spano**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 950**

**Committee(s) of Reference: K-12 Subcommittee; Education Appropriations Subcommittee; Education Committee**

**Category: Pre-K through 12 Education, Public Employees**

The bill restates and clarifies the methods by which a candidate for educator certification may demonstrate mastery of subject area knowledge, general knowledge, and professional preparation and education competence. The bill requires the State Board of Education (state board) to specify in rule standardized examinations candidates may use to demonstrate mastery of subject area knowledge and identify passing scores on certain examinations, such as the Graduate Record Examination, that a candidate may achieve to demonstrate mastery of general knowledge.

The bill requires the state board to adopt rules related to renewal and reinstatement of professional educator certifications. The bill also requires the state board to adopt rules to approve teacher preparation programs that may be used to meet mastery of professional preparation and education competence certification requirements.

The bill allows districts flexibility in assigning a newly hired teacher to a “D” or “F” school if the teacher meets certain training and experience requirements.

The bill establishes requirements for instructional personnel in another state or on a U.S. military base outside the United States who supervise teacher preparation students enrolled in a Florida online or distance program. Instructional personnel in another state must have received “clinical educator” training or its equivalent in that state, hold a valid professional certificate issued by that state, and have at least three years of teaching experience in prekindergarten through grade 12. Instructional personnel on a U.S. military base outside the United States must: have received “clinical educator” training or its equivalent; hold a valid professional certificate issued by a state, U.S. territory, or the Department of Defense; and have at least 3 years teaching experience in prekindergarten through grade 12.

The bill allows a consortium of charter schools to create a professional development system subject to state board approval.

The bill became law on May 12, 2014, chapter 2014-32, Laws of Florida, and becomes effective July 1, 2014.

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#### **CS/CS/SB 850 - Education**

**By: Appropriations; Education; Legg**

**Tied Bills: None**

**Companion Bills: HB 87; CS/CS/HB 173; CS/HB 7033; CS/HB 7099; HB 7167; CS/CS/SB 1512. This bill contains elements of other bills that were listed as companion measures. Please see [myfloridahouse.gov](http://myfloridahouse.gov) or Leagis/Bill Navigator for an additional listing.**

**Committee(s) of Reference: Education; Appropriations Subcommittee on Education; Appropriations Category: Higher Education and Workforce, Juvenile Justice, Pre-K through 12 Education, Repeals of Existing Laws**

The bill revises provisions relating to middle grades education by:

- requiring schools that include any of grades 6, 7, or 8 to establish early warning systems that identify students who are at risk of dropping out and provide interventions for identified students;
- extending application of certain anti-hazing provisions to middle-grades students; and
- bolstering professional development for administrators and teachers with respect to best practices and integrating digital instruction into the classroom.

The bill revises career and professional education provisions by:

- revising the Industry Certification Funding List and establishing additional certificates and industry certifications that accelerate student progression toward college and career readiness and recognize digital skills of elementary and middle school students;
- establishing additional FTE funding for students who earn certain certificates and industry certifications;



- requiring that specified certificates and certifications be made available to students with disabilities through digital materials; and
- requiring district school boards to report estimated cost savings to the parents of students who earn an industry certification that articulates for college credit before graduating from high school.

The bill increases student access to collegiate high school programs by:

- requiring each Florida College System institution to contract with each district in its service area to establish one or more collegiate high school programs and establishing contract requirements; and
- requiring each program to offer, at a minimum, 11th and 12th grade students the opportunity to earn industry certifications and successfully complete 30 credit hours through dual enrollment toward the first year of college for an associate or baccalaureate degree.

The bill revises provisions related to juvenile justice programs by:

- requiring the Department of Education and the Department of Juvenile Justice to collect and report on student performance and cost data;
- providing oversight and guidance regarding effective educational transition planning and services for juvenile justice programs;
- requiring the multiagency plan for career and professional education to eliminate barriers to education and address virtual education;
- providing career readiness and exploration opportunities as well as truancy and dropout prevention intervention services at prevention and day treatment programs; and
- requiring school districts and juvenile justice education providers to develop an individualized transition plan during a student's stay at a juvenile justice program and providing plan requirements.

The bill revises the student eligibility and program accountability requirements for the Florida Tax Credit Scholarship program by:

- requiring scholarship funding organizations (SFOs) to prioritize the award of scholarships to students whose household income does not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care;
- establishing an income-based tiered scholarship for students whose household income is greater than 185 percent but does not exceed 260 percent of the federal poverty level;
- increasing accountability of nonprofit SFOs by revising the approval and renewal process, prohibiting the use of funds for lobbying or political activity, requiring SFOs to maintain a surety bond or letter of credit, and requiring the Auditor General to conduct operational audits of SFOs;
- authorizing state universities and independent colleges and universities to become SFOs;
- allowing eligible tax credits, once earned, to be taken against the next estimated payment and to be conveyed, transferred, or assigned between members of an affiliated group upon approval of the Department of Revenue;
- requiring the Learning Systems Institute at Florida State University to provide an annual report on the student performance of participating students; and
- adding crimes to the list of disqualifying offenses for background screening purposes.

The bill revises provisions relating to interventions for students with a reading deficiency.

The bill revises provisions regarding the education of students with a disability by:

- establishing the Personal Learning Scholarship Account program to provide parents of eligible students flexibility to select educational and therapy services from a wide range of providers;
- repealing, effective July 1, 2015, the special high school diploma option requirements for students with disabilities, including the authority to award a special diploma for such students and the use of a special diploma for enrollment in a certificate career education program at a Florida College System institution;
- requiring the state board to adopt alternative methods for demonstrating student mastery of required knowledge and skills to otherwise allow a student to receive a standard high school diploma;
- allowing a student's individual educational plan team to decide what requirements the student must meet to receive his or her standard high school diploma; and
- allowing a student who meets the standard high school diploma requirements to defer receipt of the diploma to pursue industry certification or other educational goals.

The bill requires the Prepaid College Board to conduct a study on the use of an advanced payment contract for auditing a class or receiving a tuition waiver, program fees in excess of or in lieu of tuition for a student with a disability, and other qualified higher education expenses.

The bill requires the Commissioner of Education to prepare an annual report on student access to and participation in fine arts courses.

The bill renames the Florida Agricultural and Mechanical University Crestview Education Center as the "Senator Durell Peaden, Jr., FAMU Educational Center."

Subject to the Governor's veto powers, except as otherwise provided, the effective date of this bill is upon becoming law.

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**CS/SB 864 (ch. 2014-15, L.O.F.) - Instructional Materials for K-12 Public Education**

**By: Governmental Oversight and Accountability; Hays and others**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 921**

**Committee(s) of Reference: Education; Governmental Oversight and Accountability**

**Category: Pre-K through 12 Education**

CS/SB 864 specifies that each school district has the constitutional duty and responsibility to select and provide adequate instructional materials for all the district's students. The bill reiterates that each district school board is responsible for the content of all instructional materials used in a classroom, whether adopted from the state-adopted list, adopted through a district program, or otherwise purchased or made available in a classroom. In addition, the bill:

- requires district school boards, whether they choose to implement their own instructional materials program or select from the state-adopted list, to establish a process to review and

adopt materials and to make recommended materials available for public review and comment before adoption;

- requires each district school board to establish a process by which parents may contest the content of instructional materials adopted from the state-adopted list or through the district program and establishes requirements for the process;
- requires each district school board to establish a process by which parents may object to instructional materials throughout the year;
- authorizes districts, beginning in the 2014-2015 fiscal year, to spend 100 percent of their instructional materials allocation for the purchase of digital or electronic instructional materials;
- authorizes the Department of Education to assess and collect fees, not to exceed \$1,000 per submission, from publishers participating in the instructional materials approval process to pay a stipend to state reviewers;
- clarifies that each school district is responsible for providing instruction on specified subjects as required by s. 1003.42, F.S.; and
- adds the requirement that, along with other subjects specified in law, school districts must provide instruction on the events surrounding the terrorist attacks occurring on September 11, 2001, and the impact of those events on the nation.

The bill became law on May 12, 2014, chapter 2014-15, Laws of Florida, and becomes effective July 1, 2014.

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**HB 7029 - Code of Student Conduct**

**By: K-12 Subcommittee; Baxley and others**

**Tied Bills: None**

**Companion Bills: SB 1060**

**Committee(s) of Reference: Education Committee**

**Category: Pre-K through 12 Education**

The bill clarifies that students should not be disciplined for simulating a firearm or weapon while playing or wearing clothing or accessories that depict a firearm or weapon or an opinion regarding Second Amendment rights. The bill defines simulating a firearm or weapon while playing to include:

- brandishing a partially consumed pastry or other food item to simulate a firearm or weapon;
- possessing a toy firearm or weapon which is two inches or less in overall length;
- possessing a toy firearm or weapon made of plastic snap-together building blocks;
- using a finger or hand to simulate a firearm or weapon;
- vocalizing an imaginary firearm or weapon;
- drawing a picture of, or possessing an image of, a firearm or weapon; and
- using a pencil, pen, or other writing or drawing utensil to simulate a firearm or weapon.

The bill preserves school board authority to discipline students when simulating a firearm or weapon substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm. Consequences imposed upon a student must be proportionate to the severity of the infraction and consistent with school board policies for similar infractions.

Disciplinary actions involving student clothing or accessories must be addressed pursuant to the statutorily prescribed interventions for dress code violations unless the wearing of the clothing item or accessory causes a substantial disruption to student learning. In such cases, the infraction may be addressed in a manner consistent with school board policies for similar infractions.

Subject to the Governor's veto powers, the bill is effective upon becoming law.

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**HB 7031 (ch. 2014-39, L.O.F.) - Education**

**By: K-12 Subcommittee; Adkins and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1226**

**Committee(s) of Reference: Education Committee**

**Category: Pre-K through 12 Education, Repeals of Existing Laws**

The bill repeals terminated or unfunded programs, corrects cross references, removes obsolete effective dates, eliminates duplicate reporting requirements, repeals completed pilot programs, and updates nomenclature.

The bill extends the Adults with Disabilities Workforce Education Pilot Program to June 30, 2016, and increases the age limit for a program participant from 30 to 40.

The bill establishes a process for modifying the membership of a district school board by allowing a board to adopt a resolution to modify the number of members on its board and submitting that resolution to the electors for approval.

The bill adds a requirement that, beginning with students entering grade 9 in the 2014-2015 school year, a student must pass the statewide, standardized Geometry end-of course (EOC) assessment in order to earn a Scholar designation.

The bill provides that a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology Course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn college credit meets the Scholar designation science requirement without having to take the statewide, standardized Biology I EOC assessment. The bill also provides that a student enrolled in an AP, IB, or AICE course that includes U.S. History topics, who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit meets the Scholar designation social studies requirement without having to take the statewide, standardized U.S. History EOC assessment.

The bill clarifies the graduation requirements for certain high school students. Last session the Legislature passed SB 1076, which, in part, dealt with course and testing requirements for high school graduation. The bill explains how the new graduation requirements impact students who were in high school before SB 1076 passed.

The bill removes references to the repealed s. 1003.428, F.S., (old high school graduation requirements) and s. 1003.429, F.S., (old 18-credit early graduation options) and adds references to s. 1003.4282, F.S., (new standard high school diploma requirements), s. 1003.4281, F.S., (early high school graduation), and s. 1002.3105(5), F.S., (new 18-credit high school graduation option).

The bill does not have a fiscal impact on state or local governments.

The bill became law on May 12, 2014, chapter 2014-39, Laws of Florida, and became effective upon that date.

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***HOUSE OF REPRESENTATIVES***  
***Health & Human Services Committee***  
**Representative Richard Corcoran, Chair**  
**Representative Larry Ahern, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**



***Health Innovation Subcommittee***

**Representative Jason Brodeur, Chair**  
**Representative W. Gregory Steube, Vice Chair**

***Health Quality Subcommittee***

**Representative Kenneth Roberson, Chair**  
**Representative Patrick Rooney, Jr., Vice Chair**

***Healthy Families Subcommittee***

**Representative Gayle Harrell, Chair**  
**Representative W. Keith Perry, Vice Chair**





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**CS/HB 1047 - Termination of Pregnancies**

**By: Health & Human Services Committee; Adkins and others**

**Tied Bills: None**

**Companion Bills: CS/SB 918**

**Committee(s) of Reference: Health & Human Services Committee; Judiciary Committee**

**Category: Business and Professional Regulation, Health, Health Care Facilities, Safety**

CS/HB 1047 amends ch. 390, F.S., to prohibit an abortion if the fetus has achieved viability, which is defined in the bill as the stage of fetal development when the life of a fetus is sustainable outside the womb through standard medical measures, another defined term. This ban is in addition to the current prohibition against abortions in the third trimester.

The bill modifies exceptions to the prohibition against abortions during the third trimester to allow an abortion if:

- two physicians certify in writing that, in reasonable medical judgment, the abortion is medically necessary to save the pregnant woman's life or avert a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman, other than a psychological condition; or
- one physician certifies in writing that, in reasonable medical judgment, legitimate emergency medical procedures for an abortion are medically necessary to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman, other than a psychological condition, and another physician is not available for consultation.

The bill provides identical exceptions to the prohibition against abortions during viability.

The bill requires a physician to determine if a fetus is viable before performing an abortion. The physician must document the determination in the pregnant woman's medical record, along with the method, equipment, fetal measurements, and any other information used to determine viability.

The bill provides for administrative and criminal penalties against any person who performs, or actively participates in an abortion during viability, and amends s. 797.03, F.S., to prohibit any person from performing or assisting in an abortion on a person during viability other than in a hospital.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## Health Innovation Subcommittee

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### **CS/SB 86 - Dentists**

**By: Appropriations; Latvala**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 31**

**Committee(s) of Reference: Health Policy; Banking and Insurance; Appropriations; Rules**

**Category: Health, Insurance**

CS/SB 86 prohibits health insurance provider contracts from containing provisions requiring dentists to provide services at a fee set by the health insurer, prepaid limited health service organization (PLHSO), or health maintenance organization unless the services are covered under the contract or subscriber agreement. The bill defines “covered services” as those services for which reimbursement is available under a plan or contract or those services for which reimbursement would be available but for contractual limitations such as deductibles, yearly or lifetime maximums, alternative payment benefits, or any other limitation in the plan or contract.

The bill also adds PLHSO provider arrangement contracts to the list of insurers that may not require a health care practitioner to accept the terms of other health care practitioner contracts with an insurer, PLHSO, or health maintenance organization as a condition of continuing or renewing a contract.

The bill applies to contracts entered into or renewed on or after the effective date.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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### **CS/CS/HB 287 - Certificates of Need**

**By: Health & Human Services Committee; Health Innovation Subcommittee; Artiles; Williams**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 268**

**Committee(s) of Reference: Health Innovation Subcommittee; Health & Human Services Committee**

**Category: Health, Health Care Facilities**

The moratorium on new certificates of need (CONs) for nursing homes is scheduled to expire on October 1, 2016, or upon the date that Medicaid managed care is implemented statewide, whichever is earlier. The bill repeals the moratorium effective July 1, 2014, which allows the Agency for Health Care Administration (AHCA) to approve new community nursing home beds under the CON process. However, the bill prohibits AHCA from issuing further CONs for nursing home beds once 3,750 total new beds have been approved until after June 30, 2017.

The bill also allows for increased flexibility in the CON approval process for the construction of new nursing homes and the expansion of existing nursing homes. Specifically, the bill:

- decreases the required sub-district average occupancy rate that AHCA uses in its nursing home bed-need methodology from 94 to 92 percent;
- establishes a positive CON application factor for an applicant in a sub-district where bed-need has been determined to exist;
- authorizes an applicant to combine the published bed need of geographically contiguous sub-districts within a district for a proposed community nursing home;
- provides expedited CON review for the replacement of a nursing home within a 30-mile radius of the existing nursing home;
- provides expedited CON review for the replacement of a nursing home within the same district if the proposed project site is outside a 30-mile radius of the replaced nursing home but within the same sub-district or a geographically contiguous sub-district (if the proposed project site is in the geographically contiguous sub-district, the prior six-month occupancy rate for licensed community nursing homes for that sub-district must be at least 85 percent);
- provides expedited CON review for a nursing home to relocate a portion of its beds to another facility or to establish a new facility in the same district or a contiguous district if the relocation is within a 30-mile radius of the existing facility and the total number of nursing home beds in the state does not increase; and
- creates an exemption from nursing home CON review for a nursing home adding up to 30 beds or 25 percent of the number of beds in the facility being replaced, whichever is less.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 674 - Background Screening**

**By: Criminal Justice; Health Policy; Bean**

**Tied Bills: None**

**Companion Bills: CS/HB 463**

**Committee(s) of Reference: Health Policy; Transportation; Criminal Justice**

**Category: Business and Professional Regulation, Health, Health Care Facilities, Government Operations, Law Enforcement, Safety**

In 2012, the Legislature created the Care Provider Background Screening Clearinghouse (clearinghouse) to create a single program for screening individuals for criminal background checks prior to employment in certain health-related service positions. The clearinghouse is created under the Agency for Health Care Administration (AHCA), and was implemented by AHCA on January 1, 2013. The bill makes several changes to the clearinghouse.

Specifically, the bill addresses provisions related to who is subject to screening, screening procedures, and interagency information sharing. The bill:

- clarifies that employers must register with and initiate all criminal history checks through the clearinghouse before referring a potential employee for electronic fingerprint submission;

- requires vendors who submit fingerprints on behalf of employers to include a photograph of the person taken at the time fingerprints are submitted;
- allows the Department of Highway Safety and Motor Vehicles to share driver license photographs through interagency agreements with the Department of Health for the purpose of accessing digital images for the reproduction of licenses and with AHCA, so authorized agencies may verify photographs in the clearinghouse;
- specifies demographic information that must be submitted with a request for a criminal background check as required for a federal check; and
- revises applicability of background screening requirements for certain service providers who must register with the Division of Vocational Rehabilitation.

The bill also amends provisions related to disqualifying offenses. The bill:

- provides that the three-year waiting period to apply for an exemption from disqualification for a criminal offense does not apply to monetary sanctions for a felony disqualifying offense, so long as all sanctions are paid or completed prior to an exemption being granted;
- updates the disqualifying offenses in s. 408.809, F.S., and ch. 435, F.S., to include criminal offenses involving theft that are similar to existing disqualifying offenses and to include the attempt, solicitation, or conspiracy to commit a disqualifying offense; and
- provides an exemption from rescreening if the person has already been screened and qualified but is later determined to have one of the disqualifying offenses added by this bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/SB 702 - Pharmacy Audits**

**By: Appropriations; Judiciary; Regulated Industries; Bean and others**

**Tied Bills: None**

**Companion Bills: CS/HB 745**

**Committee(s) of Reference: Health Policy; Regulated Industries; Judiciary; Appropriations**

**Category: Business and Professional Regulation, Health, Health Care Facilities, Insurance**

CS/SB 702 provides certain rights in ch. 465, F.S., pertaining to a pharmacy during an audit by a managed care company, insurance company, third-party payor, pharmacy benefit manager, or any entity that represents a party responsible for payment of pharmacy benefits. The bill provides the following rights to a pharmacy:

- To be given seven days of notice prior to the initial onsite audit of each audit cycle
- To have an onsite audit scheduled after the first three calendar days of the month, unless the pharmacist consents to an earlier audit date
- To limit the audit period to 24 months from the date a claim was submitted to or adjudicated by the auditor
- To have an audit that requires clinical or professional judgment conducted by or in consultation with a pharmacist

- To use the written and verifiable records of a hospital or authorized practitioner to validate a pharmacy record in accordance with state and federal law
- To be reimbursed for a claim that was retroactively denied for a clerical, scrivener's, typographical, or computer error if the patient received the correct medication, dose, and instructions for administration, unless a pattern of errors exists or fraud is alleged, or the error results in actual financial loss to the payer
- To receive a preliminary audit report within 120 days after conclusion of the audit
- To produce documentation to challenge a discrepancy or finding within 10 days after the preliminary audit report is delivered to the pharmacy
- To receive the final audit report within 6 months of receiving the preliminary audit report
- To have penalties and recoupments based on actual overpayments and not according to accounting principles of extrapolation

The provisions of the bill do not apply to audits based on: a suspicion of fraud or wilful misrepresentation; audits of claims paid by federally-funded programs; or concurrent reviews or desk audits that occur within 3 business days after transmission for which no chargeback or recoupment is demanded.

An entity that audits a pharmacy located within a Health Care Fraud Prevention and Enforcement Action Team Task Force area designated by the U.S. Department of Health and Human Services and the U.S. Department of Justice may dispense with the 7-day advance notice requirement under the bill if the pharmacy has been a member of a credentialed provider network for less than 12 months.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/HB 1179 - Home Health Care**

**By: Health & Human Services Committee; Health Innovation Subcommittee; Stone**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 976**

**Committee(s) of Reference: Health Innovation Subcommittee; Health & Human Services Committee**

**Category: Business and Professional Regulation, Health, Health Care Facilities**

A nurse registry is an agency licensed to secure temporary employment for nurses, home health aides (HHAs), certified nursing assistants (CNAs), homemakers, and companions in a patient's home or within health care facilities or other entities. A person referred for contract by a nurse registry is compensated by fees as an independent contractor, including, but not limited to, contracts for the provision of services to patients and contracts to provide private duty or staffing services to licensed healthcare facilities or other entities.

CS/CS/HB 1179 confirms that each person referred for contract by a nurse registry is an independent contractor and that a nurse registry has no obligation to monitor, supervise, manage, or train a person referred for contract.

The bill requires a nurse registry to notify the patient, the patient's family, or other person acting on behalf of the patient that the person referred for contract is an independent contractor and the nurse registry is not responsible to monitor, supervise, manage, or train the person referred for contract. However, the bill also requires a nurse registry that has knowledge of a violation of law by a person referred to contract to advise the patient to terminate the contract and provide reasons for the suggested termination. The nurse registry also must cease referring the person for contract and notify the licensing board of any practice violations. The bill confirms that a nurse registry must comply with all other obligations under part II of chapter 408, F.S., including licensure application procedures, the process for effecting a change of ownership, and other licensure requirements.

Lastly, the bill exempts those home health agencies that only provide unskilled care services and are not certified by Medicare or Medicaid from the accreditation requirement in s. 400.474, F.S.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **Health Quality Subcommittee**

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### **CS/HB 323 - Pharmacy**

**By: Health & Human Services Committee; La Rosa; Campbell and others**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/ SB 278**

**Committee(s) of Reference: Health Quality Subcommittee; Health & Human Services Committee**

**Category: Business and Professional Regulation, Controlled Substances, Health, Health Care Facilities**

The bill allows a pharmacist to supervise more than one pharmacy technician if authorized under guidelines established by the Board of Pharmacy (board), and removes the statutory cap limiting supervision to three pharmacy technicians if approved by the board under its adopted guidelines.

The bill revises the composition of the board by increasing the number of pharmacists representing community and institutional class II pharmacies from one to two members in each category.

The bill authorizes pharmacists to administer the meningococcal vaccine under physician protocol and removes the requirement for a pharmacist to have a prescription from a physician to administer the shingles vaccine.

The bill requires the date on a written prescription for a controlled substance to: be in a numeric, month/day/year format; have the abbreviated month written out; or have the month written out in whole.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 390 - Public Records/Identifying Information of Personnel of Department of Health**

**By: Health Policy; Hays**

**Tied Bills: None**

**Companion Bills: CS/HB 419**

**Committee(s) of Reference: Health Policy; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Health**

CS/SB 390 creates a public records exemption for specified personal identification and location information of certain Department of Health (DOH) personnel and their spouses and children.

The exemption applies to the home addresses, telephone numbers, dates of birth, and photographs of current or former DOH personnel whose duties include or result in the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against healthcare practitioners, or the inspection of healthcare practitioners or healthcare facilities licensed by DOH. The names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by the children of such personnel, are exempt from current public records requirements.

The exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and reenacted by the Legislature. The bill contains a public necessity statement as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**CS/CS/HB 511 - Cancer Control and Research**

**By: Health & Human Services Committee; Health Quality Subcommittee; Coley and others**

**Tied Bills: None**

**Companion Bills: CS/SB 734**

**Committee(s) of Reference: Health Quality Subcommittee; Health & Human Services Committee**

**Category: Health**

The bill amends laws related to the Cancer Control and Research Advisory Council (CCRAB) which advises the Legislature, Governor, and Surgeon General as to efforts to reduce the cancer burden in Florida, and is housed within the H. Lee Moffitt Cancer Center and Research Institution (Moffitt).

The bill reduces the membership total of CCRAB from 35 members to 15 members and revises the composition of CCRAB. It adjusts minority representation and quorum requirements to reflect the reduction in membership. The bill also modifies the appointment process by requiring the Governor, Speaker of the House of Representatives, and President of the Senate to appoint a specified number of members and requiring the chief executive officers of nine named organizations to each appoint a

member to CCRAB. The bill allows renewal of members' terms and requires CCRAB to select a chairperson.

The bill requires a CCRAB member's representative organization to pay for travel reimbursement and requires Moffitt to pay the travel expenses for members not affiliated with an institution or organization.

The bill removes the requirement that CCRAB develop or purchase and make available to physicians and surgeons written summaries regarding breast cancer and prostate cancer treatment alternatives when funds are appropriated for such purpose. The bill also removes the requirement that CCRAB implement educational programs about the early detection and treatment of breast cancer and prostate cancer.

The bill requires CCRAB to collaborate with the Biomedical Research Advisory Council to formulate and recommend to the State Surgeon General a statewide research plan. The bill renames the "Florida Cancer Plan" the "Florida Cancer Control and Research Plan" and requires CCRAB to develop and annually review a statewide "Florida Cancer Treatment Plan."

The bill deletes the Florida Cancer Control and Research Fund and removes requirements related to the awarding of grants and contracts to qualified nonprofit associations or state agencies to conform to this change. The bill also removes the authority of the Department of Health to award financial aid to cancer patients and make arrangements with hospitals, laboratories, and clinics to provide treatment and care to cancer patients.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **SB 520 - Public Records/Dental Workforce Surveys**

**By: Richter**

**Tied Bills: None**

**Companion Bills: HB 457**

**Committee(s) of Reference: Health Policy; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Health**

The bill creates a public records exemption for personal identifying information provided by a dentist or dental hygienist in response to a dental workforce survey and held by the Department of Health (DOH).

The bill provides exceptions to the public records exemption under certain circumstances. Specifically, the bill provides that the personal identifying information must be disclosed:

- with the express written consent of the individual to whom the information pertains or the individual's legally authorized representative; and
- by court order upon a showing of good cause.

The bill also allows DOH to disclose such information to a research entity if the entity seeks the records or data pursuant to a research protocol approved by DOH, maintains the records or data in accordance with the approved protocol, and enters into a purchase and data-use agreement with DOH.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and reenacted by the Legislature. The bill provides a statement of public necessity as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**HB 531 - Public Health Trusts**

**By: Richardson**

**Tied Bills: None**

**Companion Bills: SB 640**

**Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee**

**Category: Health Care Facilities, Local Government**

HB 531 amends s. 154.11, F.S., to authorize the board of trustees for a public health trust to lease, as lessor, office space controlled by the public trust without the approval of the board of county commissioners and without having to perform any requirements for notice, negotiation, or disposition established by a county ordinance pursuant to s. 125.35, F.S.

This bill has no fiscal impact on state government. However, this bill may result in additional revenues being generated by a public health trust from the lease of real property under its control.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 591 - Newborn Health Screening**

**By: Health & Human Services Committee; Harrell**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 722**

**Committee(s) of Reference: Health Quality Subcommittee; Health & Human Services Committee**

**Category: Business and Professional Regulation, Health, Health Care Facilities**

The bill amends s. 383.14(1)(c), F.S., to allow the State Public Health Laboratory to release the results of a newborn's hearing and metabolic tests or screenings to the newborn's healthcare practitioner. The bill defines healthcare practitioner as a physician or physician assistant, osteopathic physician or physician assistant, advanced registered nurse practitioner, registered nurse, licensed practical nurse, midwife, speech-language pathologist or audiologist, or a dietician or nutritionist.

The bill creates a new section of law, s. 383.146, F.S., to require an audiologist, upon diagnosing an infant or toddler with a permanent hearing impairment, to offer the parent or guardian to complete a consent form with his or her contact information to receive information from qualified Early Steps

providers that offer early intervention services and specialize in serving children with hearing loss. The bill also requires the Department of Health to post on its website a list of the qualified Early Steps providers that have notified the department of their interest to provide such information to parents or guardians electing to receive the information.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 709 – Alzheimer's Disease**

**By: Health & Human Services Committee; Health Quality Subcommittee; Hudson and others**

**Tied Bills: CS/CS/HB 711**

**Companion Bills: CS/CS/SB 872**

**Committee(s) of Reference: Health Quality Subcommittee; Appropriations Committee; Health & Human Services Committee**

**Category: Emergency Management, Health, Health Care Facilities, Mental Health, Safety**

The bill requires the Division of Emergency Management (DEM) to develop and implement a special needs shelter (SNS) registration program by specified dates. The registration program must include a uniform registration form and a database for uploading and storing registration forms. The bill requires memory disorder clinics (MDCs) to provide registration information to all of their special needs clients or their caregivers and allows physicians and pharmacies to provide such information. The bill also requires SNSs to have a staff member familiar with the needs of persons with Alzheimer's disease and to establish a designated area in the shelter for individuals with Alzheimer's disease to maintain their normal habits and routines.

The bill creates the Ed and Ethel Moore Alzheimer's Disease Research Program within the Department of Health to fund research leading to prevention of or a cure for Alzheimer's disease. The bill creates the Alzheimer's Disease Research Grant Advisory Board to consist of 11 members, including a required number of licensed professionals in specific fields generally associated with the provision of care for the elderly and individuals with Alzheimer's disease. The board is tasked with annually recommending to the State Surgeon General which research proposals should be funded, and annually submitting to the State Surgeon General, the Governor, and the Legislature a progress report on the programs under its purview.

The bill requires the Department of Elder Affairs (DOEA) to develop a performance-based funding mechanism to allocate base-level funds to the state's 13 MDCs based on minimum performance standards. DOEA must develop performance goals that exceed the minimum performance standards to incentivize additional funding above the base level. As a result, MDCs will not automatically receive equal funding regardless of performance.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 711 - Public Meetings and Public Records/Alzheimer's Disease Research Grant Advisory Board**

**By: Government Operations Subcommittee; Health Quality Subcommittee; Hudson and others**

**Tied Bills: CS/CS/HB 709**

**Companion Bills: CS/SB 840**

**Committee(s) of Reference: Health Quality Subcommittee; Government Operations Subcommittee; Health & Human Services Committee**

**Category: Government in the Sunshine, Health, Mental Health**

The bill creates a public records exemption for applications provided to the Alzheimer's Disease Research Grant Advisory Board (board), under the newly created Ed and Ethel Moore Alzheimer's Disease Research Program. Any records generated by the board relating to the review of research grant applications, except final recommendations, are confidential and exempt.

The bill also creates a public meeting exemption for those portions of a board meeting during which such applications are discussed. The closed portion of the meeting must be recorded, and the recording must be maintained by the board.

The bill provides that the confidential and exempt records, including the recording of the meeting, may be disclosed with the written consent of the individual to whom the information pertains or the individual's legally authorized representative or by a court order upon a showing of good cause.

The bill provides that the public record and public meeting exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless saved from repeal by reenactment by the Legislature. The bill contains a public necessity statement as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/HB 709 or similar legislation takes effect.

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**CS/CS/SB 836 - Medical Gas**

**By: Health Policy; Regulated Industries; Bean**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/HB 687**

**Committee(s) of Reference: Regulated Industries; Health Policy**

**Category: Business and Professional Regulation, Health, Safety**

Part I of ch. 499, F.S., requires the Department of Business and Professional Regulation to regulate drugs, devices, and cosmetics. Most of the regulations relate to the distribution of prescription drugs into and within Florida. In particular, the regulations require various entities in the distribution chain, such as prescription drug manufacturers and prescription drug wholesale distributors, to obtain permits to operate in the state.

In Florida, medical gases, such as oxygen, nitrous oxide, nitrogen, and helium, are prescription drugs regulated under part I of ch. 499, F.S., and the rules adopted thereunder in ch. 61N-1, F.A.C. However, those regulations are difficult to apply to medical gases because of the nature of storage, shipment, and maintenance of medical gas, primarily in large tanks or canisters.

CS/CS/CS/HB 687 creates part III of ch. 499, F.S., which separates the regulation, including permit requirements, of manufacturers and wholesale distributors of medical gases, as well as medical oxygen retail establishments, from the provisions of part I and part II of the chapter, which regulate the manufacturers and distributors of other drugs, devices, and cosmetics. The bill includes many provisions governing medical gases that are substantially similar to existing provisions in part I, but revises those provisions for applicability to medical gases. The provisions of new part III require:

- permits for medical gas manufacturers and wholesale distributors and medical oxygen retail establishments;
- minimum qualifications for obtaining a permit to deal in medical gases;
- certain procedures to change a permit;
- security and storage of medical gases;
- returned, damaged, and outdated medical gases to be handled in a certain manner;
- penalties for committing prohibited and criminal acts associated with medical gases; and
- inspections of facilities that manufacture medical gases.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/HB 1065 - Licensed Massage Therapists**

**By: Health Quality Subcommittee; Kerner and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1068**

**Committee(s) of Reference: Health Quality Subcommittee; Justice Appropriations Subcommittee; Health & Human Services Committee**

**Category: Business and Professional Regulation, Health**

The bill requires applicants for licensure as massage therapists and individuals with ownership in or management responsibilities for a massage establishment to submit fingerprints for background screening. The bill also requires massage therapists and individuals with ownership in or management responsibilities for a massage establishment who were licensed prior to July 1, 2014, to submit to the background screening requirements by January 31, 2015.

The bill requires the Board of Massage Therapy to deny applications for initial licensure and licensure renewal of any individual screened and determined to have been convicted or found guilty of or entered a plea of guilty or nolo contendere to specified criminal acts. The bill requires the Department of Health to issue an emergency order suspending the license of a massage therapist or massage establishment upon receipt of information that the individual has been convicted or found guilty of or entered a plea of guilty or nolo contendere to specified criminal acts.

The bill exempts a licensed physician, osteopathic physician, or chiropractor who employs a licensed massage therapist to perform massage on the physician's patients at the physician's place of practice from the background screening requirements of the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 1131 - Emergency Allergy Treatment**

**By: Health & Human Services Committee; Health Quality Subcommittee; Hudson and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1122**

**Committee(s) of Reference: Health Quality Subcommittee; Health & Human Services Committee**

**Category: Health**

The only treatment for anaphylaxis, a severe allergic reaction to an allergen, is the administration of epinephrine, usually through an auto-injector (EAI), which provides a premeasured dose of the medication based on body weight. An epinephrine auto-injector is only available by prescription.

CS/CS/HB 1131 expands the law governing insect sting emergency treatment in s. 381.88, F.S., to create the "Emergency Allergy Treatment Act," which makes EAIs available for the treatment of any severe allergic reaction and in more public places. The bill permits certain authorized entities, such as restaurants and youth sports leagues, to obtain a prescription for EAIs. Authorized entities may stock and store EAIs, and their employees who have completed certain training and are certified may provide an EAI to a person suffering a severe allergic reaction for self-administration, administer an EAI to a person suffering a severe allergic reaction, or provide an EAI to a person to administer it to another person suffering a severe allergic reaction.

The bill extends the civil liability immunity protections of the Good Samaritan Act, in s. 768.13, F.S., to any person who possesses, administers, or stores EAIs in compliance with the Emergency Allergy Treatment Act.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 7077 - Nonresident Sterile Compounding Permits**

**By: Health & Human Services Committee; Health Quality Subcommittee; Patronis and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 662**

**Committee(s) of Reference: Health Care Appropriations Subcommittee; Health & Human Services Committee**

**Category: Business and Professional Regulation, Health**

CS/HB 7077 requires any nonresident pharmacy registered with the state and any outsourcing facility, as defined in federal law, to obtain a nonresident sterile compounding permit in order to ship, mail, deliver, or dispense a compounded sterile product into this state. The bill outlines the requirements and standards applicants must meet to obtain or renew the permit.

The bill grants authority to the Department of Health and the Board of Pharmacy to enforce the laws and rules governing sterile compounding, including the authority to conduct onsite inspections of out-of-state applicants and permittees and the authority to administratively discipline applicants and permittees for failing to comply with Florida law. The bill also grants the Board of Pharmacy rulemaking authority related to the registration of applicants and inspections of applicants or permittees.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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## **Healthy Families Subcommittee**

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**CS/SB 524 (ch. 2014-3, L.O.F.) - Sexually Violent Predators**

**By: Appropriations; Sobel and others**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 7021**

**Committee(s) of Reference: Children, Families, and Elder Affairs; Judiciary; Appropriations**

**Category: Courts, Mental Health, Safety, Social Services**

CS/SB 524 amends the Jimmy Ryce Act to enhance the state's ability to identify and civilly commit sexually violent predators through the Sexually Violent Predator Program (SVPP) within the Department of Children and Families (DCF).

The bill amends s. 394.913, F.S., to require the clinicians on the DCF multidisciplinary team (MDT) who evaluate individuals for commitment under the Jimmy Ryce Act to have experience in or relevant to evaluating or treating persons with mental abnormalities. It also requires DCF to provide annual training on the civil commitment process to all MDT members and limits the standard contract term for MDT members retained on a contractual basis to one year. The bill also requires DCF to conduct performance evaluations of the contract evaluators at least annually.



The bill requires DCF to prioritize the assessment and evaluation of individuals referred to the SVPP based upon their release dates. The bill requires the MDT to provide its recommendation to the state attorney at least one month before the offender's scheduled release date from the Department of Corrections, the Department of Juvenile Justice, or DCF and at least 24 hours before the person's scheduled release date from a county or municipal jail.

The bill requires the MDT to send its written assessment and recommendation to the state attorney for additional review. If the state attorney questions the recommendation, the MDT must reexamine the case before making its final recommendation. The bill lowers the threshold for the MDT to determine that a person meets civil commitment criteria to the affirmative vote of two members rather than a majority.

The bill requires DCF to maintain and analyze data related to the clinical evaluation and judicial determination of whether an individual meets the criteria of a sexually violent predator. DCF is required to review this data at least annually for inter-rater reliability and trends.

The bill requires private and public colleges, universities, and schools to inform students and employees about the Florida Department of Law Enforcement's sexual predator and offender registry website and toll-free telephone number that gives access to sexual predator and offender information.

The bill became law on April 1, 2014, chapter 2014-3, Laws of Florida, and becomes effective July 1, 2014.

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**CS/SB 762 - Family Care Councils**

**By: Governmental Oversight and Accountability; Detert**

**Tied Bills: None**

**Companion Bills: CS/HB 715**

**Committee(s) of Reference: Children, Families, and Elder Affairs; Governmental Oversight and Accountability**

**Category: Social Services**

Family Care Councils (FCCs) are local councils that advise the Agency for Persons with Disabilities (APD) on the needs of self-advocates and their families. Consumers and their parents, guardians, and siblings may be members of FCCs.

The bill amends s. 393.502, F.S., to change membership eligibility of FCCs by allowing grandparents to be members. The bill specifies that before a grandparent can be appointed to an FCC, the grandchild's parent or guardian must consent to the appointment and report that consent to APD. The bill also clarifies that persons waiting to receive services may be members of FCCs.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 977 - Motor Vehicle Insurance & Driver Education for Children in Foster Care**

**By: Health Care Appropriations Subcommittee; Albritton and others**

**Tied Bills: None**

**Companion Bills: CS/SB 744**

**Committee(s) of Reference: Healthy Families Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee**

**Category: Budget, Courts, Motorists, Pre-K through 12 Education, Social Services**

The bill directs the Department of Children and Families (DCF) to establish a statewide pilot program to pay specified costs of driver education, licensure and costs incidental to licensure, and motor vehicle insurance for a foster child who meets certain qualifications. The bill limits the amounts paid and requires payment in the order of foster children's eligibility until funds are exhausted. The bill requires DCF to contract with a qualified not-for-profit entity to develop and administer the program and mandates the submission of an annual report on the program to the Governor and the Legislature. The bill also provides for preferential enrollment in driver education for specified children in DCF care.

The bill requires the removal of a foster child's disability of nonage for the purpose of obtaining motor vehicle insurance if the child is at least 16 years of age, has been adjudicated dependent, resides in an out-of-home placement, and has completed a driver education course. The bill also adds consideration of this action to the activities that occur at the special judicial review held when a child becomes 17 years of age.

Finally, the bill appropriates the recurring sum of \$800,000 to DCF to carry out the bill's requirements.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 1666 - Child Welfare**

**By: Appropriations; Children, Families, and Elder Affairs and others**

**Tied Bills: None**

**Companion Bills: CS/HB 7169**

**Committee(s) of Reference: Appropriations Subcommittee on Health and Human Services; Appropriations**

**Category: Budget, Courts, Government in the Sunshine, Health, Mental Health, Safety, Social Services**

The bill makes changes to improve the child welfare system by:

- enhancing the quality of the child protection workforce;
- providing for increased transparency and expert review of the child welfare system;
- addressing gaps in law and procedure that put children at risk;
- mandating a sensitive and informed response when parents of medically complex children are accused of abuse or neglect; and
- updating statutes relating to community based care lead agencies.

The bill establishes an Assistant Secretary for Child Welfare in the Department of Children and Families (DCF). It also specifies preferences and goals for recruitment of child protective investigators and child protective investigator supervisors, focusing on education and skills in social work, and requires additional training in specialized areas. It encourages the acquisition of social work education for child protective investigators, child protective investigator supervisors, case managers, and case manager supervisors through tuition and fee exemptions and the creation of a student loan forgiveness program.

The bill directs DCF to establish critical incident rapid response teams to conduct immediate investigations of deaths involving children known to the child protection and welfare system. The bill requires teams to identify root causes of deaths and determine the need to change DCF policies and practices. The bill also requires DCF to publish on its website basic facts relating to all child deaths reported to the DCF abuse hotline and expands the scope of child deaths to be reviewed by the statewide child death abuse review committee within the Department of Health.

The bill creates the Florida Institute for Child Welfare, a consortium of the state's university social work programs, at Florida State University. Its purposes are to conduct research and analysis, advise the state on child welfare policy and practice, and enhance the education and training of child protection and child welfare workers.

The bill establishes new requirements for safety plans to provide guidelines for their use to ensure that they are implemented only when they will keep children safe. The bill also requires the prioritization of safety services to those children with multiple risk factors.

The bill creates standards relating to medically complex and fragile children in the child welfare system. The bill defines "medical neglect," describes the requirements for investigating it, and requires Child Protection Teams involved in cases of alleged abuse, neglect, or abandonment of a medically complex child to consult a physician with experience in treating that child's condition. The bill also requires DCF to work with all relevant state and local agencies to provide care for medically complex children. It allows placement of such children in medical foster homes and requires placement in the least restrictive, most nurturing environment.

The bill makes changes to current statutes to encourage siblings to be placed together or kept in contact with one another. It requires courts to review the disability of nonage for children in care at certain hearings. The bill also adds nonrelative caregivers to those who qualify for the DCF relative caregiver program in the role of substitute parent, as a result of a court's determination of child abuse, neglect, or abandonment. To address the "re-homing" of adopted children, the bill also creates a criminal offense and associated penalties for deserting a child. The bill also specifies that a person who places an advertisement for adoption services must include certain information in the advertisement.

The bill revises laws relating to community-based care organizations (CBCs). The bill specifies duties and accountability of both DCF and CBCs. The bill also reorganizes current law, deletes obsolete provisions, and clarifies other provisions relating to CBCs. The bill amends community alliance duties to provide for their comments and recommendations regarding the CBCs.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, except as otherwise expressly provided.

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**CS/CS/HB 7141 - Human Trafficking**

**By: Health & Human Services Committee; Health Care Appropriations Subcommittee; Healthy Families Subcommittee; Harrell and others**

**Tied Bills: CS/CS/HB 1019**

**Companion Bills: CS/SB 1724**

**Committee(s) of Reference: Health Care Appropriations Subcommittee; Health & Human Services Committee**

**Category: Budget, Mental Health, Safety, Social Services**

The bill addresses the commercial sexual exploitation of children. Sexual exploitation of a child is defined in s. 39.01, F.S., and includes allowing, encouraging, or forcing a child to: solicit for or engage in prostitution; engage in a sexual performance, as defined by ch. 827, F.S.; or participate in the trade of sex trafficking as specified in s. 796.035, F.S.

The bill requires the Department of Children and Families (DCF) to create or adopt initial screening and assessment instruments for identifying and serving sexually exploited children. It also requires DCF, community based care organizations (CBCs), and the Department of Juvenile Justice to specially train certain employees to work with sexually exploited children and to participate on any local task forces related to this population. It requires DCF and CBCs to develop plans and response protocols regarding serving sexually exploited children and to hold multidisciplinary staffings to coordinate services for them.

Safe homes are currently authorized in law to provide residential care and services to sexually exploited children. The bill authorizes safe foster homes, creates a certification program for safe houses and safe foster homes at DCF, and requires certification in order for these facilities to accept state funds specifically allocated to care for sexually exploited children.

The bill creates a statewide council on human trafficking within the Department of Legal Affairs to enhance the development and coordination of law enforcement and social services responses and specifies the membership, organization, and duties of the council.

The bill requires the Office of Program Policy Analysis and Government Accountability to conduct a study on specified issues regarding commercial sexual exploitation of children.

The bill authorizes DCF to request a budget amendment to transfer no more than \$3 million in General Revenue Funds between specific appropriations 323 through 342 in the 2014-2015 General Appropriations Act and establishes three full-time equivalent positions with an associated salary rate of \$116,427 to implement the human trafficking-related bill provisions.

The bill creates s. 409.997, F.S., to establish a results-oriented child welfare accountability program. The bill requires DCF to contract with a qualified consultant or organization with expertise in child welfare to

prepare a plan for development and implementation of that program. The bill specifies that the purpose of the program is to monitor and measure the use of resources, the quality and amount of services provided, and child and family outcomes through analysis, research, and evaluation. The bill specifies that DCF, CBCs, and CBC subcontractors share the responsibility for achieving child welfare outcome goals. The bill specifies that if SB 1666 or similar legislation is passed and becomes law, this provision shall supersede the provisions of SB 1666.

The bill also provides the following appropriations for Fiscal Year 2014-2015, if SB 1666 or similar legislation becomes law:

- \$4.8 million in recurring funds from the General Revenue Fund to implement s. 39.5085, F.S., as part of the Relative Caregiver Program
- \$400,000 in recurring funds from the General Revenue Fund to implement s. 39.2015, F.S., for travel, per diem, and other expenses for the critical incident rapid response teams
- Two full-time equivalent positions, associated salary rate of \$171,500, with recurring sum of \$257,670 and nonrecurring sum of \$7,330 from the General Revenue Fund to establish the assistant secretary and administrative support positions created in SB 1666
- \$500,000 in nonrecurring funds from the General Revenue Fund for the student loan forgiveness program created in SB 1666
- \$300,000 to contract for a child welfare results-oriented accountability program plan, as required by the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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# ***HOUSE OF REPRESENTATIVES***

## ***Judiciary Committee***

**Representative Dennis Baxley, Chair**

**Representative Charlie Stone, Vice Chair**

### **2014 SUMMARY OF PASSED LEGISLATION**



#### ***Civil Justice Subcommittee***

**Representative Larry Metz, Chair**

**Representative Bill Hager, Vice Chair**

#### ***Criminal Justice Subcommittee***

**Representative Matt Gaetz, Chair**

**Representative Ray Pilon, Vice Chair**





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**SB 1636 - Renaming the Parole Commission****By: Criminal Justice****Tied Bills: None****Companion Bills: HB 7125****Committee(s) of Reference: Rules****Category: Sentencing**

The Parole Commission (commission) is a constitutionally authorized decision-making body that serves as a quasi-judicial body. The Florida Constitution provides that there may be created by law a parole and probation commission with the power to supervise persons on probation and grant paroles or conditional releases to persons under sentences for crime. In 1941, the commission was created by law to administer parole. Since that time, the administration of conditional release, conditional medical release, control release, and addiction recovery has been placed under the commission. The commission also acts as the investigative arm of the Governor and Cabinet, sitting as the Board of Executive Clemency, in clemency matters. The commission was established as the Florida Parole and Probation Commission, but was later renamed the Florida Parole Commission.

The bill changes the name of the "Parole Commission" to the "Florida Commission on Offender Review" in order to more accurately reflect the current roles of the commission. The bill also changes the name of the committee that selects Parole Commissioners from the "parole qualifications committee" to the "commissioner qualifications committee."

The bill may have an insignificant negative impact on state expenditures, but, according to the Parole Commission, this impact will be absorbed by existing funds. The bill does not appear to have any impact on local government expenditures or revenues.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**Civil Justice Subcommittee**

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**HB 23 (ch. 2014-26, L.O.F.) - Canned or Perishable Food Distributed Free of Charge****By: Rogers and others****Tied Bills: None****Companion Bills: SB 160****Committee(s) of Reference: Civil Justice Subcommittee; K-12 Subcommittee; Judiciary Committee****Category: Courts, Pre-K through 12 Education, Social Services**

Public schools in Florida participate in school lunch and breakfast programs subsidized by the federal government. Federal law was amended in 2011 to include: "[e]ach school and local educational agency

participating in the school lunch program under this chapter may donate any food not consumed under such program to eligible local food banks or charitable organizations."

Current law protects donors that give food to charitable organizations from civil and criminal liability related to injury caused by such donated food. While public schools are presumably included under the current statutory definition of "donor," the express phrase "public schools" does not appear in the definition's language. The bill adds a specific reference to public schools to the definition of "donor," making it clear that donations of food by public schools may be made without liability.

The bill became law on May 12, 2014, chapter 2014-26, Laws of Florida, and becomes effective July 1, 2014.

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**HB 97 - Access to Health Care for the Underserved**

**By: Magar; Spano and others**

**Tied Bills: None**

**Companion Bills: CS/SB 142**

**Committee(s) of Reference: Civil Justice Subcommittee; Health & Human Services Committee; Judiciary Committee**

**Category: Courts, Health, Social Services**

The Access to Health Care Act (Act) was enacted to provide sovereign immunity to healthcare professionals who contract with the state to provide free medical care for indigent persons. The contract must be for "volunteer, uncompensated services" for the benefit of low-income recipients. Dentists and dental hygienists licensed by the state are among those healthcare professionals protected by sovereign immunity under the Act.

The bill allows a dentist or dental hygienist to accept reimbursement of some or all of an indigent patient's dental laboratory costs without being considered to have accepted compensation, thus retaining sovereign immunity protection. If a patient becomes ineligible for treatment under the Act, the bill allows a 30-day transition period where the dentist or dental hygienist continues to be an agent of the state.

The state created the health access dental license program to attract dentists to practice in underserved health access settings. The program allows out-of-state dentists who meet certain criteria to practice in health access settings without the supervision of a dentist licensed in this state. By current law, the program is scheduled to be repealed effective January 1, 2015; the bill extends the program's repeal to January 1, 2020.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 260 - Unaccompanied Homeless Youths**

**By: Judiciary; Latvala**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 203**

**Committee(s) of Reference: Children, Families, and Elder Affairs; Health Policy; Judiciary**

**Category: Courts, Health, Health Care Facilities**

In general, a minor may not consent to his or her own routine medical and dental care. Florida law requires that a parent or guardian consent to treatment.

The bill provides that an unaccompanied homeless youth, age 16 or over, may consent to medical treatment. The bill specifies that medical treatment includes: medical, dental, psychological, substance abuse, and other medical care by a licensed facility on behalf of himself or herself, or his or her child.

The bill specifies that minors who qualify as unaccompanied homeless youth must be issued a written certificate. The bill allows school district homeless liaisons, directors of emergency shelter programs, directors of a runaway or homeless youth basic centers, licensed clinical social workers, and circuit courts to issue such certificates.

The bill specifies that it does not affect the requirements of the "Parental Notice of Abortion Act."

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 386 (ch. 2014-10, L.O.F.) - Application of Foreign Law in Courts**

**By: Hays**

**Tied Bills: None**

**Companion Bills: HB 903**

**Committee(s) of Reference: Judiciary; Governmental Oversight and Accountability; Rules**

**Category: Courts**

The law of a foreign jurisdiction or system may be recognized in Florida in a variety of circumstances. Contracts may contain a clause which provides that disputes must be decided according to the laws of another jurisdiction or that disputes must be adjudicated in another jurisdiction. These are known as "choice of law" and "forum selection" provisions, respectively. Further, a party may seek to enforce a judgment rendered in a foreign country in a Florida court, which invokes the principle of "comity" or the recognition of foreign decrees. Last, a court may decline to hear a matter on the basis that the dispute would be better handled in a foreign jurisdiction.

The bill provides that foreign law will not be recognized in Florida where it contravenes the "strong public policy" of this state. The bill is limited in its application to dissolution proceedings and support enforcement under the Uniform Interstate Family Support Act.

The bill became law on May 12, 2014, chapter 2014-10, Laws of Florida, and becomes effective October 1, 2014.

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**CS/CS/HB 405 - Trusts**

**By: Judiciary Committee; Civil Justice Subcommittee; Peters and others**

**Tied Bills: None**

**Companion Bills: CS/SB 826**

**Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee**

**Category: Financial Services, Courts, Economic Development**

Florida law governs the creation and administration of trusts. Florida trust documents may contain broad parameters for trust administration while the Trust Code provides default provisions where the trust document is silent. The Trust Code also makes certain trust terms unenforceable.

Current Florida law provides for one co-trustee (called the “included trustee”) to direct the actions of another co-trustee (called the “excluded trustee”). However, both co-trustees remain liable for the willful misconduct of the included co-trustee where the excluded co-trustee has actual knowledge of wrongdoing.

The bill provides for the creation of a trust that allows one co-trustee to direct the actions of another co-trustee without creating liability in the excluded co-trustee. The included co-trustee remains liable to the beneficiaries with respect to the exercise of the power as if the excluded co-trustee were not in office. The included co-trustee has the exclusive obligation to account to a beneficiary and to defend any action brought by a beneficiary with respect to the exercise of the power.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 440 - Condominiums**

**By: Judiciary; Regulated Industries; Altman**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 425**

**Committee(s) of Reference: Regulated Industries; Judiciary; Banking and Insurance**

**Category: Business and Professional Regulation, Economic Development**

The bill partially deregulates commercial (nonresidential) condominium associations by removing certain regulatory requirements. Areas of deregulation include board inquiries, proxy voting, board member qualifications, training and certification of board members, fire safety, mandatory nonbinding arbitration, hurricane shutters, and phase condominiums.

The bill also extends the repeal of the condominium bulk assignee and bulk buyer provisions for an additional year, from July 1, 2015, to July 1, 2016.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/HB 489 (ch. 2014-34, L.O.F.) - Subsurface Rights**

**By: Judiciary Committee; Business & Professional Regulation Subcommittee; Civil Justice Subcommittee; Spano**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1032; CS/SB 1556**

**Committee(s) of Reference: Civil Justice Subcommittee; Business & Professional Regulation Subcommittee; Judiciary Committee**

**Category: Business and Professional Regulation, Consumer Protection, Natural Resources**

Recently, developers have sold residential homes on property where the subsurface mineral rights were previously severed. Buyers asserted that they had little or no notice that the purchase of their property did not include subsurface rights. As part of a contract for the sale of residential property by a builder or developer, the bill requires a seller who has or will sever or retain any subsurface rights to provide a disclosure summary within the sales contract or incorporated by reference into the sales contract.

The bill became law on May 12, 2014, chapter 2014-34, Laws of Florida, and becomes effective October 1, 2014.

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**CS/CS/HB 561 - Attorneys For Dependent Children with Special Needs**

**By: Judiciary Committee; Civil Justice Subcommittee; Fresen**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 972**

**Committee(s) of Reference: Civil Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Budget, Courts, Health, Social Services**

"Dependency" is a legal determination that an abandoned, neglected, or abused child requires intervention by the state. The term "dependent child" means that the child has been determined by a court to be dependent on the state for support or services. Some dependent children may have certain special needs.

The bill provides legislative findings that children in dependency proceedings who have certain special needs have a particular need for legal services. The bill requires the court to appoint an attorney for a dependent child who:

- resides in or is being considered for placement in a skilled nursing facility;
- is prescribed a psychotropic medication and declines it;
- has a developmental disability as defined by statute;
- is being placed in or is considered for placement in a residential treatment center; or
- is a victim of human trafficking as defined by statute.

The bill requires the court to ask the Statewide Guardian ad Litem Office to recommend an attorney willing to work without additional compensation prior to the court appointing an attorney on a compensated basis. An attorney willing to serve without compensation must be available within 15 days, after which the court may appoint a compensated attorney. The bill directs the attorney representing the child to provide the complete range of legal services from removal from the home or initial appointment through all appellate proceedings.

The bill provides that the Justice Administrative Commission will contract with the appointed attorney. Attorney fees are limited to \$1,000 per child per year subject to appropriations and to review by the commission for reasonableness. The Department of Children and Families is tasked with identifying and requesting attorney representation for qualifying children, and may make rules to administer the provisions of the bill.

The bill provides that implementation of the law is subject to appropriations expressly made for the purposes of the law.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 609 - Article V Constitutional Convention**

**By: Civil Justice Subcommittee; Wood and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1008**

**Committee(s) of Reference: Civil Justice Subcommittee; Ethics & Elections Subcommittee; Judiciary Committee**

**Category: Constitutional Amendments, Federal Government**

One method of proposing amendments to the United States Constitution is through a constitutional convention pursuant to Article V, which requires Congress to call a convention for proposing amendments when two-thirds of the state legislatures make application to Congress for a convention. No convention has ever been convened under the current constitution. Florida law does not provide for appointment or governing of Florida's delegates if a convention were to be called.

The bill creates the Article V Constitutional Convention Act, which includes the following provisions:

- Requires the Florida House and Senate to appoint delegates and alternate delegates to an Article V constitutional convention
- Requires the Legislature to adopt a concurrent resolution to provide instructions to the delegates



- Requires the delegates and alternate delegates to execute an oath to support the constitutions of the United States and the state, abide by the instructions of the Legislature, and faithfully discharge the duty of a delegate or alternate delegate
- Provides penalties for a delegate or alternate delegate who votes outside the scope of the instructions of the Legislature
- Provides that a delegate who knowingly or intentionally votes or attempts to vote outside the scope of the instructions of the Legislature commits a third-degree felony
- Provides for an advisory group that must advise the delegates and alternate delegates whether a delegate's or alternate delegate's action would violate the instructions set forth by the Legislature

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 627 - Service of Process**

**By: Pilon and others**

**Tied Bills: None**

**Companion Bills: SB 620**

**Committee(s) of Reference: Civil Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Courts, Law Enforcement**

The duties of a sheriff include service of process and execution of money judgments. Service of process is the means by which official notice of an action is delivered to a defendant or respondent. Service of process may also be made by authorized individuals. A "return of service" proving by affidavit that the process was delivered to the proper party is then filed with the court. The bill:

- provides that a fee of \$40 will be charged by the sheriff for each summons served;
- provides immunity to a sheriff for wrongful levy or distribution of the proceeds of sale;
- requires that the party requesting service of process or the process server file the return of service; and
- creates a noncriminal penalty of up to \$1,000 for an employer who refuses to accommodate service of process on an employee.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 635 - Guardianship**

**By: Civil Justice Subcommittee; Passidomo and others**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 634**

**Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee**

**Category: Courts, Mental Health**

A guardian is a person who has been appointed by the court to act on behalf of a ward's person or property or both. Guardians are appointed according to statutory criteria and are deemed to be professional guardians if they manage the property of more than three wards. Professional guardians, among other requirements, must submit to a criminal background check and a credit history report. Every guardian of the property must file an annual guardianship report with the court, which report includes the annual accounting. The accounting is subject to review by the clerk of the court and the court. The bill:

- requires that nonprofessional guardians submit to a credit history and Level 2 background screening unless waived by the court;
- authorizes nonprofessional guardians to petition the court for reimbursement for screening costs;
- provides that a guardian may be removed for failure to submit guardianship records during the clerk's audit of the annual report;
- provides that a proposed guardian may not deny or fail to acknowledge a sealed or expunged offense;
- adds to the definition of the term "audit" to include "various practices that meet professional standards such as verifications, reviews of substantiating papers and accounts, interviews, inspections, and investigations;"
- provides that the clerk may "request and review records and documents that reasonably impact guardianship assets, including, but not limited to, the beginning inventory balance and any fees charged to the guardianship;" and
- provides that the clerk may, upon application to the court supported by affidavit, issue subpoenas upon nonparties to compel the production of books, papers, documents, and other evidence.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 670 - Nursing Home Litigation**

**By: Judiciary; Health Policy; Thrasher**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 569**

**Committee(s) of Reference: Health Policy; Judiciary**

**Category: Courts, Health Care Facilities**

The bill regulates lawsuits alleging nursing home negligence, and provides for collection of a judgment against a nursing home. The bill:

- limits the class of persons who may be sued in the initial pleading for negligence or a violation of a nursing home resident's rights to only the nursing home licensee and its management or consulting company, managing employees, and direct caregivers, whether employees or contracted (a passive investor is shielded from liability and definitions are provided for these individuals or entities);
- provides that the statutory cause of action is the exclusive remedy against a nursing home licensee, its management or consulting company, managing employees, and direct caregivers alleging direct or vicarious liability for the recovery of damages for the personal injury or death of a nursing home resident arising out of negligence or a violation of a resident's statutory rights;
- provides that a claimant who believes that any other person was negligent and thus liable to the resident must get court permission to add such party to the action as a defendant;
- specifies when a claimant must elect either survival damages or wrongful death damages;
- requires the court to hold an evidentiary hearing before allowing a claim for punitive damages to proceed;
- requires payment of a judgment within 60 days, unless agreed otherwise, or the nursing home is subject to licensure sanction by the Agency for Health Care Administration; and
- revises provisions relating to the release of a nursing home resident's records.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**CS/CS/HB 685 - Business Organizations**

**By: Judiciary Committee; Civil Justice Subcommittee; Rooney; Workman and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 654**

**Committee(s) of Reference: Civil Justice Subcommittee; Economic Development & Tourism Subcommittee; Judiciary Committee**

**Category: Economic Development**

Florida corporations are regulated by the Florida Business Corporation Act and the Florida Not For Profit Corporation Act. These two acts define the basic terms employed by Florida law in regulating corporations. The directors of a corporation established for profit are duty-bound to manage corporate

assets for profit. A not-for-profit corporation may not be organized for “pecuniary profit,” but instead must have a charitable purpose.

There is no provision in the law for a profit-making corporation that considers a social purpose or benefit along with profit while protecting its management from liability for setting such priorities. Historically, attempts at prioritizing social benefit over profit have created a cause of action in shareholders against officers and directors for breach of their fiduciary duty.

The bill creates two new types of corporations called the “social purpose corporation” and the “benefit corporation.” Social purpose and benefit corporations protect management for considering the use of corporate assets to pursue, in a significant manner, public benefit goals in addition to, or even as a priority over, the generally accepted corporate goal of profit maximization. Further, since there is a hybrid of goals in these new corporations, the profit-making ability distinguishes social purpose and benefit corporations from charities and from not-for-profit corporations. The new forms of corporation are similar; the primary difference being that a social purpose corporation has a specified social purpose or purposes designated in advance, whereas a benefit corporation is created for a general public benefit in a manner selected by management and assessed by a third-party standard.

The name of a limited liability company, profit corporation, nonprofit corporation, or limited partnership must be distinguishable from the names of all other entities or filings on file with the Department of State (DOS), with the exception of fictitious name registrations. However, the term “distinguishable” is not defined by any of these statutes. The bill specifies those differences that are not considered a distinguishing factor when determining if the name of a limited liability company, profit corporation, nonprofit corporation, or limited partnership is distinguishable from the names of all other entities or filings on the records of DOS.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 755 (ch. 2014-35, L.O.F.) - Courts**

**By: Judiciary Committee; Civil Justice Subcommittee; Steube and others**

**Tied Bills: None**

**Companion Bills: CS/SB 104**

**Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee**

**Category: Business and Professional Regulation, Courts**

Child support guidelines allow the court to adjust a statutory award based upon certain factors. One such factor is the “parenting plan.” Currently, the parenting plan is defined by statute and must be reduced to a document endorsed by the court. The courts do not recognize a course of dealing by the parties as a formal parenting plan when considering the amount of child support. The bill amends child support guidelines to allow the court to take into account the parenting plan recognized by the parties, even if it is not reduced to writing, in awarding child support.

The bill amends the Florida Evidence Code to allow a court to take judicial notice of court records in determining family law cases in which there is imminent threat of harm, notice is impractical, and a later

hearing is scheduled to challenge the matter. The bill adds conforming references regarding this provision to statutes that address injunctions for domestic and repeat, sexual or dating violence, and injunctions against stalking.

The bill provides that an unauthorized immigrant may be admitted to the Florida Bar if the person was brought to the United States as a minor, has been present in the United States for more than 10 years, received documented employment authorization from the United States Citizenship and Immigration Services, been issued a social security number, registered with the Selective Service System if required to do so under the Military Selective Service Act, and has otherwise fulfilled all requirements for admission to practice law in this state.

The bill became law on May 12, 2014, chapter 2014-35, Laws of Florida, and became effective upon that date.

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**CS/CS/HB 757 - Estates**

**By: Judiciary Committee; Civil Justice Subcommittee; Spano**

**Tied Bills: None**

**Companion Bills: CS/SB 998**

**Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee**

**Category: Consumer Protection, Courts**

The Florida Probate Code and the Florida Trust Code provide that all or any part of a will or trust is void if it is procured by fraud, duress, mistake, or undue influence. While both codes specify grounds for a will contest or trust contest, only the Probate Code contains a provision designating which party has the burden of proof. The bill amends the Trust Code to be consistent with the Probate Code so that the contestant in a trust contest has the burden of proof on all issues, including proving that the trust was not properly executed. The bill also applies the concept of undue influence to all challenges to gifts made during the lifetime of a decedent.

Life insurance proceeds are generally exempt from administration expenses and the claims of creditors. However, the exemption is lost if the insurance proceeds are paid to the insured or the insured's estate. The bill provides that a waiver of the statutory exemption from creditor's claims applicable to insurance proceeds paid to a trust established by the insured must be explicit. The bill provides that the waiver of the exemption cannot be inferred from general language in a trust instrument directing that all debts of the decedent be paid.

An "antilapse" statute prevents a devise from failing, or "lapsing," when the designated beneficiary does not survive the decedent. The Probate Code provides that in the event the will is silent, the share to which a beneficiary who predeceases the testator belongs to his or her heirs as long as those heirs are related no more distantly than descendants of grandparents. The antilapse provision of the Trust Code saves all devises, regardless of familial relationship, for administrative convenience. The bill changes the Trust Code's antilapse provision to make it consistent with the Probate Code, allowing outright devises to be treated more consistently with the settlor or testator's presumed intent. The bill provides that the changes are intended to clarify existing law, are remedial in nature, and apply retroactively.

In 2013, the Legislature added a new section to the Florida Probate Code making void any part of a written instrument that makes a gift to a lawyer or the lawyer's relatives if the lawyer prepared or supervised the execution of the written instrument. The bill adds a section to the amended statute providing that it applies only to written instruments executed on or after the effective date of the 2013 bill, which was October 1, 2013.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 781 - Legal Notices**

**By: Civil Justice Subcommittee; Powell and others**

**Tied Bills: None**

**Companion Bills: CS/SB 834**

**Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee**

**Category: Consumer Protection, Courts**

The publication of legal notices in newspapers is a long established practice for giving notice to the general public of matters such as public sales, pending estates, or businesses' fictitious names and for service of process upon absent, unknown, or unreachable parties to an action. In most civil cases, when required, notice must be published once per week for four consecutive weeks in a newspaper in the county where the lawsuit is filed. Current law provides that a newspaper's website must include the same legal notices that appear in print. A newspaper's legal notice webpage must be clearly titled and free of charge. The Florida Press Association maintains a statewide website for legal notices as a repository for all published notices. The bill:

- adds that legal notices must be posted on the date that the printed newspaper notice appears in a separate web page entitled "Legal Notices," "Legal Advertisements," or comparable language;
- provides that no fee may be charged nor may registration be required for viewing or searching legal notices on the statewide site;
- requires that a legal notice placed on the statewide website must be searchable by party or case number, posted for 90 consecutive days, and retained for 18 months; and
- provides that the newspaper's web pages that contain legal notices must present the legal notices as the dominant and leading subject matter of those pages.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/HB 797 - Clerks of Court**

**By: Finance & Tax Subcommittee; Civil Justice Subcommittee; Pilon**

**Tied Bills: None**

**Companion Bills: CS/SB 788**

**Committee(s) of Reference: Civil Justice Subcommittee; Finance & Tax Subcommittee; Judiciary Committee**

**Category: Courts, Local Government**

Tax certificates are sold to pay delinquent real property taxes. After two years of delinquent taxes, a certificate-holder may request a sale of the property to satisfy the taxes, interest, costs of examining the title, and advertising the sale. If the property sold is a homestead, the minimum bid of a successful bidder must be at least one-half the assessed value of the homestead property. Certain properties not sold at tax deed sale are added to a list of properties available for purchase from the county for taxes ("lands available for taxes"). The bill:

- provides for certain tax certificates on homesteads to be purchased from the county;
- provides that a tax certificate may be redeemed any time before the title is issued, if paid in full;
- requires the tax certificate holder to pay the costs of resale if the tax deed sale is unsuccessful;
- provides for certain unsold property to be placed on the list of "lands available for taxes;"
- deletes the requirement that legal titleholders of contiguous property be notified when the county does not elect to purchase property on the list of "lands available for taxes;"
- requires payment of the homestead assessment within 30 days of the tax deed sale;
- provides for advertisement and scheduling of a second sale if the buyer fails to pay at the first sale; and
- removes the requirement for unlimited recurring sales if the property is not sold.

The bill provides that the notice process required by the tax deed statute satisfies the notice requirement for unclaimed surplus funds resulting from a tax deed sale. Lienholders will be paid by the clerk according to their record interests. The clerk may file an interpleader action in the event of any dispute.

Jurors and witnesses are currently paid by the clerk of the court either in cash or by warrant within 20 days after completion of service. The bill provides that jurors and witnesses can also be paid by check.

Currently, a party applying for a garnishment must deposit \$100 in the court registry for payment to the garnishee for payment of the attorney's fee of the garnishee. The bill provides that the attorney fee will be paid directly to the garnishee's attorney instead of through the court registry.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/HB 807 - Residential Properties**

**By: Judiciary Committee; Business & Professional Regulation Subcommittee; Civil Justice Subcommittee; Moraitis**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 798**

**Committee(s) of Reference: Civil Justice Subcommittee; Business & Professional Regulation Subcommittee; Judiciary Committee**

**Category: Business and Professional Regulation, Economic Development, Repeals of Existing Laws**

Relating to the statutory regulation of various forms of residential properties, this bill:

- defines the term “timeshare project,” which is a timeshare property that is also a public lodging establishment, and substitutes the new term for “timeshare plan” as appropriate;
- specifies that the statutory notice required of a homeowners’ association to renew its covenants and restrictions for an additional 30 years is sufficient;
- provides that a condominium association may access an abandoned unit for the purpose of preservation of the unit and may seek appointment of a receiver to lease the unit to offset costs of maintenance;
- broadens the information that a condominium, cooperative, or homeowners’ association may include in a member directory;
  
- requires outgoing board members of a condominium or cooperative to relinquish possession of records and property of the association to their successors in office and authorizes the state to enforce compliance;
- extends condominium bulk assignee and bulk buyer provisions by one year to July 1, 2016;
- amends cooperative law to match condominium law on financial oversight, the prohibition on office-holding if delinquent or charged with theft of association funds, and emergency powers;
- amends homeowners’ association emergency powers to parallel those of a condominium;
- simplifies the notice requirements regarding amendments to the restrictive covenants of a homeowners’ association; and
- repeals the statutory authority for the Community Association Living Study Council.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 828 - Court System****By: Judiciary; Bradley****Tied Bills: None****Companion Bills: CS/HB 7003; contains part of SB 856****Committee(s) of Reference: Judiciary; Community Affairs; Rules****Category: Courts, Repeals of Existing Laws**

This bill repeals, modifies, or updates outdated provisions in the Florida Statutes related to the court system. Specifically:

- Statutes that repeat provisions in the state constitution are repealed as unnecessary
- Statutes that create additional criteria for judicial office are repealed as such requirements conflict with constitutional qualifications for office
- The statute on proceedings supplementary, a means for collection of a judgment, is modernized and clarified
- Statutes related to the court system are amended or repealed to reflect current practices or to eliminate outdated or unnecessary provisions

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SJR 1188 - Prospective Appointment of Judicial Vacancies****By: Rules; Lee****Tied Bills: None****Companion Bills: None****Committee(s) of Reference: Judiciary; Rules****Category: Constitutional Amendments, Courts, Elections**

A 2006 Florida Supreme Court opinion ruled that the Governor may not appoint a Supreme Court justice or district court of appeal judge until the expiration of the sitting judge's or justice's term of office. Because the appointment process may take up to 120 days before appointment of the successor justice or judge, this ruling has the potential to create significant workload issues due to extended vacancies in the state appellate courts, especially in the Supreme Court. Because judicial terms of office coincide with the Governor's term of office, conflicts between Governors regarding the authority to appoint a replacement justice or judge can arise. In the past, Governors have made conflicting judicial appointments on Inauguration Day.

CS/SJR 1188 proposes an amendment to the State Constitution creating a means for the Governor to prospectively fill certain vacancies in a judicial office on the Florida Supreme Court or a district court of appeal that occur due to a justice or judge reaching the mandatory retirement age, failing to qualify for a retention election, or failing to be retained in office at an election. If adopted by the electorate, the amendment will provide for transition time and avoid conflicts between Governors.

If approved by 60 percent of the voters in the 2014 general election, the resolution will take effect on January 6, 2015.

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**CS/CS/SB 1524 - Security of Confidential Personal Information**

**By: Rules; Commerce and Tourism; Thrasher**

**Tied Bills: CS/CS/SB 1526**

**Companion Bills: CS/HB 7085**

**Committee(s) of Reference: Commerce and Tourism; Rules**

**Category: Consumer Protection, Repeals of Existing Laws**

Current law requires that a person who conducts business in Florida and maintains personal information in a computerized data system must disclose a breach in the security of the data to affected residents of Florida no later than 45 days following a determination that unencrypted personal information was acquired. This bill repeals the current law and creates the Florida Information Protection Act of 2014 (act).

The act requires notice of a breach, if it affects 500 or more individuals in the state, to be given to the Department of Legal Affairs (DLA) in addition to being given to affected residents. The act also shortens the time limit for notice to 30 days with allowance for an additional 15 days with good cause, allows delay of notifications if a law enforcement agency requests that notice be delayed for investigation purposes, and provides DLA with enforcement authority to civilly prosecute a violator of the terms of the act under the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). The act provides for penalties in addition to FDUTPA of \$1000 for each day (up to 30 days) the required notice of the breach is not given, and a penalty of \$50,000 for each 30-day period thereafter that notice is not given, for up to 180 days with an overall cap of \$500,000. The bill also requires covered entities to take all reasonable measures to dispose of personal information.

State government entities also must report a breach to DLA, but are not liable for civil penalties and are not required to properly dispose of personal information by this bill. Counties and municipalities are not covered by the act.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 1526 - Public Records/Department of Legal Affairs**

**By: Rules; Judiciary; Thrasher**

**Tied Bills: CS/CS/SB 1524**

**Companion Bills: CS/CS/HB 7087**

**Committee(s) of Reference: Judiciary; Rules**

**Category: Consumer Protection, Government in the Sunshine**

CS/CS/SB 1524 creates the Florida Information Protection Act of 2014 (act). It requires commercial entities and certain government agencies to provide notice to the Department of Legal Affairs (DLA) in the event of a security breach. This bill, linked to passage of CS/CS/SB 1524, creates a public record exemption relating to the act. All information received by DLA pursuant to a notice of a security breach or received pursuant to an investigation by DLA or another law enforcement agency is confidential and exempt from public record requirements. The exemption applies until the investigation is completed or ceases to be active. The bill authorizes DLA to disclose the confidential and exempt information in certain instances.

Upon completion of an investigation or once an investigation ceases to be active, the following information remains confidential and exempt from public record requirements:

- all information to which another public record exemption applies;
- personal information;
- a computer forensic report;
- information that would otherwise reveal weaknesses in a covered entity's data security; and
- information that would disclose a covered entity's proprietary business information.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/SB 1524 or similar legislation takes effect if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

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**SB 1664 (ch. 2014-24, L.O.F.) - Arbitration**

**By: Judiciary**

**Tied Bills: None**

**Companion Bills: HB 7161**

**Committee(s) of Reference: Rules**

**Category: Courts**

In 2013, the Legislature passed the Revised Florida Arbitration Code (code). Parties may generally adopt procedures in an arbitration agreement; however, certain provisions of the code may not be waived. The provisions that may not be waived are generally procedural requirements fundamental to the fairness of arbitration. A provision that may not be waived in the current statute refers to the "remedies

provided under s. 682.12, F.S.” This appears to be a scrivener’s error, as remedies are in s. 682.11, F.S., while 682.12, F.S., relates to the right to confirm an award. This bill amends s. 682.014(3)(f), F.S., to correct the scrivener’s error by replacing “remedies” with the “right to confirmation of an award.” The bill applies retroactively to the effective date of the code, July 1, 2013.

The bill became law on May 12, 2014, chapter 2014-24, Laws of Florida, and became effective on that date.

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**CS/CS/HB 7037 - Residential Communities**

**By: Judiciary Committee; Business & Professional Regulation Subcommittee; Civil Justice Subcommittee; Spano and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1466**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Judiciary Committee**

**Category: Business and Professional Regulation, Consumer Protection**

Community Association Managers (CAMs) are licensed by the Department of Business and Professional Regulation to perform community association management functions on behalf of condominium, cooperative, and homeowners’ associations. Duties include controlling or disbursing funds, preparing budgets and other financial documents, assisting in noticing or conducting meetings, and coordinating maintenance and other services. The bill:

- amends the CAM statute to list additional duties that CAMs may perform;
- creates professional practice standards for CAMs, to provide that a CAM must:
  - discharge his or her duties loyally, skillfully, and diligently,
  - deal honestly and fairly, in good faith, with care and full disclosure to the community association,
  - account for all funds, and
  - must not charge unreasonable or excessive fees;
- provides conditions and limitations upon which a community association may indemnify a community manager or management firm; and
- provides forms for condominiums, cooperatives, and homeowners’ associations relating to unpaid assessments.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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## **Criminal Justice Subcommittee**

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**CS/CS/CS/HB 41 - Florida Law Enforcement Officers' Hall of Fame**

**By: Judiciary Committee; Justice Appropriations Subcommittee; Criminal Justice Subcommittee; Campbell; Kerner and others**

**Tied Bills: None**

**Companion Bills: SB 1234**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Law Enforcement**

The bill establishes the "Florida Law Enforcement Officers' Hall of Fame" (Hall of Fame). The bill requires the Department of Management Services (DMS) to set aside an appropriate public area for the Hall of Fame on the Plaza Level of the Capitol Building and to consult with the Florida Department of Law Enforcement (FDLE) in developing the design and theme of the area.

The bill requires FDLE to annually accept recommendations of potential nominees from law enforcement organizations and to establish criteria and time periods for accepting and selecting such recommendations. FDLE must then choose 10 nominees and submit them to the Governor and Cabinet. The Governor and Cabinet must then select five of the nominees to be inducted into the Hall of Fame. In making recommendations to the Governor and Cabinet, FDLE must give preference to law enforcement officers who were born in Florida or have adopted Florida as their home state.

The bill authorizes FDLE to establish, organize, and conduct a formal induction ceremony, and requires the names of each inductee to be placed on a plaque on the Plaza Level of the Capitol Building. The bill also authorizes FDLE to adopt rules to establish criteria and time periods for accepting and selecting Hall of Fame nominee recommendations.

The bill appropriates \$63,142 in recurring general revenue funds to FDLE to develop the guidelines that will govern the implementation of the Hall of Fame, and to solicit, review, and vet the applications prior to processing the names submitted for consideration. The bill will also have an insignificant fiscal impact on DMS to maintain the area where the Hall of Fame is located.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/HB 53 - Inmate Reentry**

**By: Judiciary Committee; Justice Appropriations Subcommittee; Stone; Baxley and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 274**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Corrections**

Many inmates leaving prison and returning to society do not have a state-issued identification card (state-issued ID).

The bill requires Department of Corrections (DOC), working in conjunction with the Department of Health (DOH) and Department of Highway Safety and Motor Vehicles (DHSMV), to assist Florida-born inmates in acquiring a birth certificate and a state-issued ID prior to release. To accomplish this, the bill waives the \$9 fee DOH charges for a copy of a Florida birth certificate and the \$25 fee DHSMV charges to issue or renew a state-issued ID. DHSMV must provide a replacement driver license in lieu of a state-issued ID when an inmate has a valid state driver license which was lost, stolen, or destroyed. The bill also waives DHSMV's replacement fee if it is determined that the inmate has a valid driver license or state-issued ID. If the replacement state-issued ID or driver license is scheduled to expire within six months, DHSMV may issue a temporary permit valid for at least six months after release.

For non-Florida born inmates, the bill directs DOC to assist inmates in completing the necessary forms or applications to obtain a social security card, driver license, or state-issued ID. The bill requires DOC to assist all inmates in applying for and obtaining a social security card.

Faith- and character-based institutions and programs have been effectively used in preparing inmates for their transition to society. The bill provides DOC with policy direction to expand its faith- and character-based institutions to serve both male and female inmates at their respective institutions. It also requires peer-to-peer programs, such as Alcoholics Anonymous and literacy instruction, to be offered at faith- and character-based institutions.

The bill appropriates \$243,782 in nonrecurring dollars to DHSMV for the purchase of two mobile units to process state-issued IDs at prisons and \$221,276 in recurring dollars for related operating expenses. The bill may also have a negative fiscal impact on DHSMV due to the waiver of the fee for a state-issued ID and to DOH due to the waiver of the charge for a certified copy of a Florida birth certificate.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 59 - Offenses Against Unborn Children**

**By: Criminal Justice Subcommittee; Ahern and others**

**Tied Bills: None**

**Companion Bills: SB 162**

**Committee(s) of Reference: Criminal Justice Subcommittee; Judiciary Committee**

**Category: Law Enforcement, Sentencing**

In Florida, killing an “unborn quick child” is only considered a separate offense when specifically designated by statute. There are currently three statutes that make it a crime to cause the death of an “unborn quick child”—vehicular homicide, DUI manslaughter, and killing of an unborn quick child by injury to the mother. The term “unborn quick child” is currently defined to mean a fetus that is “capable of meaningful life outside the womb.”

The bill replaces the term “unborn quick child” that is currently used in the vehicular homicide, DUI manslaughter, and killing of an unborn quick child by injury to the mother statutes, with the term “unborn child.” The bill defines “unborn child” as “a member of the species homo sapiens, at any stage of development, who is carried in the womb.”

The bill also creates a new rule of statutory construction specifying that if a person commits any crime that causes the death of or bodily injury to an unborn child, such person commits a separate offense unless otherwise provided for in the criminal statute that was violated. The punishment for the separate offense is the same as the punishment that applies to the criminal statute that was violated, had the death or injury occurred to the mother.

The separate offense does not require proof that the person committing the criminal offense:

- had knowledge or should have had knowledge that the victim was pregnant; or
- intended to cause the death of or bodily injury to the unborn child.

The bill specifies that the above-described provision cannot be used to prosecute a woman with respect to her unborn child. A person may not be prosecuted pursuant to the above-described provision:

- for conduct relating to an abortion for which the consent of the pregnant woman, or person authorized by law to act on her behalf, has been obtained or for which such consent is implied by law; or
- for any medical treatment of the pregnant woman or her unborn child.

On January 30, 2014, the Criminal Justice Impact Conference determined that the bill will have an indeterminate negative prison bed impact on the Department of Corrections.

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/HB 89 - Threatened Use of Force**

**By: Judiciary Committee; Criminal Justice Subcommittee; Combee; Edwards and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 448**

**Committee(s) of Reference: Criminal Justice Subcommittee; Judiciary Committee**

**Category: Safety, Sentencing**

Section 775.087, F.S., often referred to as the “10-20-Life” law, requires the court to sentence a person convicted of aggravated assault to a minimum term of imprisonment of 3 years if, during the commission of the offense, the person possessed a “firearm” or “destructive device.” If the person discharged a “firearm” or “destructive device” during the course of the commission of the aggravated assault, the court must sentence the person to a minimum term of imprisonment of 20 years.

The bill prohibits the court from imposing the above-described minimum terms of imprisonment for aggravated assault convictions if the court makes written findings that the:

- defendant had a good faith belief that the aggravated assault was justifiable pursuant to ch. 776, F.S.;
- aggravated assault was not committed in the course of committing another criminal offense;
- defendant does not pose a threat to public safety; and
- totality of the circumstances involved in the offense do not justify the imposition of such sentence.

The bill also amends various provisions within ch. 776, F.S., Florida’s justifiable use of force statutes, to:

- specify that the justifications contained therein apply to threatened uses of force in the same manner as they apply to actual uses of force;
- clarify inconsistencies relating to when a person may use deadly force without having a duty to retreat; and
- specify that the chapter’s civil immunity provisions only apply to civil actions brought by the person, personal representative, or heirs of the person against whom the force was used or threatened.

The bill also requires the Florida Department of Law Enforcement (FDLE) to issue a certificate of eligibility for expunction to a person who is the subject of a criminal history record. FDLE must issue such certificate if the person has obtained and submitted to the FDLE a written, certified statement from the appropriate state attorney or statewide prosecutor which states whether an information, indictment, or other charging document was not filed or was dismissed by the state attorney, or dismissed by the court, because it was found that the person acted in lawful self-defense pursuant to the provisions related to justifiable use of force in ch. 776, F.S.

The bill may have a positive prison bed impact on the Department of Corrections and a negative fiscal impact on FDLE.

Subject to the Governor’s veto powers, the effective date of this bill is upon becoming a law.

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**CS/HB 227 - Victims of Wrongful Incarceration**

**By: Criminal Justice Subcommittee; Kerner and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 326**

**Committee(s) of Reference: Criminal Justice Subcommittee; Appropriations Committee**

**Category: Claim Bill, Administrative Procedure**

In 2008, the Legislature passed the “Victims of Wrongful Incarceration Compensation Act” (act) to compensate persons determined to be actually innocent of a felony offense they were accused of committing and for which they were wrongfully convicted and imprisoned. The act provides a process by which persons whose conviction and sentence have been vacated based upon exonerating evidence may petition the court to seek and obtain compensation.

The bill exempts certain petitioners from being required to prove their actual innocence, and from complying with various other eligibility and procedural requirements when applying for compensation under the act. A petitioner is exempted if the petitioner was convicted and sentenced to death on or before December 31, 1979, the Governor issued an executive order appointing a special prosecutor to review the defendant’s conviction, and the special prosecutor issued a nolle prosequi for the original underlying charges. This exemption is repealed on July 1, 2018.

The bill makes it a first degree misdemeanor for a person to accept any portion of a claimant’s compensation as payment for attorney’s fees, lobbyist fees, or costs relating to assisting the claimant in receiving such compensation. The bill authorizes the Chief Financial Officer to purchase multiple annuities selected by a wrongfully incarcerated person, instead of a single annuity, for compensation awarded under the act.

Current law contains a continuing appropriation from the General Revenue Fund to the Chief Financial Officer in an amount sufficient to pay the approved payments under the act.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 238 - Public Records/Names of Spouses and Children of Public Defenders and Criminal Conflict and Civil Regional Counsel**

**By: Governmental Oversight and Accountability; Criminal Justice; Joyner**

**Tied Bills: None**

**Companion Bills: CS/HB 69**

**Committee(s) of Reference: Criminal Justice; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine**

Current law provides a public record exemption for certain identification and location information of current and former public defenders, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel (public defenders), and for certain identification and location information of the spouses and children of public defenders. Notably, the names of spouses and children of public defenders are not exempted.

The bill creates a public records exemption for the names of the spouses and children of current and former public defenders. The bill repeals the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature, and provides a statement of public necessity as required by the state constitution.

State and local governmental agencies may incur costs associated with training employees on the bill's requirements and redacting additional records.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/SB 256 - Public Records/Forensic Behavioral Health Evaluation**

**By: Governmental Oversight and Accountability; Garcia**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 111**

**Committee(s) of Reference: Criminal Justice; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine**

Rule 2.420 of the Florida Rules of Judicial Administration states the public must have access to the records of the judicial branch. Rule 2.420 also establishes 20 categories of court record information (Type I information) which the clerk of the court must automatically designate and maintain as confidential. Information not listed as Type I information may still be treated as confidential, but only upon motion and only after a judicial hearing. Forensic behavioral health records filed with the courts in ch. 916, F.S., proceedings are not automatically exempt from public records as Type I information.

The bill creates a public record exemption for forensic behavioral health evaluations filed with the courts in ch. 916, F.S., proceedings. It defines the term "forensic behavioral health evaluation" to mean any record, including supporting documentation, derived from a competency, substance abuse,

psychosexual, psychological, psychiatric, psychosocial, cognitive impairment, sanity, or other mental health evaluation of an individual.

The bill provides for retroactive application of the public record exemption and provides a public necessity statement as required by the state constitution.

The bill eliminates the need to file motions and conduct hearings to make forensic behavioral health evaluations confidential. As such, the Office of State Courts Administrator determined the bill will result in a reduction in judicial and court system workload, but that the precise impact cannot be accurately determined.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 280 - Public Records/Participants in Treatment-based Drug Court Programs**

**By: Rules; Governmental Oversight and Accountability; Garcia**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 109**

**Committee(s) of Reference: Judiciary; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine**

Rule 2.420 of the Florida Rules of Judicial Administration states the public must have access to records of the judicial branch. However, Rule 2.420 establishes 20 categories of court record information (Type I information) which the clerk of the court must automatically designate and maintain as confidential and that the public may not access. Information not listed as Type I information may still be treated as confidential, but only upon motion and only after a judicial hearing. Drug court records contained in court files are not currently listed as Type I information. To make these records confidential, a motion must be filed and the trial court must hold a hearing.

The bill creates a public record exemption for information relating to a participant or a person considered for participation in a treatment-based drug court program. The exemption applies to such information contained in the following records:

- Records created or compiled during screenings for participation in a treatment-based drug court program
- Records created or compiled during substance abuse screenings
- Behavioral health evaluations
- Subsequent treatment status reports

The bill authorizes release of the confidential and exempt information in certain instances and specifies that the records of a service provider that pertain to the identity, diagnosis, and prognosis of or provision of service to an individual must be disclosed pursuant to s. 397.501(7), F.S.

The bill provides for retroactive application of the public record exemption and repeals the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

The bill eliminates the need to file motions and conduct hearings to make drug court records confidential. The Office of the State Courts Administrator reports that this will result in a reduction in judicial and court system workload, but that the precise impact cannot be accurately determined.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**SB 308 - Public Assistance Fraud**

**By: Brandes**

**Tied Bills: None**

**Companion Bills: HB 171**

**Committee(s) of Reference: Children, Families, and Elder Affairs; Banking and Insurance**

**Category: Government Operations**

The Division of Public Assistance Fraud (DPAF), housed within the Department of Financial Services (DFS), works to prevent, detect, and prosecute public assistance fraud.

Currently, DPAF investigators do not have statutory authority to administer oaths and affirmations. To do so, they must be Notaries Public, which costs approximately \$120 per investigator, and must be renewed every 4 years. DPAF investigators do not have statutory authority to issue subpoenas for business and education records that are frequently necessary for public assistance fraud investigations. To obtain such records, DPAF investigators must request state attorneys to issue subpoenas on their behalf.

The bill amends s. 414.411, F.S., to allow DFS to do the following when conducting public assistance fraud investigations:

- Administer oaths and affirmations
- Issue and serve subpoenas for the attendance of witnesses or the production of business records, books, papers, correspondence, memoranda, and other records

The bill allows the subpoenas to be served by representatives designated by DFS. If a person fails to obey the subpoena, the court may issue an order requiring compliance with the subpoena. Failure to obey the court order may be punished by the court as civil or criminal contempt. The person refusing the subpoena is liable for costs incurred by DFS and reasonable attorney fees.

DFS indicates that reducing the need and costs for Notary Public commissions will result in a \$3,600 savings over a four-year period. The bill does not appear to have any fiscal impact on local governments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 358 (ch. 2014-9, L.O.F.) - Athletic Coaches for Youth Athletic Teams**

**By: Rules; Ring**

**Tied Bills: None**

**Companion Bills: CS/HB 139**

**Committee(s) of Reference: Children, Families, and Elder Affairs; Community Affairs; Rules**

**Category: Law Enforcement, Safety**

Section 943.0438, F.S., defines an “independent sanctioning authority” as a private entity that organizes, operates, or coordinates a youth athletic team in this state if the team includes one or more minors and is not affiliated with a private school as defined in s. 1002.01, F.S. Currently, independent sanctioning authorities must conduct a limited background screening on each current or prospective athletic coach for a youth athletic team that:

- works twenty or more hours within a calendar year, whether as a volunteer or for compensation; and
- has direct contact with one or more minors on the team.

The independent sanctioning authority must check the sexual offender and sexual predator registries available on public websites maintained by the Florida Department of Law Enforcement (FDLE) and the U.S. Department of Justice to determine if the coach is listed.

The bill expands the current background screening requirements of s. 943.0438, F.S., to include assistant coaches and referees. The bill requires the background screening to include a Level 1 background check through FDLE. A Level 1 background check requires the person’s name to be run against Florida’s criminal history records by FDLE and requires a \$24 fee. A Level 1 check includes a list of disqualifying offenses that would make the applicant ineligible to become a coach or referee – the same offenses that would disqualify a person from working in a childcare facility. The bill authorizes the authority to allow certain disqualified persons to coach if the person:

- has completed their sanctions at least 3 years prior for a felony conviction;
- has completed their sanctions for a misdemeanor conviction; and
- is not a career criminal offender, registered sex offender, or sexual predator.

The bill prohibits the authority from delegating the screening responsibility to an individual team and requires that the documentation of the results of each person screened and the written notice provided to any disqualified person be maintained for at least five years.

The bill increases state revenues through the collection of background check fees and may have a workload impact on FDLE, but should not impact local governments. However, the increased revenues collected should offset any workload issues.

The bill became law on May 12, 2014, chapter 2014-9, Laws of Florida, and becomes effective July 1, 2014.

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**CS/SB 360 - Sentencing for Controlled Substance Violations**

**By: Appropriations; Bradley; Evers**

**Tied Bills: None**

**Companion Bills: CS/HB 99**

**Committee(s) of Reference: Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations**

**Category: Controlled Substances, Sentencing**

Section 893.135(1)(c), F.S., establishes the offense of “trafficking in illegal drugs,” and specifically addresses trafficking in morphine, opium, oxycodone, hydrocodone, and hydromorphone. If a person violates s. 893.135(1)(c), F.S., for the following quantities, the penalties are:

- 4 grams or more, but less than 14 grams—3-year minimum mandatory and a \$50,000 fine;
- 14 grams or more, but less than 28 grams—15-year minimum mandatory and a \$100,000 fine; and
- 28 grams or more, but less than 30 kilograms—25-year minimum mandatory and a \$500,000 fine.

A judge has no discretion to sentence a person below the mandatory minimum sentence.

The bill amends s. 893.135(1)(c), F.S., to establish two new offenses—“trafficking in hydrocodone” and “trafficking in oxycodone.” The bill provides that for a person who violates the newly-created “trafficking in hydrocodone” offense for the following quantities, the penalties are:

- 14 grams or more, but less than 28 grams—3-year mandatory minimum and a fine of \$50,000;
- 28 grams or more, but less than 50 grams—7-year mandatory minimum and a fine of \$100,000;
- 50 grams or more, but less than 200 grams—15-year mandatory minimum and a fine of \$500,000; and
- 200 grams or more, but less than 30 kilograms—25-year mandatory minimum and a fine of \$750,000.

For a person who violates the newly-created “trafficking in oxycodone” offense for the following quantities, the penalties are:

- 7 grams or more, but less than 14 grams—3-year mandatory minimum and a fine of \$50,000;
- 14 grams or more, but less than 25 grams—7-year mandatory minimum and a fine of \$100,000;
- 25 grams or more, but less than 100 grams—15-year mandatory minimum and a fine of \$500,000; and
- 100 grams or more, but less than 30 kilograms—25-year mandatory minimum and a fine of \$750,000.

On January 30, 2014, the Criminal Justice Impact Conference determined that this bill will have a positive prison bed impact to the Department of Corrections (a reduction of 465 beds over five years). The conference determined that this will result in a savings of \$16 million in operating costs over five years.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 366 - Public Records/Trade Secrets/Computers**

**By: Governmental Oversight and Accountability; Brandes**

**Tied Bills: CS/CS/CS/HB 641**

**Companion Bills: CS/CS/HB 643**

**Committee(s) of Reference: Communications, Energy, and Public Utilities; Criminal Justice; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine**

Current law provides a public record exemption for data, programs, or supporting documentation that are trade secrets and that reside or exist internal or external to a computer, computer system, or computer network. Such trade secrets are confidential and exempt from public record requirements when held by an agency.

This bill, which is linked to the passage of House Bill 641, expands the public record exemption for data, programs, or supporting documentation that are trade secrets, to include such information when it resides or exists internal or external to an electronic device.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

The bill could create a minimal fiscal impact on state and local governments.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/CS/HB 641 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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**CS/CS/HB 409 - Offenses Against Vulnerable Persons**

**By: Judiciary Committee; Criminal Justice Subcommittee; Passidomo and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 588; includes parts of CS/CS/HB 1029**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Law Enforcement, Sentencing**

Section 825.103, F.S., defines "exploitation of an elderly person or disabled adult," (vulnerable adult) as:

- knowingly, by deception or intimidation, obtaining or using, or endeavoring to obtain or use, a vulnerable adult's property with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property, or to benefit someone other than the vulnerable adult, by a person who stands in a position of trust and confidence with the adult, or has a business relationship with the adult; or
- breaching a fiduciary duty to a vulnerable adult by the person's guardian or agent under a power of attorney that results in an unauthorized appropriation, sale, or transfer of property.

The bill deletes the requirement that a person use deception or intimidation to obtain or use a vulnerable adult's funds, assets, or property. The bill specifies that "unauthorized appropriation" occurs when a vulnerable adult does not receive reasonably equivalent financial value in goods or services or when fiduciaries violate specified duties. The bill also creates additional instances that constitute exploitation of a vulnerable adult.

The bill also:

- decreases the property threshold values for exploitation of vulnerable adults offenses;
- creates a permissive presumption that specified property transfers are the result of exploitation;
- requires the court in specified cases to return the vulnerable adult's property before trial if, after conducting an evidentiary hearing, the court makes certain findings; and
- limits the admissibility of an out-of-court statement to instances when a vulnerable adult is unavailable.

The bill amends s. 817.568, F.S., to make it a second degree felony for any person to willfully and without authorization fraudulently use the personal identification information of specified individuals without first obtaining their consent. The bill requires the court to impose a \$1,001 surcharge on persons convicted of any crime in s. 817.568, F.S. The bill creates s. 943.0412, F.S., to establish the Identity Theft and Fraud Grant Program within the Florida Department of Law Enforcement with the purpose of awarding grants to support local law enforcement agencies in the investigation and enforcement of personal identification information theft and fraud.

The Criminal Justice Impact Conference met in March, 2014, and determined that CS/CS/HB 409 and CS/CS/HB 1029 will have an insignificant impact on state prison beds.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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## **HB 427 - Traveling Across County Lines to Commit a Burglary**

**By: McBurney and others**

**Tied Bills: None**

**Companion Bills: CS/SB 550**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Law Enforcement, Sentencing**

In recent months, news outlets have reported a "wave" of South Florida burglaries allegedly committed by individuals who intentionally traveled to a county other than their county of residence to commit the offense.

The bill reclassifies the degree of a burglary to the next higher degree, if a person who commits the burglary:

- travels any distance with the intent to commit the burglary in a county in this state other than the person's county of residence; and



- the purpose of the person’s travel is to thwart law enforcement attempts to track the items stolen in the burglary.

For purposes of sentencing under ch. 921, F.S., and determining incentive gain-time eligibility under ch. 944, F.S., the bill ranks burglaries that have been reclassified one level above the ranking specified in ss. 921.0022 or 921.0023, F.S.

“County of residence” is defined as the county in which a person resides within this state. Evidence of county of residence may include, but is not limited to:

- the address on the person’s driver license or state identification card;
- records of real property or mobile home ownership;
- records of a lease agreement for residential property;
- the county in which the person’s motor vehicle is registered;
- the county in which the person is enrolled in an educational institution; and
- the county in which the person is employed.

The bill amends s. 903.046(2)(l), F.S., to prohibit those whose burglary offense is subject to reclassification under s. 843.22, F.S., from being released on bail until first appearance to ensure the full participation of the prosecutor and the protection of the public.

The bill may have a negative prison bed impact on the Department of Corrections because it reclassifies a burglary offense to the next higher degree, in certain circumstances. The bill may also have a negative jail bed impact because it prohibits persons whose burglary offense is reclassified under s. 843.22, F.S., from being released on bail until first appearance. However, since first appearance must occur within 24 hours of arrest, the impact on local jails will likely be insignificant.

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2014.

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**CS/HB 485 - Sexual Offenses Against Students by Authority Figures**

**By: Criminal Justice Subcommittee; Raburn and others**

**Tied Bills: None**

**Companion Bills: CS/SB 698**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Sentencing**

Section 943.0435, F.S., lists numerous offenses that qualify a person as a sexual offender (e.g., sexual battery, lewd or lascivious offenses, video voyeurism, etc.). These offenses range from third degree felonies to capital felonies and most are ranked between Level 6 and Level 9 in the Offense Severity Ranking Chart.

The bill reclassifies many of the offenses listed in s. 943.0435, F.S., if the offense is committed by an authority figure of a school against a student of the school. The offenses are reclassified as follows:

- Third degree felonies are reclassified as second degree felonies
- Second degree felonies are reclassified as first degree felonies
- First degree felonies are reclassified as life felonies

The bill also requires a reclassified offense to be ranked one level higher in the Offense Severity Ranking Chart, and provides the following definitions:

- “Authority figure” means a person 18 years of age or older who is employed by, volunteering at, or under contract with a school
- “School” has the same meaning as provided in s. 1003.01, F.S., and includes a private school as defined in s. 1002.01, F.S., a voluntary prekindergarten education program as described in s. 1002.53(3), F.S., early learning programs, a public school as described in s. 402.3025(1), F.S., the Florida School for the Deaf and the Blind, the Florida Virtual School as established under s. 1002.37, F.S., and a K-8 Virtual School as established under s. 1002.415, F.S. It does not include facilities dedicated exclusively to the education of adults
- “Student” means a person under the age of 18 who is enrolled at a school

On January 30, 2014, the Criminal Justice Impact Conference determined that the bill will have an insignificant negative prison bed impact on the Department of Corrections.

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2014.

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**CS/HB 515 - Public Assistance Fraud**

**By: Appropriations Committee; Smith and others**

**Tied Bills: None**

**Companion Bills: SB 1084**

**Committee(s) of Reference: Criminal Justice Subcommittee; Healthy Families Subcommittee; Appropriations Committee; Judiciary Committee**

**Category: Law Enforcement, Sentencing**

Section 414.39, F.S., establishes a variety of crimes involving public assistance fraud. The criminal penalties that apply to these offenses are based on the aggregate value of the public assistance involved in the offense. For example, s. 414.39(5)(b), F.S., specifies that if the value of the public assistance or identification wrongfully received, retained, misappropriated, sought, or used is of an aggregate value of \$200 or more in any 12 consecutive months, such person commits a third degree felony.

The bill amends the aggregate value amount in s. 414.39(5)(b), F.S., to make it a third degree felony if the value of the public assistance fraud or identification is of an aggregate value of \$200 or more but less than \$20,000 in any 12 consecutive months. The bill also creates s. 414.39(5)(c) and (d), F.S., which:

- make it a second degree felony if the value of the public assistance or identification wrongfully received, retained, misappropriated, sought, or used is of an aggregate value of \$20,000 or more but less than \$100,000 in any 12 consecutive months; and

- make it a first degree felony if the value of the public assistance or identification wrongfully received, retained, misappropriated, sought, or used is of an aggregate value of \$100,000 or more in any 12 consecutive months.

The bill requires the Department of Children and Families (DCF), subject to available funding, to pay a reward to a person who reports original information relating to a violation of the state's public assistance fraud laws. The bill provides specifications that must be met before the reward money is paid. The bill also amends s. 414.095(14), F.S., to add prohibitions and restrictions that apply to persons applying for or receiving Temporary Cash Assistance (TCA) benefits. For example:

- The use of TCA benefits out-of-state is limited to 30 consecutive days, and the TCA benefits of a recipient using his or her benefits out-of-state for more than 30 days must be terminated
- A parent or caretaker relative who has been disqualified due to fraud must have a protective payee designated to receive TCA benefits for an eligible child

The bill creates new first and second degree felony offenses relating to public assistance fraud. The Criminal Justice Impact Conference met on March 3, 2014, and determined this bill will have an insignificant impact on state prison beds. The bill has a significant fiscal impact on DCF and the Department of Financial Services (DFS). The bill provides \$171,604 in recurring funds and \$4,736 in nonrecurring funds from General Revenue funds and \$171,605 in recurring funds and \$4,737 in nonrecurring funds from the Federal Grants Trust Fund to DCF to implement the provisions of this bill. The bill also provides \$214,135 in recurring funds and \$17,785 in nonrecurring funds from the Insurance Regularly Trust Fund to DFS to implement the provisions of this bill.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/HB 517 - Fraudulent Controlled Substance Prescriptions**

**By: Criminal Justice Subcommittee; Hooper and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1208**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Controlled Substances, Sentencing**

Florida's drug control laws are contained in ch. 893, F.S., entitled the Florida Comprehensive Drug Abuse Prevention and Control Act (Drug Control Act). The Drug Control Act permits a practitioner, in good faith and in the course of his or her professional practice only, to prescribe a controlled substance to a patient. Written prescriptions must meet certain requirements (e.g., they must have the quantity of the drug prescribed in both textual and numerical formats and be written on a standardized counterfeit-proof prescription pad).

Currently, it is a first degree misdemeanor for a person to possess a prescription form that has not been:

- completed; and
- signed by the practitioner whose name appears printed thereon.

When prosecuting this offense, the State is required to prove that a prescription form is not completed and signed. A person may not be prosecuted for possession of prescription forms that are signed or completed.

The bill makes it a crime for a person to possess a prescription form that has not been:

- completed; or
- signed by the practitioner whose name appears printed thereon.

This has the effect of expanding the types of prescription forms that a person is prohibited from possessing and may make it easier to prosecute the unauthorized possession of prescription forms.

The bill makes first violations of the offense a third degree felony (rather than a first degree misdemeanor).

On January 30, 2014, the Criminal Justice Impact Conference determined the bill will have an insignificant prison bed impact.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/SB 522 (ch. 2014-2, L.O.F.) - Involuntary Civil Commitment of Sexually Violent Predators**

**By: Appropriations; Children, Families, and Elder Affairs; Grimsley and others**

**Tied Bills: None**

**Companion Bills: CS/HB 7019; includes parts of HB 7013 and CS/CS/HB 7021**

**Committee(s) of Reference: Children, Families, and Elder Affairs; Judiciary; Appropriations**

**Category: Mental Health, Safety**

The Involuntary Civil Commitment of Sexually Violent Predators Act (Ryce Act), requires offenders convicted of specified sex offenses who are nearing the end of their criminal sentence to be referred to the Department of Children and Families (DCF) and assessed by a multidisciplinary team (MDT) to determine whether they meet the clinical definition of a sexually violent predator (SVP). If, after receiving the MDT's recommendation, the state attorney decides to file a civil commitment petition, a judge must determine whether probable cause exists to believe an offender is an SVP. If so, the offender is detained at the Florida Civil Commitment Center (FCCC) until a trial is conducted. After trial, those civilly committed as SVPs are housed for treatment at FCCC and remain confined until the court determines they are no longer a threat to public safety.

The bill makes a variety of changes to the Ryce Act. Specifically, the bill:

- creates processes by which a state attorney can refer a person sentenced to a term of imprisonment in a jail to DCF for civil commitment proceedings;
- creates processes that allow a person convicted of a sexually violent offense to be referred to DCF for civil commitment proceedings even after release from total confinement;
- makes a variety of changes to the MDT's assessment process, including provisions that:
  - authorize the MDT to consult with law enforcement agencies and victim advocate groups during the assessment and evaluation process,

- require the MDT to recommend that the state attorney file a civil commitment petition if at least two members of the MDT determine a person meets criteria, and
- provide that if the state attorney questions the MDT's determination that a person does or does not meet the definition of an SVP the MDT must reexamine the case before a final assessment and recommendation is submitted;
- requires the MDT to prioritize assessments based upon a person's release date and to provide a recommendation to the state attorney by certain deadlines;
- allows state attorneys to file a commitment petition if the MDT's recommendation is negative;
- requires DCF to notify victims, the Department of Corrections (DOC), the Florida Department of Law Enforcement, and the sheriff of the release of all persons in the custody of DCF—not just those committed as SVPs; and
- requires DOC to report recidivism data on those referred, detained, or committed to DCF.

On January 20, 2014, the Criminal Justice Impact Conference determined that CS/CS/SB 522 will have an indeterminate impact on the number of offenders committed to DCF and no impact on prison beds. The bill may also have an impact on DCF because it creates a process by which persons may be referred for civil commitment, changes the MDT's assessment process, and imposes notification requirements.

The bill became law on April 1, 2014, chapter 2014-2, Laws of Florida, and becomes effective July 1, 2014.

**CS/CS/CS/SB 526 (ch. 2014-4, L.O.F.) - Sexual Offenses**

**By: Appropriations; Judiciary; Criminal Justice; Bradley**

**Tied Bills: None**

**Companion Bills: CS/HB 7027; includes parts of HB 7017, CS/CS/HB 445, and CS/HB 73**

**Committee(s) of Reference: Criminal Justice; Judiciary; Appropriations**

**Category: Law Enforcement, Safety, Sentencing**

The bill contains a variety of provisions relating to sexual offenses. Specifically, the bill:

- authorizes the court to enter orders protecting persons who were under the age of 16 when they were the victim of or a witness to a sexual offense from severe emotional or mental harm while testifying;
- eliminates the statute of limitations for violations of lewd or lascivious battery or molestation involving a victim under the age of 16 at the time of the offense;
- increases the penalties for specified sexual battery and lewd or lascivious offenses against children;
- increases the minimum mandatory sentence for dangerous sexual felony offenders to 50 years;
- broadens the definition of the term "sexual activity" for purposes of s. 794.05, F.S., (prohibiting a person 24 years of age or older from engaging in sexual activity with a person 16 or 17 years of age);
- broadens the voyeurism statute to specify that voyeurism may occur when a person, with lewd or lascivious intent, secretly observes another person's intimate areas in which the person has a reasonable expectation of privacy when the other person is located in a public or private dwelling, structure, or conveyance;

- creates a new sentencing multiplier for specified adult-on-minor sexual offenses;
- prohibits the Department of Corrections from granting incentive gain-time to inmates sentenced for specified sexual offenses;
- requires the court to impose a split sentence in which an offender convicted of specified sexual offenses is sentenced to 2 years of community supervision after serving his or her term of imprisonment;
- tolls the community supervision period of offenders sentenced to a split sentence who are transferred to DCF's custody pursuant to the Ryce Act (the supervision period is tolled until the offender is no longer in DCF's custody); and
- prohibits persons subject to sex offender supervision from possessing obscene, pornographic, or sexually stimulating material.

The bill contains a variety of provisions that have been examined by the Criminal Justice Impact Conference (CJIC). CJIC determined that the provisions relating to statutes of limitation, sexual battery, lewd or lascivious offenses, dangerous sexual felony offenders, and sex offender conditions of probation will have an indeterminate or insignificant prison bed impact. CJIC also determined that the bill's tolling provision will have no prison bed impact. However, the provisions relating to gain-time and the sentencing multiplier will have a \$63.6 million impact over the next 7 years [\$41.7 million fixed capital outlay cost (514 beds) and a cumulative \$21.9 million operating cost].

The bill became law on April 1, 2014, chapter 2014-4, Laws of Florida, and becomes effective October 1, 2014.

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**CS/CS/SB 528 (ch. 2014-5, L.O.F.) - Sex Offenses**

**By: Appropriations; Judiciary; Evers**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 7025**

**Committee(s) of Reference: Criminal Justice; Judiciary; Appropriations**

**Category: Law Enforcement, Safety**

The bill amends a variety of statutes related to sexual predators and offenders to bring them further in line with the federal Adam Walsh Act. Specifically, the bill amends ss. 775.21, 943.0435, 944.606, and 944.607, F.S., to add the following offenses to the list of those that qualify a person as a sexual predator and sexual offender:

- Section 393.135(2), F.S. (sexual misconduct with an individual with a developmental disability)
- Section 394.4593(2), F.S. (sexual misconduct with a patient)
- Section 916.1075(2), F.S. (sexual misconduct with a forensic client)

The bill also:

- requires a person petitioning for a name change to indicate whether he or she has ever been required to register as a sexual predator or offender;

- requires the clerk to electronically notify the Florida Department of Law Enforcement (FDLE) within 2 business days after the filing of a final name change judgment if the petitioner is required to register as a sexual predator or offender;
- requires sexual predators and offenders to provide the sheriff and FDLE any Internet identifier the offender uses and defines the term “Internet identifier;”
- requires sexual predators and offenders to provide information about their passport, immigration status, vehicles, professional licenses, and other specified information to the sheriff as part of the registration process;
- requires sexual predators and offenders to report to the sheriff within 48 hours of any change in their transient residence, and every 30 days thereafter;
- adds to the list of places in which a person may be prosecuted for failing to comply with registration requirements;
- specifies that the registration period of a sexual offender sentenced to a term of incarceration or committed to a residential program begins upon release for the most recent conviction that required the offender to register;
- specifies that a sexual offender’s registration period is tolled during any period in which the offender is incarcerated, civilly committed, detained pursuant to ch. 985, F.S., or committed to a residential program; and
- makes corrections to the offense severity ranking chart.

The bill will likely have an insignificant negative impact on state prison beds and on FDLE.

The bill became law on April 1, 2014, chapter 2014-5, Laws of Florida, and becomes effective October 1, 2014.

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**CS/CS/CS/HB 641 - Computer Crimes**

**By: Judiciary Committee; Justice Appropriations Subcommittee; Criminal Justice Subcommittee;  
La Rosa**

**Tied Bills: CS/CS/HB 643**

**Companion Bills: CS/CS/CS/SB 364**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee;  
Judiciary Committee**

**Category: Law Enforcement, Sentencing**

The bill adds legislative intent language that recognizes that the proliferation of new technologies impacts computer-related crimes.

The bill also amends the definition of computer network and creates a definition of the term electronic device, which means “a device or a portion of a device that is designed for and capable of communicating across a computer network with other computers or devices for the purpose of transmitting, receiving, or storing data, including, but not limited to, a cellular telephone, tablet, or other portable device designed for and capable of communicating with or across a computer network and that is actually used for such purpose.”

The bill also:

- creates new computer-related offenses and expands the application of various existing computer-related crimes to include electronic devices;
- broadens and creates additional exceptions to computer-related offenses for persons who act pursuant to a search warrant, an exception to a search warrant, or who perform authorized security operations of a government or business;
- expands the entities that can bring a civil action against persons convicted of computer-related offenses by including owners and lessees of electronic devices;
- adds electronic devices to the list of items subject to forfeiture if used in computer-related offenses; and
- provides nothing in the bill may be construed to impose liability on certain computer service providers.

The bill also creates new second and third degree felony offenses relating to public utilities.

On March 3, 2014, the Criminal Justice Impact Conference determined that the bill will have an insignificant negative prison bed impact on the Department of Corrections.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/HB 697 - Controlled Substances**

**By: Criminal Justice Subcommittee; Ingram and others**

**Tied Bills: None**

**Companion Bills: CS/SB 780**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Controlled Substances**

In 2011, 2012, and 2013, numerous synthetic cannabinoids, cathinones, and phenethylamines were added to Schedule I of Florida's controlled substances schedules. Since the 2013 Legislative Session, new formulas of synthetic cannabinoids and phenethylamines have been developed that are made up of chemicals not covered by current law.

On October 9, 2013, Attorney General Pam Bondi filed an emergency rule that temporarily scheduled four synthetic cannabinoids in Schedule I. Since the Attorney General filed the emergency rule, the U.S. Department of Justice, Drug Enforcement Administration has federally scheduled two new synthetic phenethylamines that are currently not scheduled as controlled substances in Florida.

The bill adds four new synthetic cannabinoids and two new phenethylamines to Schedule I of Florida controlled substance schedules. As a result, the criminal penalties relating to the possession, sale, manufacture, delivery, etc., of controlled substances now apply to these synthetic substances.



The bill also adds three new phenethylamines to the list of substances included in the “trafficking in phenethylamines” statute.

On March 3, 2014, the Criminal Justice Impact Conference determined that CS/HB 697 will have an insignificant negative prison bed impact on the Department of Corrections. According to the Florida Department of Law Enforcement (FDLE), state and local law enforcement crime labs may see an increase in evidence submissions. However, FDLE states the impact should be minimal and absorbed within their current budget.

Subject to the Governor’s veto powers, the effective date of this bill is upon becoming a law.

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**CS/CS/CS/HB 989 - Human Trafficking**

**By: Judiciary Committee; Justice Appropriations Subcommittee; Criminal Justice Subcommittee; Trujillo and others**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 768, includes parts of CS/HB 1017**

**Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Law Enforcement, Sentencing**

Section 787.06, F.S., Florida’s human trafficking statute, contains a variety of provisions prohibiting persons from knowingly engaging in human trafficking or using coercion for labor or services or for commercial sexual activity. In addition to addressing the perpetrators of human trafficking, s. 787.06, F.S., addresses victims of human trafficking by providing legislative intent that “victims of trafficking be protected and assisted by this state and its agencies.”

The bill amends a variety of statutes that currently provide protections to victims of sexual offenses to extend those protections to victims of human trafficking. The bill amends a variety of statutes to prevent human trafficking and enhance penalties related to human trafficking. Specifically, the bill:

- amends s. 39.01(67), F.S., to include in the definition of “sexual abuse of a child” used in dependency proceedings “offering to engage in or engaging in” human trafficking;
- amends s. 92.56, F.S., to protect court records involving human trafficking of a minor for labor or human trafficking for commercial sexual activity;
- amends s. 960.065(2), F.S., to specify that victim compensation claims filed by persons engaged in an unlawful activity at the time of the crime upon which the claim is based are not eligible for an award unless the victim was engaged in prostitution as a result of being a victim of human trafficking for commercial sexual activity;
- amends s. 960.199, F.S., to specify that victims of human trafficking of a minor for labor or human trafficking for commercial sexual activity are eligible for victim relocation assistance;
- amends s. 450.021, F.S., to prohibit minors from working in an adult theater;
- amends s. 450.045, F.S., to require an adult theater to verify the age of each of its employees or independent contractors, and maintain such records;
- amends s. 775.15, F.S., to remove the statute of limitations for human trafficking violations;

- amends s. 787.06, F.S., to increase certain penalties relating to the trafficking of children;
- amends s. 787.06, F.S., to create a new penalty if a trafficker permanently brands their victim;
- creates s. 796.011, F.S., to provide legislative intent that adults who involve children in any prostitution-related act should not be prosecuted under ch. 796, F.S., but should rather be prosecuted under other criminal laws;
- amends s. 796.05, F.S., to increase penalties for those who derive support from the proceeds of prostitution; and
- amends s. 943.0583, F.S., to expand provisions relating to the expunction of criminal history records for victims of human trafficking.

The Criminal Justice Impact Conference met on March 25, 2014, and found the prison bed impact of this bill to be indeterminate. The bill may have a negative jail bed impact in that it creates two new second degree misdemeanor offenses in the Child Labor Law. The bill may result in more victims receiving victim compensation funds from the Department of Legal Affairs.

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/SB 1030 - Cannabis**

**By: Appropriations; Health Policy; Bradley; Bean; Brandes and others**

**Tied Bills: SB 1700**

**Companion Bills: CS/CS/HB 843**

**Committee(s) of Reference: Health Policy; Criminal Justice; Appropriations**

**Category: Controlled Substances, Health**

The bill creates a regulatory scheme overseen by the Department of Health (DOH) that authorizes the use of low-THC cannabis for limited medicinal purposes. The bill defines “low-THC cannabis” as:

A plant of the genus Cannabis, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed only from a dispensing organization.

The bill authorizes a Florida-licensed physician who has complied with specified education requirements and who has examined and is treating a Florida resident patient suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms to order low-THC cannabis for the patient’s medical use to treat or alleviate symptoms of such disease, disorder, or condition if no other satisfactory alternative treatment options exist. “Medical use” means administration of the ordered amount of low-THC cannabis, but does not include the possession, use, or administration by smoking. The bill requires a variety of conditions to apply before low-THC cannabis can be ordered. For example, the physician must:

- determine the risks of ordering low-THC cannabis are reasonable in light of the benefit;
- register as the orderer of low-THC cannabis for the patient on the compassionate-use registry created and maintained by DOH, and update the registry to reflect the contents of the order;

- maintain a patient treatment plan and submit it quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of low-THC cannabis on patients; and
- obtain the voluntary informed consent of the patient or the patient's legal guardian.

In addition to creating the compassionate use registry, the bill requires DOH to authorize the establishment of five dispensing organizations that must meet specified requirements. The bill also exempts patients, their legal representatives, and dispensing organizations from the legal restrictions on selling, possessing, etc., low-THC cannabis in accordance with the bill's provisions. The bill also:

- requires DOH to establish the Office of Compassionate Use;
- appropriates \$1 million in nonrecurring funds from the General Revenue Fund to DOH for FY 2014-2015 for the James and Esther King Biomedical Research Program to research cannabidiol and its effect on intractable childhood epilepsy; and
- permits medical centers and state universities to research cannabidiol and low-THC cannabis.

The bill may have a negative fiscal impact on DOH and the Florida Department of Law Enforcement.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**SB 1700 - Public Records/Personal Identifying Information/Compassionate Use Registry**

**By: Bean**

**Tied Bills: CS/CS/SB 1030**

**Companion Bills: None**

**Committee(s) of Reference: Health Policy; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Health**

This bill is tied to CS/CS/SB 1030, which creates a regulatory scheme overseen by the Department of Health (DOH) that authorizes the use of low-THC cannabis for limited medicinal purposes.

The bill makes patient and physician personal identifying information held by DOH in the compassionate use registry (registry) confidential and exempt from the public record requirements of section 119.07(1), F.S., and Article I, section 24(a) of the Florida Constitution. The bill allows law enforcement agencies, low-THC marijuana dispensing organizations, physicians, DOH's relevant health care regulatory boards, and persons engaged in bona fide research to access the information in the registry under certain circumstances. The bill also requires that such confidential and exempt information remain confidential and exempt once released from the registry and provides penalties for violating the provisions of the exemption.

This bill is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and reenacted by the Legislature.

The bill contains a public necessity statement as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/SB 1030 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

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**CS/HB 7035 - Juvenile Sentencing**

**By: Judiciary Committee; Criminal Justice Subcommittee; Grant and others**

**Tied Bills: None**

**Companion Bills: CS/SB 384**

**Committee(s) of Reference: Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Juvenile Justice, Sentencing**

In 2010, the United States Supreme Court held in *Graham v. Florida* that the 8th Amendment of the U.S. Constitution prohibits states from sentencing juvenile, non-homicide offenders to life without providing a meaningful opportunity to obtain release. In 2012, the United States Supreme Court held in *Miller v. Alabama* that the 8th Amendment of the U.S. Constitution prohibits a sentencing scheme that mandates life in prison without the possibility of parole for juvenile offenders convicted of a homicide offense.

The bill addresses the Graham and Miller decisions by specifying the following:

- A juvenile offender convicted of a capital felony homicide offense where the person actually killed, intended to kill, or attempted to kill the victim **must** be sentenced to life if the judge, after considering specified factors at a mandatory sentencing hearing (sentencing hearing), determines that life is appropriate, or **must** be sentenced to a term of at least 40 years if the judge concludes that life is not appropriate. Such person is entitled to have the court of original jurisdiction (court) review the sentence after 25 years, unless he or she has previously been convicted of an enumerated offense, or conspiracy to commit an enumerated offense.
- A juvenile offender convicted of a life or first degree felony homicide offense where the person actually killed, intended to kill, or attempted to kill the victim **may** be sentenced to life if the judge, after considering specified factors at a sentencing hearing, determines that life is appropriate. Such person is entitled to have the court review the sentence after 25 years if the juvenile is sentenced to a term of imprisonment of more than 25 years.
- A juvenile offender convicted of a capital, life, or first degree felony homicide offense where the person did not actually kill, intend to kill, or attempt to kill the victim **may** be sentenced to life if the judge, after considering specified factors at a sentencing hearing, determines that life is appropriate. Such person is entitled to have the court review the sentence after 15 years if the juvenile is sentenced to a term of imprisonment of more than 15 years.
- A juvenile offender convicted of non-homicide offenses **may** be sentenced to life if the judge, after considering specified factors at a sentencing hearing, determines that life is appropriate. Such person is entitled to have the court review the sentence after 20 years if the juvenile is sentenced to a term of imprisonment of more than 20 years. The juvenile offender is eligible for one subsequent review hearing 10 years after the initial review hearing.

On March 3, 2014, the Criminal Justice Impact Conference determined that HB 7035 will have no prison bed impact on the Department of Corrections.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 7055 - Juvenile Justice**

**By: Judiciary Committee; Justice Appropriations Subcommittee; Criminal Justice Subcommittee; Pilon and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 700**

**Committee(s) of Reference: Justice Appropriations Subcommittee; Judiciary Committee**

**Category: Juvenile Justice**

Chapter 985, F.S., provides the framework for the juvenile justice system in Florida and authorizes the Department of Juvenile Justice (DJJ) to administer services and provide care to the state's delinquent children. The bill amends a variety of statutes in ch. 985, F.S., relating to DJJ, its duties, and its programs. Specifically, the bill:

- updates legislative intent language and definitions applicable to ch. 985, F.S.;
- modifies procedures relating to jurisdiction, contempt of court, fingerprinting and photographing, and intake assessments;
- revises and expands the detention care system;
- gives DJJ authority to develop, within existing resources, evening reporting centers and community re-entry teams;
- expands DJJ's notification requirements to a school or victim when the custody status of a youth has changed;
- allows technical violations of probation to be resolved through alternative consequence programs;
- broadens the application of transition-to-adulthood services to youth of all ages;
- expands when a misdemeanor youth may be committed to a residential program;
- creates a new offense relating to "willful and malicious neglect" of juvenile offenders;
- enhances the performance accountability system for service providers; and
- limits the amount paid to hospitals and health care providers not under contract with DJJ for health care services provided to juveniles.

The bill also amends a variety of statutes in ch. 985, F.S., to make conforming changes, correct statutory cross-references, update terminology, and to delete obsolete provisions.

The bill does not appear to have a fiscal impact on local governments, but is expected to have a minimal fiscal impact on DJJ. DJJ states that they will be able to handle the increased costs within existing resources.

Subject to the Governor's veto powers and except as otherwise provided, the effective date of this bill is July 1, 2014.

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***HOUSE OF REPRESENTATIVES***  
***Local & Federal Affairs Committee***  
**Representative Eduardo Gonzalez, Chair**  
**Representative Ray Pilon, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**







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**SM 118 - National Retail Sales Tax**

**By: Hays**

**Tied Bills: None**

**Companion Bills: HM 15**

**Committee(s) of Reference: Commerce and Tourism; Governmental Oversight and Accountability; Rules**

**Category: Federal Government, Taxes**

Current federal legislation known as the Fair Tax Act of 2013 proposes to eliminate the federal income tax, payroll tax, estate tax, gift tax, capital gains tax, alternative minimum tax, self-employment tax, corporate tax, and all other current federal taxes. In place of these removed taxes, the Act would implement a 23-percent inclusive national retail sales tax on all new goods and services bought at the point of final purchase for consumption.

SM 118 urges the United States Congress to adopt the Fair Tax Act of 2013, currently filed in the U.S. House of Representatives as H.R. 25.

Copies of the memorial will be provided to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

The memorial has no fiscal impact and will be filed with the Secretary of State.

The memorial is not subject to the Governor's veto powers.

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**CS/HM 261 - Constitutional Convention/Single-Subject Requirement for Federal Legislation**

**By: Judiciary Committee; Beshears and others**

**Tied Bills: None**

**Companion Bills: CS/SM 368**

**Committee(s) of Reference: Local & Federal Affairs Committee; Judiciary Committee**

**Category: Constitutional Amendments, Federal Government**

CS/HM 261 serves as an application to Congress, pursuant to Article V of the Constitution of the United States, to call a convention of the states for the limited purpose of proposing a single-subject constitutional amendment. Such an amendment would prevent Congress from considering varied and disparate subjects in a single bill.

The memorial supersedes, revokes, withdraws, and nullifies all previous memorials and concurrent resolutions applying to Congress to call a convention for the purpose of considering a single-subject amendment. The memorial provides for its own withdrawal, should it be used to call a convention that achieves any purpose other than a single-subject amendment consideration.

Copies of the memorial will be provided to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

The memorial has no fiscal impact and will be filed with the Secretary of State.

The memorial is not subject to the Governor's veto powers.

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**HM 281 - Keystone XL Pipeline**

**By: Hill and others**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Local & Federal Affairs Committee; Regulatory Affairs Committee; Senate Rules**

**Category: Energy, Federal Government**

The Keystone XL Pipeline is a privately-funded project that would construct an 875-mile pipeline between Morgan, Montana, and Steele City, Nebraska. The pipeline would also cross the U.S.-Canada border at Morgan, Montana. The construction of the Keystone XL Pipeline is the fourth and final phase of the larger Keystone Pipeline, a pipeline infrastructure that, once completed, would have the capacity to deliver roughly 830,000 barrels per day of crude oil from oil sands in Canada to the Gulf Coast of Texas.

For all proposed petroleum pipelines that cross international borders of the United States, an application must be submitted through the Presidential Permit review process before obtaining final approval on the application from the President of the United States. Currently, the application for the Keystone XL Pipeline is undergoing this process. As such, the Department of State has completed and published its Final Supplemental Environmental Impact Statement on the project, which has triggered a 90-day window in which the department must obtain comment from various federal agencies. However, this window does not impact the President's unspecified timeline for making a decision on the project's application.

HM 281 urges the President of the United States to issue final approval of the Keystone XL Pipeline Project upon completion of the Presidential Permit review process.

Copies of the memorial will be provided to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

The memorial has no fiscal impact and will be filed with the Secretary of State.

The memorial is not subject to the Governor's veto powers.

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**SM 476 - Amendments to the Constitution of the United States**

**By: Hays**

**Tied Bills: None**

**Companion Bills: HM 381; CS/HM 81**

**Committee(s) of Reference: Judiciary; Rules**

**Category: Constitutional Amendments, Federal Government**

SM 476 serves as an application to Congress, pursuant to Article V of the Constitution of the United States, to call a convention of the states for the limited purpose of proposing three specific constitutional amendments. These include imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, and limiting terms office for federal officials and members of Congress.

The memorial does not specify what restraints or limits should be imposed, as those details would be left to the convention of the states. Instead, the memorial only serves as a constitutionally-required application to Congress to call such a convention to propose amendments related to these specified topics. As this procedure for amending the Constitution has never been exercised, and many procedural questions still remain, the memorial also provides for the severability of the proposed amendment categories. In this manner, the memorial intends to be tallied toward the required two-thirds of the states calling for a particular topic for all three topics. The memorial provides for its own withdrawal should it be used to call a convention that achieves any purpose outside the scope of these three topics.

Copies of the memorial will be provided to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

The memorial has no fiscal impact and will be filed with the Secretary of State.

The memorial is not subject to the Governor's veto powers.

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**SM 658 - Balanced Federal Budget**

**By: Stargel and others**

**Tied Bills: None**

**Companion Bills: HM 625**

**Committee(s) of Reference: Judiciary; Rules**

**Category: Constitutional Amendments, Federal Government**

SM 658 serves as an application to Congress, pursuant to Article V of the U.S. Constitution, to call a convention of the states for the limited purpose of proposing a balanced budget amendment. This amendment would require that, in the absence of a national emergency, the total of all federal appropriations for any fiscal year would not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

The memorial provides that its subject matter is to be considered the same as that of all presently outstanding balanced budget applications from other states. It is to be aggregated with those applications and tallied toward the required two-thirds of the states calling for a balanced budget amendment convention, but it should not be aggregated with any convention applications on any other subject.

Furthermore, the memorial constitutes a continuing application until at least two-thirds of the states apply for a balanced budget convention. This supersedes all previous Florida applications on the subject.

Copies of the memorial will be provided to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

The memorial has no fiscal impact and will be filed with the Secretary of State.

The memorial is not subject to the Governor's veto powers.

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**CS/CS/SB 730 (ch. 2014-14, L.O.F.) - Municipal Governing Body Meetings**

**By: Governmental Oversight and Accountability; Community Affairs; Galvano**

**Tied Bills: None**

**Companion Bills: CS/HB 503**

**Committee(s) of Reference: Community Affairs; Governmental Oversight and Accountability**

**Category: Government Operations, Local Government**

The Florida Constitution and Statutes require that the exercise of extra-territorial powers by a municipality be authorized by general or special law. These provisions have been interpreted to prohibit a municipality's governing body from holding meetings outside its boundaries absent enactment of a law authorizing such meetings.

CS/CS/SB 730 authorizes the governing body of a municipality to hold meetings outside its boundaries. The bill provides that the governing body of a municipality will be permitted to hold a joint meeting anywhere within the county in which the municipality is located when there are matters of mutual interest between the municipality and the county. A municipality will also be permitted to meet in another municipality to discuss matters of mutual interest. The time and place of the meetings must be prescribed by ordinance or resolution.

The bill does not appear to have a fiscal impact on state or local governments.

The bill became law on May 12, 2014, chapter 2014-14, Laws of Florida, and becomes effective July 1, 2014.

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**CS/SM 1174 - Carbon Dioxide Emissions Guidelines**

**By: Environmental Preservation and Conservation; Gibson**

**Tied Bills: None**

**Companion Bills: HM 1027**

**Committee(s) of Reference: Environmental Preservation and Conservation; Communications, Energy, and Public Utilities**

**Category: Energy, Environmental Protection, Federal Government**

Under authority granted by the Clean Air Act, the U.S. Environmental Protection Agency (EPA), on April 13, 2012, proposed rules setting forth performance standards for carbon emissions from new electric power plants. Thus, the EPA has begun to engage states and other stakeholders, including power companies, environmental groups, and the public, to discuss approaches to the development of these guidelines and standards for existing sources.

SM 1174 urges the United State Congress to direct the EPA, in developing guidelines for regulating carbon dioxide emissions from existing fossil-fueled electric generating units, to do the following:

- Respect the primacy of Florida and rely on state regulators to develop performance standards which take into account the unique policies, energy needs, resource mix, and economic priorities of the state
- Issue guidelines and approve state-established performance standards based on reductions of carbon dioxide emissions achievable by measures undertaken at fossil-fueled electric power plants
- Allow Florida to set less-stringent performance standards or longer compliance schedules
- Give Florida maximum flexibility to implement standards

Copies of the memorial will be provided to the President of the United States, the Administrator of the EPA, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United State Congress.

The memorial has no fiscal impact and will be filed with the Secretary of State.

The memorial is not subject to the Governor's veto powers.

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**CS/CS/CS/SB 1632 (ch. 2014-22, L.O.F.) - Special Districts**

**By: Appropriations; Community Affairs; Ethics and Elections; Stargel**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/HB 1237**

**Committee(s) of Reference: Ethics and Elections; Community Affairs; Appropriations**

**Category: Government Operations, Local Government**

Special districts are used to create, fund, administer, and oversee the provision and delivery of a variety of local services in Florida. Often, they are established with the authority to impose ad valorem taxes, fees, and charges. Independent districts are often created by special act and are not subsidiary to local general-purpose governments such as cities or counties. In contrast, a dependent special district usually is created by local ordinance. Some types of special districts, such as community development districts, have a separate governing statute, but most special districts, independent and dependent alike, are governed by ch. 189, F.S. This chapter provides guidance and authority for creating, governing, administering, financing, operating, and overseeing special districts.

CS/CS/CS/SB 1632 reorganizes and renumbers sections of ch. 189, F.S., makes substantive changes to the oversight and enforcement of special district financial reporting, revises the type of enforcement proceedings that may be brought against noncompliant districts, and increases the notice provided to the legislative presiding officers. The Governor's power to suspend county officers and suspend and remove certain municipal officers is extended to permit suspension or removal of special district governing board members. The bill also revises the local government requirements for overseeing and reviewing special districts and makes conforming changes to a number of related statutes.

The bill is projected to have a minimal fiscal impact to the Department of Economic Opportunity to maintain a master list of special district websites and to maintain Internet web links to special district information.

The bill became law on May 12, 2014, chapter 2014-22, Laws of Florida, and become effective July 1, 2014.

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The Local & Federal Affairs Committee has no subcommittees under it.



***HOUSE OF REPRESENTATIVES***  
***Regulatory Affairs Committee***  
**Representative Doug Holder, Chair**  
**Representative Patrick Rooney, Jr., Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**



***Business & Professional Regulation Subcommittee***

**Representative Debbie Mayfield, Chair**  
**Representative W. Gregory Steube, Vice Chair**

***Energy & Utilities Subcommittee***

**Representative Jose Diaz, Chair**  
**Representative Mike La Rosa, Vice Chair**

***Insurance & Banking Subcommittee***

**Representative Bryan Nelson, Chair**  
**Representative Bill Hager, Vice Chair**



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The Regulatory Affairs Committee was not first reference on any bill that passed both houses of the Legislature.

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## **Business & Professional Regulation Subcommittee**

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**CS/CS/SB 224 – Tobacco and Nicotine Product Regulation**

**By: Appropriations; Regulated Industries; Benacquisto and others**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/HB 169**

**Committee(s) of Reference: Regulated Industries; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations**

**Category: Business and Professional Regulation, Consumer Protection**

The bill defines and prohibits the selling or giving of nicotine products and nicotine dispensing devices to minors under the age of 18, punishable as a second degree misdemeanor. It is a noncriminal violation for a minor under the age of 18 to possess, purchase, or misrepresent their age or military service to obtain a nicotine product or nicotine dispensing device.

The bill requires retailers to post certain signs relating to nicotine products and nicotine dispensing devices and keep direct control of such products. The bill defines self-service merchandising and prohibits self-service merchandising and open displays of nicotine products or nicotine dispensing devices unless the display is inaccessible to customers. Establishments that prohibit minors under the age of 18 from the premises are exempted from the direct control, self-service merchandising, and open display restrictions.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/SB 242 - Security of a Protected Consumer's Information**

**By: Governmental Oversight and Accountability; Judiciary; Commerce and Tourism; Detert**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 151**

**Committee(s) of Reference: Commerce and Tourism; Judiciary; Governmental Oversight and Accountability**

**Category: Business and Professional Regulation, Consumer Protection**

The bill provides a mechanism for a representative to place a security freeze on the consumer report or record of a protected consumer, who is generally an individual less than 16 years of age or a person represented by a guardian or other advocate pursuant to certain Florida Statutes.

The bill provides definitions, security freeze placement and removal procedures, requirements for agencies and representatives, fines, damages for the agency and the protected consumer, and limitations regarding security freezes on a protected consumer's credit record. The bill also requires consumer reporting agencies to provide consumers with a written summary of rights.

Subject to the Governor's veto powers, the effective date of this bill is September 1, 2014.

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**SB 320 - Commercial and Recreational Water Activities**

**By: Sachs and others**

**Tied Bills: None**

**Companion Bills: CS/HB 347**

**Committee(s) of Reference: Regulated Industries; Commerce and Tourism; Community Affairs**

**Category: Business and Professional Regulation, Consumer Protection, Tourism**

The bill modifies regulations on commercial parasailing, kiteboarding, kitesurfing, and moored ballooning and establishes minimum liability insurance requirements for owners or operators of commercial parasailing. Each parasailing operator is required to use all available means to determine and record the weather conditions before embarking, and the bill forbids commercial parasailing during severe weather conditions. Each operator of a commercial parasailing vessel must obtain United States Coast Guard licensure. The bill provides a criminal penalty for violations of the commercial parasailing provisions.

The bill provides operational limitations with noncriminal penalties for parasailing, kiteboarding, kitesurfing, and moored ballooning near airports and prohibits operation of a moored balloon within 100 feet of the marked channel of the Florida Intracoastal Waterway.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**SB 356 - Regulation of Public Lodging Establishments and Public Food Service Establishments**

**By: Thrasher and others**

**Tied Bills: None**

**Companion Bills: CS/HB 307**

**Committee(s) of Reference: Regulated Industries; Community Affairs**

**Category: Business and Professional Regulation, Local Government, Tourism**

Current law preempts the regulation of vacation rentals and forbids local governments from enacting any law, ordinance, or regulation that restricts or prohibits the use of a residential property as a vacation rental or regulates a vacation rental based on classification, use, or occupancy. A local law, ordinance, or regulation enacted on or before June 1, 2011, is exempted from this preemption.

The bill narrows the preemption to allow local governments to regulate vacation rentals, provided those regulations do not prohibit or restrict the duration or frequency of a vacation rental. The provision in current law exempting any local law, ordinance, or regulation adopted on or before June 1, 2011, is maintained.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 404 - Professional Geology**

**By: Rules; Regulated Industries; Grimsley**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 223**

**Committee(s) of Reference: Regulated Industries; Rules**

**Category: Business and Professional Regulation**

The bill updates licensure requirements for professional geologists, clarifying that applicants must obtain five years of work experience prior to licensure and updating the hours of coursework necessary to meet national standards. The bill also creates a geologist-in-training registration, which is issued by the Department of Business and Professional Regulation to applicants who pass the fundamentals of geology part of the licensure examination after being certified by the Board of Professional Geologists as having met coursework and background requirements. By permitting individuals to take the fundamentals of geology part of the licensure examination upon completion of the geological coursework education requirements, the passage rate for that part of the examination may increase.

Subject to the Governor's veto powers, the effective date of this bill is January 1, 2015.

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**CS/CS/SB 450 - Telephone Solicitation**

**By: Appropriations; Agriculture; Clemens and others**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 1191**

**Committee(s) of Reference: Agriculture; Communications, Energy, and Public Utilities; Appropriations**

**Category: Business and Professional Regulation, Consumer Protection**

In current law, a telephone solicitor is prohibited from sending an unsolicited telephonic sales call to a number that appears on the Department of Agriculture and Consumer Service's no sales solicitation calls list (Do Not Call list). The bill expands the definition of telephonic sales call to include text messages, and prohibits sending an unsolicited text message to a number on the Do Not Call list.

The bill prohibits a telephone solicitor from initiating a text message to a consumer who has previously communicated to the telephone solicitor that he or she does not wish to receive a text message.

The bill appropriates one position and \$63,681 from the General Inspection Trust Fund to the Department of Agriculture and Consumer Services to implement the provisions of the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 523 - Licensure to Carry a Concealed Weapon or Firearm**

**By: Agriculture & Natural Resources Appropriations Subcommittee; Business & Professional Regulation Subcommittee; Grant; Steube and others**

**Tied Bills: CS/HB 525**

**Companion Bills: CS/CS/SB 544**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation**

The bill authorizes the Department of Agriculture and Consumer Services (department) to appoint tax collectors for the purpose of accepting applications for concealed weapons or firearms licenses or renewals. To be considered by the department, tax collectors must submit a request to the department.

The bill provides that the tax collector may charge and retain a convenience fee of \$22 for each new application and \$12 for each renewal application. The Department maintains responsibility to process the applications and issue concealed weapons and firearms licenses to qualified applicants.

All personal identifying information provided for the license or renewal that is contained in a tax collector's records is given confidential and exempt status by the linked bill—CS/HB 525.



The bill provides an appropriation to the department of 11 positions and the recurring sum of \$736,608 and the nonrecurring sum of \$105,503 from the Division of Licensing Trust Fund to implement the provisions of the act.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 525 - Pub. Rec./Personal Identifying Information/Licensure to Carry Concealed Weapon or Firearm**

**By: Business & Professional Regulation Subcommittee; Grant; Steube and others**

**Tied Bills: CS/CS/HB 523**

**Companion Bills: CS/SB 546**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Government Operations Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation, Government in the Sunshine**

This bill expands the current public record exemption for personal identifying information of an individual who has applied for or received a license to carry a concealed weapon or firearm held by the Division of Licensing of the Department of Agriculture and Consumer Services (department). The exemption is expanded to include such information when it is held by a tax collector appointed by the department to receive applications for concealed weapon or firearm licenses or renewals and fees.

The bill provides for retroactive application of the public record exemption. As provided by current law, release of the confidential and exempt information is authorized in certain circumstances.

The bill provides that the public record exemption is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature. It also provides a public necessity statement as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/HB 523 or similar legislation takes effect.

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**CS/CS/HB 629 - Charities**

**By: Regulatory Affairs Committee; Business & Professional Regulation Subcommittee; Boyd and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 638**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Appropriations Committee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation, Consumer Protection**

The bill provides increased oversight of charitable organizations and sponsors, professional fundraising consultants, and professional solicitors by the Department of Agriculture and Consumer Services (department). Generally, the bill:

- provides for revocation of the state tax-exempt certificate of a charitable organization or sponsor who violates the provisions of the Solicitation of Charities Act;
- requires charitable organizations and sponsors to adopt and annually certify a financial conflict of interest policy;
- requires supplemental financial disclosures from a charitable organization or sponsor who has been in existence for less than four years and solicits contributions in response to a disaster or crisis;
- requires a charitable organization or sponsor with more than \$1 million in total revenue and who spent less than 25 percent of the organization's or sponsor's total annual functional expenses on program service costs to submit supplemental financial disclosures to the department;
- creates a new, annual license for officers, directors, trustees, and owners of a professional solicitor and any employee of the solicitor conducting telephonic solicitations during which a donor's or potential donor's personal financial information is requested or provided;
- requires professional solicitors to include additional information in the notice required before beginning a solicitation campaign, including a statement of the minimum percentage of gross receipts from contributions that will be remitted to the charity, if any;
- requires collection receptacles operated by charities to display a sign with the charity's information;
- requires collection receptacles operated by for-profit businesses to display a sign that provides the organization's information and a statement that the donation receptacle is for a for-profit business; and
- increases the fine for violations of the Solicitation of Charities Act from \$1,000 to \$5,000, clarifies the fine applicable to s. 501(c)(3) organizations, and authorizes a fine up to \$10,000 for a violation that involves fraud or deception.

The bill appropriates 3 positions and \$415,528 from General Revenue to the department to implement the provisions of the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 713 - Engineers**

**By: Regulatory Affairs Committee; Business & Professional Regulation Subcommittee; Ray and others**

**Tied Bills: None**

**Companion Bills: CS/SB 692**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation**

The bill permits professional and technical engineering societies to submit a list of recommended qualified nominees from which the Governor may choose to appoint members of the Board of Professional Engineers (board). The bill also staggers board member terms.

The bill permits applicants who have failed one of the licensure examinations three times to take a board-approved examination review course prior to retaking the examination rather than being required to obtain 12 college course hours. The bill provides applicants who are delayed in taking an examination due to reserve or active duty service in the United States Armed Forces or National Guard two additional attempts to pass the examination before being required to obtain additional college course hours or examination review course credit.

The bill removes an examination exemption for licensure by endorsement applicants based solely on education.

The bill increases the continuing education course hour requirement for licensure renewal from eight hours to 18 hours and requires specified hours to cover professional ethics, rules and laws, and the licensee's area of practice. The bill permits a licensee to obtain some continuing education course hours by being an officer for a professional or technical engineering society, serving as a member of the Legislature, or serving as an elected state or local official.

The bill also amends rulemaking authority to expand the guidelines the board can use when adopting rules regarding continuing education guidelines.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, except as otherwise provided.

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**CS/CS/HB 773 - Pugilistic Exhibitions**

**By: Regulatory Affairs Committee; Business & Professional Regulation Subcommittee; Hutson and others**

**Tied Bills: CS/CS/CS/HB 775**

**Companion Bills: CS/SB 810**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Government Operations Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation**

The bill updates pugilistic exhibition law to modern industry standards and provides licensees with adequate due process. Specifically, the bill:

- amends and clarifies the duties of the Florida State Boxing Commission's (commission) executive director;
- clarifies the commission's jurisdiction over amateur mixed martial arts matches;
- creates and clarifies activities exempt from state regulation;
- eliminates the requirement that concessionaires, foreign co-promoters, and booking agents be licensed, and eliminates references to responsibilities related to concessionaires;
- provides that the failure or refusal to provide a urine sample or the positive result of a urine test constitutes an immediate serious danger to the health, safety, and welfare of the public and participants and results in the immediate suspension of the participant's license;
- requires the commission to hold all hearings pursuant to the Administrative Procedure Act;
- redefines how the commission is to determine "gross receipts" for taxation purposes;
- permits the promoter to apply to the commission for authorization to issue more than five percent of seats in the house as complimentary tickets and not include the tickets issued over five percent in gross receipts for post-event taxation purposes;
- requires that the promoter keep a copy of certain records for a period of one year;
- provides the Department of Business and Professional Regulation with audit authority to ensure compliance with taxation requirements;
- directs the commission to adopt rules to establish a procedure for auditing a promoter's records and for resolving any inconsistencies revealed in the audit;
- directs the commission to establish rules for imposing late fees in the event of taxes owed;
- provides an emergency license suspension procedure; and
- appropriates \$111,000 from the General Revenue Fund to implement the provisions of the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/HB 775 - Pub. Rec./Florida State Boxing Commission**

**By: Regulatory Affairs Committee; Government Operations Subcommittee; Business & Professional Regulation Subcommittee; Hutson**

**Tied Bills: CS/CS/HB 773**

**Companion Bills: CS/CS/SB 808**

**Committee(s) of Reference: Business & Professional Regulation Subcommittee; Government Operations Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation, Government in the Sunshine**

The bill creates a public records exemption for proprietary confidential business information submitted by promoters in a post-match report to the Florida State Boxing Commission (commission) or obtained by audit of the commission. Proprietary confidential business information is information of the promoter that if disclosed would cause harm to the promoter or its business operations and that concerns any of the following:

- The number of ticket sales for a match
- The amount of gross receipts after a match
- Trade secrets
- Business plans
- Internal auditing controls and reports of internal auditors
- Reports of external auditors

The bill authorizes release of the proprietary confidential business information to another governmental entity in the performance of its duties and responsibilities.

The bill provides that the exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a public necessity statement as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/HB 773 or similar legislation takes effect.

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**SB 796 - Public Accountancy**

**By: Latvala**

**Tied Bills: None**

**Companion Bills: HB 725**

**Committee(s) of Reference: Regulated Industries; Rules**

**Category: Business and Professional Regulation**

The bill increases the quarter hour education requirement from 160 to 180 for the Certified Public Accountant licensure exam and requires an applicant show that he or she has good moral character prior to taking the exam.

The bill extends by two years the deadline for a licensee with an inactive or delinquent license to receive partial amnesty related to the continuing education requirements necessary to reactivate his or her license. A qualified licensee must complete 120 hours of continuing education to reactivate his or her license, compared to a possible 280 hours without the amnesty.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 7051 - Department of Agriculture and Consumer Services**

**By: Regulatory Affairs Committee; Agriculture & Natural Resources Appropriations Subcommittee; Business & Professional Regulation Subcommittee; La Rosa**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1018**

**Committee(s) of Reference: Agriculture & Natural Resources Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation, Consumer Protection**

The bill modifies certain licensing and consumer services activities under the jurisdiction of the Florida Department of Agriculture and Consumer Services (department).

Within the Division of Licensing, the bill:

- removes the requirement of a written note when a legible set of fingerprints cannot be obtained after two attempts before proceeding with a name-based criminal history check;
- clarifies existing requirements for licensing and recertification of Class "G" statewide firearms licensees;
- expands the types of firearms that Class "D" security officer with a Class "G" statewide firearm license may carry on duty to include .40 caliber and .45 caliber automatic Colt pistol handguns;
- permits a Class "D" security officer with a Class "G" statewide firearm license performing bodyguard or executive protection services in plainclothes to carry his or her firearm concealed while on duty; and

- effective January 1, 2015, the Bureau of License Issuance may access sealed criminal histories for applicants of a concealed weapon license to determine eligibility.

Within the Division of Consumer Services, the bill:

- deletes rulemaking authority for minimum technical standards for the Board of Professional Surveyors and Mappers, and replaces it with mandatory rulemaking authority to establish standards of practice;
- provides uniform security bond requirements for health studios, telemarketers, pawnbrokers, and sellers of travel for more efficient administration of bond programs, and authorizes the department to recover legal fees if a surety refuses a lawful demand for payment;
- repeals the department's regulations on dance studios;
- redefines telephone solicitor to include solicitors making outbound calls to solicit charitable donations;
- defines novelty payment methods, which are payment methods that do not provide systematic monitoring and fraud protections for consumers, and forbids telemarketers from accepting novelty payment methods as a form of payment;
- amends brake fluid and antifreeze registrations to expire one year after registration;
- requires the department to enact quality and labeling standards by rule for motor oils; and
- clarifies inconsistencies relating to gasoline and oil inspections.

Subject to the Governor's veto powers, except as otherwise provided, the effective date of this bill is July 1, 2014.

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## **Energy & Utilities Subcommittee**

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**CS/CS/HB 175 - Emergency Communication System**

**By: Regulatory Affairs Committee; Finance & Tax Subcommittee; Steube and others**

**Tied Bills: CS/HB 177**

**Companion Bills: CS/SB 294**

**Committee(s) of Reference: Energy & Utilities Subcommittee; Finance & Tax Subcommittee;**

**Regulatory Affairs Committee**

**Category: Safety, Utilities and Communications**

The bill provides a mechanism for collection of the E911 (Emergency Communication System) fee on prepaid wireless services by retailers at the point of sale and establishes a new category in the E911 Trust Fund for revenues derived from this fee. The E911 fee is set at \$0.40 per month for post-paid voice communications services (wireline and wireless) and \$0.40 per retail transaction for prepaid wireless service. The bill retains the existing E911 fee cap of \$0.50 and allows the E911 Board, no sooner than June 1, 2015, to adjust the rate under this cap by a two-thirds vote.

The bill expands the list of authorized county expenditures for which E911 system funds may be used and modifies the percentage of funds to be distributed to counties, such that counties will receive 96 percent of the moneys in the wireline category, 76 percent of the moneys in the wireless category (up from 67 percent), and 61 percent of the moneys in the new prepaid wireless category. The percentage of funds available for distribution to wireless providers is reduced from 30 percent to 20 percent. Thirty-five percent of the moneys in the new prepaid wireless category will be retained by the board to provide E911 grants to counties for the purpose of upgrading and replacing E911 systems, developing and maintaining statewide 911 routing and mapping systems, and developing and maintaining next-generation 911 services and equipment.

After accounting for amounts retained by the Department of Revenue for implementation, the impact to the E911 Trust Fund is estimated at negative \$1.2 million in FY 2014-15 and positive \$2.7 million recurring in future years.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 177 - Pub. Rec./Prepaid Wireless E911 Fee**

**By: Government Operations Subcommittee; Steube and others**

**Tied Bills: CS/CS/HB 175**

**Companion Bills: CS/SB 292**

**Committee(s) of Reference: Energy & Utilities Subcommittee; Government Operations Subcommittee; Regulatory Affairs Committee**

**Category: Government in the Sunshine, Safety, Utilities and Communications**

Current law provides a public record exemption for proprietary confidential business information submitted by a prepaid wireless provider to the E911 Board (board) or Technology Program within the Department of Management Services (DMS). The bill expands the public record exemption for proprietary confidential business information submitted by a prepaid wireless provider to include such information when it is submitted to the Department of Revenue (DOR). It authorizes DOR to provide such information to DMS or the board in certain circumstances.

The bill provides that the public record exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/HB 175 or similar legislation takes effect.

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**CS/CS/CS/SB 272 - Water Utilities**

**By: Appropriations; Community Affairs; Communications, Energy, and Public Utilities; Simpson**

**Tied Bills: None**

**Companion Bills: CS/HB 357, CS/CS/SB 1050, HB 1321**

**Committee(s) of Reference: Communications, Energy, and Public Utilities; Community Affairs; Appropriations**

**Category: Consumer Protection, Utilities and Communications**

The bill establishes a process by which the customers of a private water utility may petition the Public Service Commission (PSC) to investigate issues concerning the quality of water service provided by the utility. The petition must be signed by at least 65 percent of the utility's customers. Based on its evaluation of the issues raised, the utility's response and other relevant factors, the PSC may:

- dismiss the petition, if doing so is supported by clear and convincing evidence;
- require the utility to take corrective actions to resolve the issues identified; or
- revoke the utility's certificate of authorization and appoint a receiver until a sale of the utility is approved by the PSC.

The bill requires the PSC, when setting rates for a water utility, to consider the extent to which the utility provides service that meets secondary drinking water standards established by the Department of Environmental Protection. The bill specifies the evidence that the PSC must consider in its review. If the PSC determines that the utility's water service does not meet these standards, the utility must create an estimate of the costs and benefits of a plausible solution to address each issue identified by the PSC, meet with its customers to discuss these estimates and the time necessary to implement the solution, and report the results of these meetings to the PSC. The PSC may require the utility to implement for each issue a solution in the best interests of the customers. The bill authorizes the utility to recover its costs to implement any solutions ordered by the PSC. Further, the bill authorizes the PSC to impose penalties for a utility's failure to adequately resolve each issue as required.

To implement these provisions, the bill provides an appropriation to the PSC and requires the PSC to adopt rules.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 1010 - Cable and Video Services**

**By: Richter**

**Tied Bills: None**

**Companion Bills: CS/HB 4017**

**Committee(s) of Reference: Communications, Energy, and Public Utilities; Commerce and Tourism**

**Category: Repeals of Existing Laws, Utilities and Communications**

The bill repeals studies related to cable and video service.

The bill repeals the requirement that the Office of Program Policy Analysis and Governmental Accountability (OPPAGA) submit reports on the status of competition in the cable and video service industry by December 1, 2009, and December 1, 2014, to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and House of Representatives. In October 2009, OPPAGA submitted the first report.

The bill also repeals the obsolete requirement that the Department of Agriculture and Consumer Services, with input from the Department of State, make recommendations to the Legislature regarding the workload and staffing requirements associated with consumer complaints related to video and cable certificateholders and with processing certificates of franchise authority, by January 15, 2008. These recommendations were submitted on January 15, 2008.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 7147 - Building Construction Policies**

**By: Regulatory Affairs Committee; Energy & Utilities Subcommittee; Diaz, J.**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 1044; includes all or parts of CS/CS/CS/HB 593, HB 4007, and CS/CS/SB 1106**

**Committee(s) of Reference: Agriculture & Natural Resources Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Business and Professional Regulation, Energy, Local Government**

The bill contains the following provisions related to building construction and energy issues:

- Modifies the process for obtaining operating and building permits for public swimming pool construction and provides for variances from the Florida Building Code in hardship circumstances
- Specifies inspection criteria for construction or modification of manufactured buildings or building modules, provides that make-up air is not required for specified range hood exhaust systems, and creates requirements for smoke alarms in specified dwellings
- Authorizes and provides procedures for building officials, local enforcement agencies, and the Florida Building Commission to interpret the Florida Accessibility Code for Building Construction
- Streamlines the process for nonbinding interpretations of the Fire Prevention Code
- Exempts tents up to 30' x 30' from the Fire Prevention Code
- Revises the process for water well contractor license examination applications and expands education and training for the Florida Building Code Compliance and Mitigation Program
- Provides for specific types of documentation pertaining to the building industry to be submitted and retained electronically
- Modifies the regulation of building energy-efficiency rating systems
- Adds a representative of the Office of Energy, within the Department of Agriculture and Consumer Services (DACCS), to the Florida Building Commission and authorizes the Commissioner of Agriculture to appoint a representative to the Southern States Energy Board

- Clarifies that DACS must promote all forms of renewable energy, not simply solar
- Authorizes DACS to post information on alternative fueling stations and electric vehicle charging stations on its website
- Requires the Office of Energy to establish a program for allocating or reallocating the federal qualified energy conservation bond volume limitation
- Repeals the expired Solar Energy Systems Incentive Program and the expired Florida Energy Star Residential HVAC Rebate Program and related cross-references

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2014, except as otherwise specified.

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## **Insurance & Banking Subcommittee**

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### **CS/CS/HB 271 – Workers’ Compensation**

**By: Regulatory Affairs Committee; Government Operations Appropriations Subcommittee; Cummings and others**

**Tied Bills: None**

**Companion Bills: CS/SB 444**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

If an employer fails to comply with workers’ compensation coverage requirements, the Department of Financial Services (DFS) must issue a stop-work order (SWO) within 72 hours. SWOs require the employer to cease all business operations. Employers are assessed a penalty equal to 1.5 times what the employer would have paid in workers’ compensation premiums for all periods of non-compliance during the preceding 3-year period or \$1,000, whichever is greater. SWOs remain in effect until the employer secures appropriate coverage and DFS issues (1) an order releasing the SWO (for employers that have paid the assessed penalty) or (2) an order of conditional release (for employers that have agreed to pay the penalty in installments under a payment agreement schedule).

The bill amends provisions related to SWOs and associated penalties as follows:

- Increases from 5 to 10 the number of business days after receipt of a written request from DFS the time within which an employer must produce requested business records or be subject to an SWO
- Authorizes DFS to issue an order of conditional release from an SWO to an employer that has secured appropriate coverage if the employer pays \$1,000 as a down payment on the assessed penalty and agrees to pay the remainder of the penalty in full or pursuant to a payment agreement schedule
- Credits the initial payment of premium made to secure coverage against the assessed penalty for employers that have not previously been issued an SWO

- When coverage is obtained through an employee leasing company, the credit is based on the amount attributable to the initial workers' compensation expense
- Reduces the look-back period for failure to comply with coverage requirements from 3 years to 2 years and increases the penalty multiplier from 1.5 times to 2 times the amount of unpaid premiums

To address a court decision, the bill allows benefits currently payable at 66 2/3 percent of the employee's average weekly wage (AWW) to be paid at either 66 2/3 percent or 66.67 percent of the employee's AWW.

The bill also requires DFS to calculate the Workers' Compensation Special Disability Trust Fund (SDTF) assessment based upon the net premiums written by carriers and self-insurers, the amount of premiums calculated by DFS for self-insured employers, the sum of the anticipated disbursements and expenses of the SDTF for the next calendar year, and the expected fund balance of the SDTF for the next calendar year. The bill also reduces the statutory rate cap on the SDTF from 4.52 percent to 2.5 percent.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **HB 291 - Warranty Associations**

**By: Santiago**

**Tied Bills: None**

**Companion Bills: SB 496**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Civil Justice Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

Motor vehicle service agreements provide vehicle owners with protection when the manufacturer's warranty expires. Home warranty associations indemnify warranty holders against the cost of repairs or replacement of any structural component or appliance in a home. Service warranty contracts for consumer electronics and appliances allow consumers to extend the product protection beyond the manufacturer's warranty terms.

Current law requires every motor vehicle service agreement and home warranty to be mailed or delivered to the purchaser within 45 days after the purchase of the agreement. The bill extends this requirement to service warranties. The bill also allows these contracts to be transmitted electronically, unless the warranty holder requests mail delivery instead.

The bill also changes the financial requirements of service warranty associations. Current law allows a service warranty association to demonstrate financial responsibility by securing contractual liability insurance from an authorized insurer, which covers the association's obligations under service warranties sold in Florida. Service warranty associations are required to maintain a specified writing ratio of gross written premiums to net assets. Currently, an association can avoid this minimum writing ratio by securing an insurance policy providing first-dollar coverage from an insurer. The bill expands the

exception to the minimum writing ratio for service warranty associations and for insurers providing first-dollar coverage to those associations and it repeals one of the three requirements for those insurers so associations purchasing insurance can be exempt from the required writing ratio.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 321 - Title Insurance**

**By: Government Operations Appropriations Subcommittee; Insurance & Banking Subcommittee; Passidomo; Moraitis and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 570; includes parts of CS/CS HB 805**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

The bill decreases the statutory premium reserve for domestic title insurers with at least \$50 million in surplus and permits these title insurers to release greater percentages of initial funds from reserves each year. For foreign title insurers that transfer domicile to Florida, the premium reserve requirements of the initial state of domicile apply until domicile is transferred to Florida. Beginning January 1, 2014, Florida's reserve requirements apply to new business written after the effective date of the insurer's transfer of domicile.

Currently, domestic title insurers account for unknown losses and claims [also known as Incurred But Not Reported (IBNR) losses] in both their liabilities and statutory premium reserve. The bill eliminates this duplication by requiring domestic title insurers to account for IBNR only through their statutory premium reserve.

The economic loss rule limits parties to a contract that suffer only economic damages to recovery under the contract, and precludes recovery in tort. The bill addresses a court decision by reinstating application of the economic loss rule to title insurance. The bill limits recovery under a title insurance policy for breach of a duty under the policy to contractual remedies.

The bill also clarifies licensing and appointment requirements for title insurance agents and title insurance agencies and changes the annual reporting date from March 31 to May 31 for title insurance agencies and licensed title insurers to submit financial data to the Office of Insurance Regulation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, except as otherwise provided.

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**CS/CS/HB 413 - Consumer Collection Practices**

**By: Regulatory Affairs Committee; Insurance & Banking Subcommittee; Santiago**

**Tied Bills: CS/CS/HB 415**

**Companion Bills: CS/SB 1006**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations  
Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Consumer Protection, Financial Services**

The bill makes the following changes to the Florida Consumer Collection Practices Act, which governs consumer debt collection and is enforced by the Florida Office of Financial Regulation (OFR):

- Requires certain control persons of consumer collection agencies (CCAs) to be subject to state and national criminal background checks and subjects these persons to disqualifying periods based on the severity and recency of criminal convictions
- Enhances OFR's registration, investigative, examination, and enforcement authority over CCAs
- Subjects registrants to certain reporting requirements

The bill will have a positive fiscal impact on state revenues deposited into the Operating Trust Fund within the Florida Department of Law Enforcement (FDLE). The bill will have an insignificant fiscal impact on state expenditures by OFR. The revenues to be deposited with FDLE consist of \$81,168 for the cost of state background checks for initial and subsequent fiscal years and \$15,396 per year for the cost of fingerprint retention fees at the state level. The bill requires that control persons of CCA applicants submit live-scan fingerprints to FDLE at an average cost of \$65 per control person. The collection of the fingerprint processing fee will be handled by the vendor and then transferred to FDLE, less the vendor's associated cost of providing the fingerprinting service, which varies by vendor. OFR will be responsible for the collection of the \$6 fingerprint retention fee, per control person per year, paid at initial registration and renewal by CCAs. After collection, OFR will transfer the fingerprint retention fee to FDLE.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/CS/HB 415 - Pub. Rec./Investigations and Examinations by Office of Financial Regulation**

**By: Government Operations Subcommittee; Insurance & Banking Subcommittee; Santiago**

**Tied Bills: CS/CS/HB 413**

**Companion Bills: CS/SB 1002**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations  
Subcommittee; Regulatory Affairs Committee**

**Category: Consumer Protection, Financial Services, Government in the Sunshine**

The bill creates a public records exemption for certain information held by the Office of Financial Regulation (OFR) relating to investigations and examinations of consumer collection agencies. The bill provides that information relative to an investigation or examination by OFR is confidential and exempt

from public records requirements while the investigation or examination is active, which means OFR or a law enforcement or administrative agency is proceeding with reasonable dispatch and has a reasonable good faith belief that the case may lead to the filing of an administrative, civil, or criminal proceeding or to the denial or conditional grant of a registration. Once the investigation or examination is no longer active, certain portions of a consumer complaint and other information relative to an investigation or examination may remain confidential and exempt. The bill also allows OFR to share confidential and exempt information with law enforcement and administrative agencies.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/HB 413 or similar legislation takes effect.

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**CS/CS/SB 424 - Discriminatory Insurance Practices**

**By: Appropriations; Criminal Justice; Lee and others**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 255**

**Committee(s) of Reference: Banking and Insurance; Criminal Justice; Appropriations**

**Category: Consumer Protection, Insurance**

Current insurance law prohibits certain unfair insurance trade practices, such as misrepresentations and false advertising, false statements, unlawful rebates, or unfair discriminatory practices and authorizes the Office of Insurance Regulation (OIR) to enforce the prohibition. An insurer may not deny coverage, increase any premium, or otherwise discriminate against any insured or applicant on the basis of the lawful ownership or possession of a firearm or ammunition. This prohibition is not tied to the unfair trade practice provisions and thus lacks specific administrative enforcement authority for OIR.

This bill specifies that it is an unfair insurance trade practice for a personal lines property or personal lines automobile insurer to unfairly discriminate against an applicant or insured because of the lawful ownership of firearms or ammunition. However, an insurance company may charge a supplemental premium should the value of the firearms exceed the standard policy coverage.

This bill also prohibits an insurance company from disclosing an insured's or applicant's ownership or possession of a firearm or ammunition to a third party or affiliated entity unless the insurer discloses to the insured or applicant a specific need to disclose the information and the insured or applicant expressly consents to the disclosure, or the disclosure is necessary to quote or bind coverage, continue coverage, or adjust a claim. Disclosure from the company to the agent is authorized where necessary for the purpose of excess coverage.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 490 - Motor Vehicle Liability Policy Requirements****By: Garcia****Tied Bills: None****Companion Bills: CS/CS/HB 401****Committee(s) of Reference: Banking and Insurance; Transportation; Appropriations****Category: Insurance**

The bill increases the underwriting period from 30 to 60 days for noncancelable motor vehicle insurance coverage required to reinstate driving privileges revoked or suspended for driving under the influence or failure to maintain required coverage. The bill also removes language prohibiting any modification to a noncancelable policy that is in force and that requires insureds who seek changes to purchase another noncancelable policy. The bill permits modification of a noncancelable policy as long as the minimum coverages are maintained.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/CS/SB 542 - Flood Insurance****By: Banking and Insurance; Appropriations; Banking and Insurance; Brandes and others****Tied Bills: SB 1262****Companion Bills: CS/CS/HB 879****Committee(s) of Reference: Banking and Insurance; Appropriations Subcommittee on General Government; Appropriations; Banking and Insurance****Category: Insurance**

The bill creates laws governing the sale of insurance policies, contracts, or endorsements providing flood coverage. The laws created only apply to personal lines residential coverage for flood written by insurers outside the National Flood Insurance Program (NFIP). The bill allows insurers to write four types of flood insurance: standard, preferred, customized, or supplemental flood insurance. Standard flood insurance provides the same coverage as standard flood insurance under the NFIP. Preferred flood insurance provides coverage in addition to standard NFIP coverage in three areas: the definition of "flood," additional living expenses and replacement cost for personal property. Customized flood insurance provides coverage in addition to standard NFIP coverage, but the additional coverage provided is not limited to only three areas like preferred flood insurance. Supplemental flood insurance covers items typically excluded from flood insurance.

The bill allows insurers to develop rates for flood coverage two ways: use the rate after filing with and obtaining approval by the Office of Insurance Regulation (OIR) or, until October 1, 2019, use the rate without filing with or obtaining approval by OIR. Although the bill allows insurers to use a rate for flood coverage without filing it or obtaining approval of it from OIR, a rate set this way still cannot be excessive, inadequate, or unfairly discriminatory, the same requirements for rates filed with and approved by OIR. The insurer writing the flood insurance is responsible for ensuring the rate charged meets these requirements. The Florida Commission on Hurricane Loss Methodology is required to



adopt, by July 1, 2017, actuarial methods, principles, standards, models, or output ranges for flood loss to be used in setting rates for personal lines residential flood coverage.

Until July 1, 2017, the bill allows primary flood coverage for personal lines residential property to be written by a surplus lines insurer without the agent obtaining three declinations for insurance from Florida licensed flood insurers. The bill requires insurers taking policies out of the NFIP to notify the consumer that if the policy returns to the NFIP, a full-risk rate could be charged. The bill puts additional regulatory requirements on insurers who want to write flood insurance and authorizes the Insurance Commissioner to provide any certification required by federal law or rule as a condition of qualifying for private flood insurance or disaster assistance. Any certification provided is not subject to review under the Administrative Procedure Act.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**CS/CS/SB 590 - Money Services Businesses**

**By: Criminal Justice; Banking and Insurance; Richter**

**Tied Bills: None**

**Companion Bills: CS/HB 623**

**Committee(s) of Reference: Banking and Insurance; Criminal Justice**

**Category: Financial Services**

The bill makes the following changes to the Money Services Businesses Act, which is administered by the Office of Financial Regulation (OFR):

- Makes violations relating to electronic log and database reporting requirements applicable to licensed check cashers who cash checks exceeding \$1,000, a third-degree felony
- Allows the OFR to summarily suspend the license of a money services business (MSB), if OFR finds the licensee poses an immediate, serious danger to the public health, safety, and welfare, and if a natural person listed on the application is criminally charged or arrested for specified crimes
- Provides that a deferred presentment transaction is void if the person conducting the transaction is not authorized under the Act, and such person has no right to collect funds relating to such transaction
- Updates obsolete cross-references to federal MSB regulations

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 633 - Division of Insurance Agents & Agency Services**

**By: Regulatory Affairs Committee; Insurance & Banking Subcommittee; Ingram and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1210; includes parts of CS/CS/HB 565**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations**

**Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

The bill amends the insurance agency licensure law, which is administered by the Department of Financial Services (DFS). The bill also:

- eliminates the insurance agency licensing requirement for agencies owned and operated by a single licensed agent under certain conditions;
- converts all agency registrations to licenses and eliminates the three-year expiration period for agency licenses;
- repeals current law governing branch agencies and defines agent in charge with specified responsibilities;
- creates a new type of insurance agent, an unaffiliated insurance agent, and specifies the scope of the license;
- exempts members of the United States Armed Forces, their spouses, and veterans who have retired within 24 months from the application filing fee for certain licenses;
- amends requirements for licensure as a nonresident surplus lines agent;
- bars issuance of any new limited customer representative license after September 30, 2014;
- authorizes additional methods for service of process in certain administrative actions; and
- deletes the requirement that applicants who take a licensure examination in Spanish must pay all associated costs.

The bill amends eligibility requirements for mediators under alternative dispute resolution programs administered by DFS. It also requires DFS to deny any application to be a mediator or neutral evaluator (sinkhole claims) or to revoke or suspend a neutral evaluator in certain circumstances. The bill requires engineers in sinkhole claims to have either geotechnical or structural expertise.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014, except as otherwise provided.

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**CS/CS/SB 708 - Insurance Claims**

**By: Appropriations; Banking and Insurance; Bean**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 743; includes parts of CS/CS/HB 633, CS/CS/HB 565, CS/SB 1210, CS/CS/SB 1260; HB 759**

**Committee(s) of Reference: Banking and Insurance; Appropriations**

**Category: Consumer Protection, Insurance**

The Department of Financial Services (DFS) administers alternative dispute resolution programs for insurance. The bill gives DFS increased power relating to the approval, suspension, and revocation of approval of mediators and neutral evaluators in the DFS property mediation and sinkhole neutral evaluation programs.

If an insurer discovers a misrepresentation or omission on the insurance application after issuing the policy, it may deny coverage after a claim is made or cancel the policy. The bill provides that if a residential property insurance policy or contract has been in effect for more than 90 days, a claim filed by the insured cannot be denied and the insurer may not cancel or terminate the policy or contract based on credit information available in public records.

Current law does not address disqualification of an umpire used in appraisals of property insurance claim disputes and the bill provides grounds for challenging the impartiality of an umpire for disqualification purposes.

The bill creates a "Homeowner Claims Bill of Rights" (Bill of Rights) which describes some of the rights held by personal lines residential property insurance policyholders. Starting October 1, 2014, insurers must provide a copy of the Bill of Rights to the policyholder within 14 days of the insurer's receipt of an initial communication on a claim from a policyholder. Failure of an insurer to deliver the Bill of Rights is subject to administrative enforcement by the Office of Insurance Regulation, but is not admissible in any civil action against the insurer. The Bill of Rights does not create a new civil cause of action.

Subject to the Governor's veto powers, except as otherwise provided, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 783 - Motor Vehicle Sales**

**By: Regulatory Affairs Committee; Insurance & Banking Subcommittee; Albritton and others**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 832**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Regulatory Affairs Committee**

**Category: Consumer Protection, Financial Services**

The bill prohibits an automotive manufacturer's finance company from denying financing to a consumer or charging a fee to a dealer solely because the contract contains an automotive-related product from a competitor that is of similar nature, scope, and quality.

Currently, when an individual buys a motor vehicle, the dealer may offer additional automotive-related products such as an extended warranty, guaranteed asset protection, a maintenance package, dent repair, or tire protection. These arrangements are generally financed through third parties or the automotive manufacturer's captive financial entity. Typically, the automotive manufacturer's captive finance company is also the institution financing the vehicle and the warranty. Because of this arrangement, in some cases the manufacturer's captive automotive financial institution might have a competitive advantage over third parties in offering their aftermarket automotive product to the consumer. This bill places restrictions on what the manufacturer's finance company may charge when a consumer purchases an automotive related product from a competitor.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 785 – Workers' Compensation**

**By: Regulatory Affairs Committee; Albritton**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 952**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations**

**Appropriations Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

Retrospective rating plans are utilized by large, sophisticated employers to decrease workers' compensation premiums. The final premium paid by the employer is based on the employer's actual loss experience during the policy period, plus insurer expenses and an insurance charge. If the employer controls the amount of claims during the policy period, it will pay a lower premium. Retrospective rating plans allow for negotiations between an insurer and employer on various factors.

The bill permits retrospective rating plans in workers' compensation to contain a provision for negotiation of a premium between an employer and insurer when the employer has: (1) exposure in more than one state; (2) an estimated annual standard workers' compensation premium in Florida of \$100,000 or more; and (3) an estimated annual countrywide standard workers' compensation premium

of \$750,000 or more. Only insurers with at least \$500 million in surplus may engage in the negotiation of premiums with eligible employers.

The bill also bars reimbursement under the workers' compensation law for oral vitamins, nutrient preparations, and dietary supplements. It grants insurers and self-insured employers sole discretion to authorize the provision of medical food and provides limits to such authorization.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 805 - Title Insurer Reserves**

**By: Regulatory Affairs Committee; Insurance & Banking Subcommittee; Moraitis**

**Tied Bills: None**

**Companion Bills: CS/SB 758; includes parts of CS/CS/HB 321**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

The bill decreases the statutory premium reserve for domestic title insurers with at least \$50 million in surplus and permits these title insurers to release greater percentages of initial funds from reserves each year. For foreign title insurers that transfer domicile to Florida, the premium reserve requirements of the initial state of domicile apply until domicile is transferred to Florida. Beginning January 1, 2014, Florida's reserve requirements apply to new business written after the effective date of the insurer's transfer of domicile.

Currently, domestic title insurers account for unknown losses and claims [also known as Incurred But Not Reported (IBNR) losses] in both their liabilities and statutory premium reserve. The bill eliminates this duplication by requiring domestic title insurers to account for IBNR only through their statutory premium reserve.

The bill also exempts from premium taxes paid by title insurers all portions of title insurance premiums retained by title insurance agents and agencies. It also sets forth the Legislature's intent that continuation of the exemption is contingent on title insurers adding Florida-based employees. The exemption sunsets on December 31, 2017, unless reenacted by the Legislature.

Subject to the Governor's veto powers, except as otherwise provided, the effective date of this bill is upon becoming a law.

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**CS/CS/SB 1012 - Financial Services**

**By: Appropriations; Banking and Insurance; Richter**

**Tied Bills: CS/CS/SB 1278**

**Companion Bills: CS/CS/HB 673; includes CS/CS/HB 631; SB 666**

**Committee(s) of Reference: Banking and Insurance; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations**

**Category: Financial Services**

The bill modifies the Financial Institutions Codes, which covers the regulation and charter process of banks, trust companies, credit unions, and other financial institutions by the Office of Financial Regulation (OFR) and:

- amends the definition of related interest;
- enhances OFR's enforcement authority and clarifies the OFR's examination authority;
- enhances provisions regarding money laundering and includes provisions regarding terrorist financing;
- clarifies permissible activities for out-of-state financial institutions and trust business;
- provides that privilege is not waived in a legal proceeding by providing documents to OFR pursuant to an examination or investigation, and creates procedures for trade secret claims;
- provides competitive equality for Florida-chartered credit unions and other financial institutions with their nationally-chartered counterparts;
- repeals the \$50,000 small loan cap on which state banks may charge up to 18 percent simple interest;
- eliminates the \$2,000 annual assessment for certain international bank offices;
- provides a general rule of preemption to the state for financial or lending activities, and requires financial institutions to report local investigations or proceedings to OFR; and
- provides that a financial institution is not civilly liable for the actions or operations of a borrower solely by virtue of extending a loan or a line of credit to such borrower, while preserving the ability of state agencies to bring a civil or administrative action to enforce state or federal laws.

The bill also modifies the regulation of non-depository residential loan originators, mortgage brokers, and mortgage lenders by OFR and:

- makes several changes to mortgage fee and disclosure laws, where they may be inconsistent or duplicative with federal mortgage laws and regulations;
- authorizes OFR to conduct joint or concurrent examinations with any state or federal regulatory agency and to share examination material with those regulators;
- authorizes OFR to take administrative action against loan originator applicants found to be engaging in pre-licensing examination misconduct, and reenacts the OFR's authority to enforce the federal Real Estate Settlement Procedures Act and the Truth in Lending Act against any person licensed or required to be licensed;
- repeals provisions regarding arbitration, fees, the loan application process, the Florida Fair Lending Act, and the Loans Under Florida Uniform Land Sales Practices Law; and
- provides for an extended license renewal period for all licensed individuals and entities.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 1089 - Citizens Property Insurance Corporation**

**By: Regulatory Affairs Committee; Insurance & Banking Subcommittee; Raschein**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1274**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Regulatory Affairs Committee**

**Category: Insurance**

The bill delays for one year implementation of the current law relating to eligibility to obtain property insurance from Citizens Property Insurance Corporation (Citizens) based on the location of the property. Thus, major structures for which a building permit for new construction is applied on or after July 1, 2015, rather than July 1, 2014, or for which a building permit for a substantial improvement of the structure is applied on or after July 1, 2015, rather than July 1, 2014, and which is located seaward of the coastal construction control line or within the Coastal Barrier Resources System will be ineligible for insurance through Citizens.

Starting July 1, 2014, the bill also prohibits residential condominium associations from obtaining commercial residential property insurance from Citizens that covers damage only from wind if 50 percent or more of the condominiums in the association are rented more than eight times a year for less than 30 days. These condominium associations are still able to obtain property insurance from Citizens that covers damage from multiple perils, including wind.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 1238 - Family Trust Companies**

**By: Banking and Insurance; Richter**

**Tied Bills: CS/CS/SB 1320**

**Companion Bills: CS/CS/CS/HB 1267**

**Committee(s) of Reference: Banking and Insurance; Judiciary**

**Category: Financial Services**

The bill creates the Florida Family Trust Company Act to authorize families to form and operate a family trust company (FTC), licensed FTC, or foreign licensed FTC in this state. In general, an FTC is an entity that provides trust services similar to those that can be provided by an individual or financial institution. This includes serving as a trustee of trusts held for the benefit of family members, as well as providing other fiduciary, investment advisory, wealth management, and administrative services to the family. A Florida FTC must be owned exclusively by family members and may not provide fiduciary services to the public. This bill subjects FTCs to varying regulatory requirements, including a license or registration with the Office of Financial Regulation (OFR), maintenance of minimum capital accounts for FTCs with a principal place of business in Florida, and certain reporting requirements. The bill prohibits all three FTC types from advertising and conducting trust business with the public. The bill authorizes the OFR to investigate applications for licensure or registration, require annual renewals and other regulatory filings

from licensees and registrants, and to conduct periodic examinations of all three family trust company types.

Revenues generated as a result of the regulatory requirements of the bill will be deposited into the Financial Institutions' Regulatory Trust Fund (trust fund) within OFR. OFR projects that ten to twelve FTCs will apply for licensure in the first year, generating a projected \$100,000 to \$120,000 in additional revenue to be deposited into the trust fund in the first year. A projection of one to three FTCs will apply for licensure in subsequent years. OFR also projects that annual license renewals will generate an additional \$15,000 to \$18,000 annually to be deposited into the trust fund.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2015, if CS/CS/SB 1320 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

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### **SB 1262 - Public Records and Meetings/Insurance Flood Loss Model**

**By: Brandes**

**Tied Bills: CS/CS/CS SB 542**

**Companion Bills: HB 7159**

**Committee(s) of Reference: Banking and Insurance; Governmental Oversight and Accountability; Rules**

**Category: Insurance**

The bill is linked with CS/CS/CS SB 542, which is designed to attract private insurers to write flood insurance in Florida. With respect to flood loss models, the bill makes the following confidential and exempt from public disclosure:

- Trade secrets used in designing and constructing a flood loss model and provided by a private company to the Florida Commission on Hurricane Loss Projection Methodology (commission), the Office of Insurance Regulation, or consumer advocate
- That portion of a commission meeting or of a rate proceeding on an insurer's rate filing at which trade secrets used in designing and constructing a flood loss model are discussed (although such portion of a meeting must be recorded, the recording is confidential and exempt from public disclosure)

The bill provides for repeal of the exemptions on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law if CS/CS/CS/SB 542 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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**CS/CS/SB 1278 - Public Records/Office of Financial Regulation**

**By: Governmental Oversight and Accountability; Banking and Insurance; Richter**

**Tied Bills: CS/CS/SB 1012**

**Companion Bills: CS/CS/CS/HB 675**

**Committee(s) of Reference: Banking and Insurance; Governmental Oversight and Accountability; Rules**

**Category: Financial Services, Government in the Sunshine**

The bill creates two public records exemptions within the Financial Institutions Codes, which is enforced by the Office of Financial Regulation (OFR) and covers banks, trust companies, credit unions, and other financial institutions. The bill provides a limited exemption for informal enforcement actions as well as an exemption for trade secrets held by OFR in accordance with its statutory duties with respect to the Financial Institutions Codes. The bill defines:

- examination report;
- informal enforcement action;
- working papers; and
- personal financial information.

The bill provides that the newly created exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/SB 1012 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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**CS/CS/SB 1300 - Public Records/Office of Insurance Regulation**

**By: Governmental Oversight and Accountability; Banking and Insurance; Simmons**

**Tied Bills: CS/CS/SB 1308**

**Companion Bills: CS/CS/HB 1273**

**Committee(s) of Reference: Banking and Insurance; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Insurance**

The bill incorporates the necessary confidentiality elements for the Office of Insurance Regulation (OIR) to meet the National Association of Insurance Commissioners' accreditation standards. The bill provides that proprietary business information, as specified by the bill and contained in certain records held by OIR, is confidential and exempt from public records requirements. OIR may disclose the confidential and exempt proprietary business information in certain circumstances. The bill also defines proprietary business information for purposes of the public record exemption, and includes information contained in certain reports, such as an actuarial opinion summary, enterprise risk reports, and principle-based reserving valuation reports.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature pursuant to the Open Government Sunset Review Act. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014, if CS/CS/SB 1308 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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**CS/CS/SB 1308 - Insurer Solvency**

**By: Judiciary; Banking and Insurance; Simmons**

**Tied Bills: CS/CS/SB 1300**

**Companion Bills: CS/CS/HB 1271; CS/CS/HB 565; CS/CS/SB 1260**

**Committee(s) of Reference: Banking and Insurance; Judiciary; Rules**

**Category: Insurance**

The bill implements several changes to the Insurance Code, some of which are necessary for Office of Insurance Regulation (OIR) to maintain its accreditation with the National Association of Insurance Commissioners. The bill:

- requires insurers to file actuarial opinion summaries and supporting workpapers annually;
- requires acquirers of controlling interests to disclose enterprise risk and for ultimate controlling persons to file an annual enterprise risk report;
- requires insurance holding companies to file an annual registration statement;
- allows OIR to examine any insurer and its affiliates to ascertain enterprise risk;
- provides a limited privilege to OIR for memoranda supporting actuarial opinions on reserves, actuarial opinion summaries and related information, and acquisition-related filings and documents;
- requires health maintenance organizations and prepaid limited health service organizations to file risk-based capital filings;
- incorporates a risk-based capital trend test for life and health and property and casualty insurers, which expands the scenarios in which a company may be required to take corrective action;
- allows OIR to initiate the establishment of and to participate in supervisory colleges with other state insurance regulators and authorizes the OIR to act as a group-wide supervisor for international insurance groups;
- authorizes OIR to implement principle-based reserving for life insurers;
- authorizes OIR to impose sanctions for violations of acquisition, enterprise risk reporting, and holding company registration requirements; and
- updates the Financial Services Commission's rulemaking authority to reflect these new requirements.

Subject to the Governor's veto powers, the effective date of this bill, except as otherwise expressly provided in this act, is October 1, 2014, if CS/CS/SB 1300 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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**CS/CS/SB 1320 - Public Records/Office of Financial Regulation**

**By: Governmental Oversight and Accountability; Banking and Insurance; Richter**

**Tied Bills: CS/SB 1238**

**Companion Bills: CS/CS/CS/HB 1269**

**Committee(s) of Reference: Banking and Insurance; Governmental Oversight and Accountability; Rules**

**Category: Financial Services, Government in the Sunshine**

This bill creates a public records exemption for certain information held by the Office of Financial Regulation (OFR) relating to family trust companies (FTCs), licensed FTCs, and foreign licensed FTCs under the Florida Family Trust Company Act. The bill treats the following as confidential and exempt from public disclosure:

- Any personal identifying information appearing in records relating to a registration, application, annual certification, or examination of any FTC type
- Any personal identifying information appearing in reports of examinations, operations, or conditions (including working papers), which the bill defines
- Any portion of a list of names of shareholders or members of any FTC type
- Information received by OFR from a person from another state or nation or the federal government that is otherwise confidential or exempt pursuant to the laws of that state or nation or the federal government

The bill authorizes release of confidential and exempt information to specified persons, and provides a criminal penalty for willful disclosure of such information.

The bill provides for repeal of the exemption on October 2, 2019, unless reviewed and saved from repeal by the Legislature pursuant to the Open Government Sunset Review Act. It also provides a statement of public necessity as required by the state constitution.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/SB 1238 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

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**CS/CS/SB 1344 - Insurance**

**By: Rules; Banking and Insurance; Braynon**

**Tied Bills: None**

**Companion Bills: CS/HB 1035; includes parts of CS/CS/HB 565**

**Committee(s) of Reference: Banking and Insurance; Ethics and Elections; Rules**

**Category: Insurance**

The bill makes the following changes to the law governing insurance administrators:

- Changes the filing date for financial statements and audited financial statements
- Requires insurance administrator agreements to specify the rights, duties, and obligations of the administrator and insurer
- Changes persons who are subject to biographical review by the Office of Insurance Regulation relating to issuance of a certificate of authority
- Authorizes insurers to contract with qualified third parties to conduct the review of certain insurance administrator operations

The bill allows refunds of unearned premiums to be made to the credit card holder by mail or electronic transfer when insurance is transacted through the use of a credit card facility. It also authorizes refunds of unearned premiums to be made by electronic transfer when a motor vehicle insurance policy is canceled.

The bill revises the entities that make recommendations to the Chief Financial Officer for appointment to: (1) the board of governors of the Florida Medical Malpractice Joint Underwriting Association and (2) the board of directors of the Florida Birth-Related Neurological Injury Compensation Association. It also authorizes the Governor to appoint a member of the board of directors of the Florida Workers' Compensation Insurance Guaranty Association and decreases the number of board members selected by self-insurance funds from three to two members.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 1672 - Property Insurance**

**By: Rules; Commerce and Tourism; Banking and Insurance**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 1109; includes parts of CS/CS/HB 565, CS/CS/SB 1260**

**Committee(s) of Reference: Commerce and Tourism; Rules**

**Category: Insurance**

The bill makes the following changes relating to property insurance:

- Prohibits a public adjuster, public adjuster apprentice, or anyone acting on their behalf to accept a power of attorney relating to the choice of a repair contractor in a property insurance claim

- Exempts mitigation discount forms from independent verification if the mitigation inspector or inspection company has a quality assurance program
- Prohibits Citizens Property Insurance Corporation (Citizens) from independently verifying mitigation discount forms or re-inspecting property for mitigation discount purposes if the mitigation inspector that completed the form has a quality assurance program and the form was submitted to the program before being submitted to Citizens
- Prohibits mitigation inspectors from giving referral fees to insurance agents, insurance agencies, customer representatives or employees of insurance agencies
- Prohibits insurance agents, insurance agencies, customer representatives or employees of insurance agencies from accepting referral fees from mitigation inspectors
- Authorizes the Department of Financial Services to take action against a license of or an application for a license as an insurance agent, adjuster, customer representative, service representative, or managing general agent if the agent, adjuster, or representative accepts a referral fee from an inspector or inspection company for a property insurance inspection
- Prohibits contractors from paying, waiving, or rebating property insurance deductibles if done knowingly, willfully, and with intent to injure, defraud, or deceive and makes doing so a third-degree felony
- Prohibits Citizens from writing new multi-peril commercial residential policies starting July 1, 2014, but allows renewal of the policies that are currently written
- Requires Citizens' procurement disputes to be heard by the Division of Administrative Hearings, with any appeal heard by the First District Court of Appeal
- Changes the date for Citizens' annual report on non-catastrophic losses from January 15 to March 1
- Repeals a duplicative annual report on Citizens and the Florida Hurricane Catastrophe Fund
- Requires a new annual report from Citizens on its borrowing capacity, claims-paying capacity, and year end cash balance

Subject to the Governor's veto powers, except as otherwise provided, the effective date of this bill is July 1, 2014.

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**HB 7009 - Security for Public Deposits**

**By: Insurance & Banking Subcommittee; Moraitis and others**

**Tied Bills: None**

**Companion Bills: CS/SB 564**

**Committee(s) of Reference: Insurance & Banking Subcommittee; Regulatory Affairs Committee**

**Category: Financial Services**

The bill makes a number of changes to the Florida Security for Public Deposits Act, which is administered by the Department of Financial Services and authorizes state and local governments to make public deposits with qualified public depositories (QPDs). The bill:

- provides several clarifying changes to reflect the current banking industry and regulatory environment;
- minimizes regulatory burden on QPDs and streamlines compliance requirements;

- clarifies regulatory requirements for failed QPDs and their acquiring institutions;
- adjusts the two highest collateral pledge levels to ease regulatory burden for small and moderate-sized QPDs;
- repeals the Qualified Public Depository Oversight Board, which has been largely inactive since its creation in 2001;
- eases an existing ministerial notice requirement for public depositors so they are still protected from loss arising from a QPD's failure; and
- makes a number of technical and conforming changes.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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***HOUSE OF REPRESENTATIVES***

***Rules & Calendar Committee***

**Representative Robert Schenck, Chair  
Representative Frank Artiles, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**



***Rulemaking Oversight & Repeal Subcommittee***

**Representative John Wood, Chair  
Representative David Santiago, Vice Chair**





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**SB 932 (ch. 2014-16, L.O.F.) - Florida Statutes**

**By: Thrasher**

**Tied Bills: None**

**Companion Bills: HB 7127**

**Committee(s) of Reference: Rules**

**Category: Government Operations**

This bill was drafted by the Division of Law Revision and Information of the Office of Legislative Services to prospectively adopt the Florida Statutes 2014 and designate the portions thereof that are to constitute the official statutory law of the state. The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S., and has the effect of curing any title or single subject defects that may have existed in an act as originally passed.

The 2014 adoption act prospectively adopts all statutes of a general and permanent nature passed through the 2013 Regular Session together with corrections, changes, and amendments to and repeals of the provisions of the 2013 Florida Statutes enacted in any additional reviser's bill(s) by the 2014 Legislature. The bill adopts as official statutory law of the state those portions of the statutes carried forward from the regular edition published in 2013, which thus serve as the best evidence of the law.

Legislation passed in the 2014 Regular Session, which will have occurred since the publication of the 2013 edition, is not adopted as the official statutory law of the state and serves as prima facie evidence of the law until it is adopted in 2015.

The bill became law on May 12, 2014, chapter 2014-16, Laws of Florida, and becomes effective July 1, 2014.

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**SB 934 (ch. 2014-17, L.O.F.) - Florida Statutes**

**By: Thrasher**

**Tied Bills: None**

**Companion Bills: HB 7129**

**Committee(s) of Reference: Rules**

**Category: Government Operations**

This is a general reviser's bill of technical nature that:

- deletes expired or obsolete language;
- corrects cross-references and grammatical errors;
- removes inconsistencies, redundancies, and unnecessary repetition in the statutes;
- improves the clarity of statutes and facilitates their correct interpretation; and
- confirms the restoration of provisions unintentionally omitted from republication in the Legislature's acts during the amendatory process.

The bill became law on May 12, 2014, chapter 2014-17, Laws of Florida, and becomes effective July 1, 2014.

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**SB 936 (ch. 2014-18, L.O.F.) - Florida Statutes**

**By: Thrasher**

**Tied Bills: None**

**Companion Bills: HB 7131**

**Committee(s) of Reference: Rules**

**Category: Government Operations**

HB 7131 is a general reviser's bill of technical nature that deletes statutory provisions that have been repealed by a non-current (past-year) session of the Legislature where that repeal or expiration date has now occurred, rendering the provision of no effect. Such provisions may be omitted from publication in the 2014 Florida Statutes only through a reviser's bill duly enacted by the Legislature.

The bill became law on May 12, 2014, chapter 2014-18, Laws of Florida, and becomes effective July 1, 2014.

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**SB 938 (ch. 2014-19, L.O.F.) - Florida Statutes**

**By: Thrasher**

**Tied Bills: None**

**Companion Bills: HB 7133**

**Committee(s) of Reference: Rules**

**Category: Government Operations**

HB 7133 replaces all statutory references to the "Department of Children and Family Services" with "Department of Children and Families" to conform references within the Florida Statutes to the re-designation of the "Department of Children and Family Services" as the "Department of Children and Families" by s. 2, ch. 2012-84, L.O.F.

The bill became law on May 12, 2014, chapter 2014-19, Laws of Florida, and becomes effective July 1, 2014.

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**SB 940 (ch. 2014-20, L.O.F.) - Florida Statutes**

**By: Thrasher**

**Tied Bills: None**

**Companion Bills: HB 7135**

**Committee(s) of Reference: Rules**

**Category: Government Operations**

Section 38, ch. 2013-51, L.O.F., directed the Division of Law Revision and Information to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the terms "General Educational Development test" or "GED test" to "high school equivalency examination" and the terms "general education diploma," "graduate equivalency diploma," or "GED" to "high school equivalency diploma" wherever those terms appear in the Florida Statutes.

This bill is the product of that directive to conform the terminology.

The bill became law on May 12, 2014, chapter 2014-20, Laws of Florida, and becomes effective July 1, 2014.

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**SB 942 (ch. 2014-21, L.O.F.) - Florida Statutes**

**By: Thrasher**

**Tied Bills: None**

**Companion Bills: HB 7137**

**Committee(s) of Reference: Rules**

**Category: Government Operations**

Section 11.242(5)(j), F.S., directs the Office of Legislative Services to include duplicative, redundant, or unused statutory rulemaking authority among its proposed repeals in reviser's bill recommendations. The purpose of this directive is not to diminish the authority of executive branch agencies to adopt administrative rules necessary to implement their statutory responsibilities, but to remove unnecessary text from the statutes.

This bill is the product of that directive. The bill does not substantively affect the necessary rulemaking authority of any agency.

The bill became law on May 12, 2014, chapter 2014-21, Laws of Florida, and becomes effective July 1, 2014.

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## **Rulemaking Oversight & Repeal Subcommittee**

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### **HB 7089 - Ratification of Rules/Department of Environmental Protection**

**By: Rulemaking Oversight & Repeal Subcommittee; Ray**

**Tied Bills: None**

**Companion Bills: SB 1674**

**Committee(s) of Reference: State Affairs Committee**

**Category: Administrative Procedure, Environmental Protection**

The bill ratifies Rules 62-772.300 and 62-772.400, F.A.C., promulgated by the Florida Department of Environmental Protection under 2013 legislation revising the petroleum contamination rehabilitation program. The rules govern procurement of site rehabilitation services and contractor qualifications. Ratification allows the rules to become effective.

Each of the rules is estimated to have an economic impact in excess of \$1 million over 5 years, which impact, under current law, requires legislative ratification of a rule before it can take effect. The bill does not adopt the substance of any rule into law.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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### **HB 7097 - Ratification of Rules/Office of Insurance Regulation**

**By: Rulemaking Oversight & Repeal Subcommittee; Steube**

**Tied Bills: None**

**Companion Bills: SB 1698**

**Committee(s) of Reference: Regulatory Affairs Committee**

**Category: Administrative Procedure, Insurance**

Section 627.782(8), F.S., was amended in 2012 to require title insurers licensed in Florida to maintain statistical information required by the Office of Insurance Regulation (OIR) and to submit for the prior year by the following March 31. Subsequently, the Financial Services Commission amended Rule 690-186.013, F.A.C., specifying the information that must be submitted for OIR to analyze premium rates, policy retention rates, and the overall condition of the title insurance industry. The amended rule incorporates new forms and instructions for reporting the statistical information required.

The statement of estimated regulatory costs (SERC) prepared by OIR showed the economic impact would require ratification of the rule by the Legislature. If a SERC shows the subject rule will likely have an adverse impact on economic growth or private sector business, or will increase regulatory costs, and the projected impacts of the rule will exceed \$1 million in the aggregate in the first 5 years of

implementation of the rule, the rule cannot go into effect until submitted to and ratified by the Legislature.

The bill ratifies the rule, allowing it to take effect.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**HB 7145 - Ratification of Rules/Department of Health**

**By: Rulemaking Oversight & Repeal Subcommittee; Gaetz**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: House Health & Human Services Committee; Senate Rules**

**Category: Administrative Procedure, Health Care Facilities**

The Department of Health (DOH) determines which hospitals will serve as trauma centers in Florida. DOH establishes the procedures for creating and approving trauma centers as well as the minimum requirements for annual performance evaluations. Only verified or designated hospitals may become trauma centers. Section 395.401(2), F.S., requires DOH to adopt standards for verification based on certain national guidelines, specifically including those of the American College of Surgeons (ACS).

DOH amended Rule 64J-2.006, F.A.C., to require Level I and Level II trauma centers to maintain participation in the Trauma Quality Improvement Program of the ACS. The statement of estimated regulatory costs (SERC) prepared by DOH showed the economic impact would require ratification of the rule by the Legislature. If a SERC shows the subject rule will likely have an adverse impact on economic growth or private sector business, or will increase regulatory costs, and the projected impacts of the rule will exceed \$1 million in the aggregate in the first 5 years of implementation of the rule, the rule cannot go into effect until submitted to and ratified by the Legislature.

The bill ratifies the rule, allowing it to take effect.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 7163 - Ratification of Rules/Department of Juvenile Justice**

**By: Rulemaking Oversight & Repeal Subcommittee; Gaetz**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: House Judiciary Committee; Senate Rules**

**Category: Administrative Procedure, Juvenile Justice**

On February 24, 2014, the Department of Juvenile Justice adopted Chapters 63M-2 and 63N-1, implementing a legislative mandate to adopt rules to ensure effective provision of ordinary medical care, mental health services, substance abuse treatment services, and services to youth with developmental disabilities.

Rules 63M-2.0052, 63M-2.006, 63N-1.0076, 63N-1.0084, and 63N-1.0085, F.A.C., each impose regulatory costs, exceeding \$1 million over the first 5 years the rule is in effect. Accordingly, these rules must be ratified by the Legislature before they may go into effect.

The bill authorizes the rules to go into effect. The scope of the bill is limited to this rulemaking condition and does not adopt the substance of any rule into the statutes.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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***HOUSE OF REPRESENTATIVES***  
***Select Committee on Gaming***  
**Representative Robert Schenck, Chair**  
**Representative Doug Holder, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**





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The Select Committee on Gaming has no subcommittees under it.



***HOUSE OF REPRESENTATIVES***

***Select Committee on Health Care Workforce Innovation***

**Representative Jose Oliva, Chair**

**Representative Cary Pigman, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**







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**CS/CS/SB 1036 - Nursing Education Programs**

**By: Education; Health Policy; Grimsley**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/HB 1059**

**Committee(s) of Reference: Health Policy; Education**

**Category: Business and Professional Regulation, Health, Higher Education and Workforce**

This bill amends the Florida Nurse Practice Act to require nursing education programs that prepare students to be registered nurses (RNs) to be accredited by a nationally recognized nursing accrediting agency. A nursing program must obtain such accreditation by July 1, 2019, or within 5 years after the date of enrollment of the program's first students. The bill requires the Florida Center for Nursing and the Office of Program Policy Analysis and Government Accountability to submit to the Governor and Legislature a report by January 30 of each year through January 30, 2020, regarding the implementation of the requirements related to the approval and accreditation of nursing programs.

The bill makes the following modifications related to nursing program accountability:

- Requires students who wait six months or longer after graduation to take the National Council Licensure Examination (NCLEX) to complete a licensure examination preparatory course
- Restricts the measure of a program's NCLEX passage rate to only first-time test takers who take the exam within six months of graduation
- Provides for the recalculation of passage rates for programs that receive transfer students from a terminated nursing program
- Requires a nursing program on probationary status to establish a remediation plan that includes specific benchmarks toward reaching a graduate passage rate goal
- Authorizes the Board of Nursing to extend a program's probationary status for one additional year if the program meets a majority of the benchmarks in the remediation plan

The bill also amends provisions related to education of nurses:

- Revises the definition of "clinical training" to include clinical simulation and increases the authorized amount of clinical simulation training from 25 to 50 percent
- Requires the clinical training portion of a nursing major curriculum to occur in the United States or a possession or territory of the United States
- Exempts nurses with specialty health care certification from continuing education required at biennial license renewal

Finally, the bill revises the definition of "practical nursing" to include teaching of general principles of health and wellness to the public and to students other than nursing students.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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The Select Committee on Health Care Workforce Innovation has no subcommittees under it.

***HOUSE OF REPRESENTATIVES***

***Select Committee on PPACA (Patient Protection and  
Affordable Care Act)***

**Representative Richard Corcoran, Chair  
Representative Matt Hudson, Vice Chair**

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The Select Committee on PPACA (Patient Protection and Affordable Care Act) has no subcommittees under it.



***HOUSE OF REPRESENTATIVES***  
***State Affairs Committee***  
**Representative Jim Boyd, Chair**  
**Representative James Grant, Vice Chair**

**2014 SUMMARY OF PASSED LEGISLATION**



***Agriculture & Natural Resources Subcommittee***

Representative Matthew Caldwell, Chair  
Representative Tom Goodson, Vice Chair

***Ethics & Elections Subcommittee***

Representative Kathleen Passidomo, Chair  
Representative Jose Diaz, Vice Chair

***Government Operations Subcommittee***

Representative Frank Artiles, Chair  
Representative Larry Ahern, Vice Chair



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**CS/CS/CS/SB 846 - Governmental Ethics**

**By: Appropriations; Community Affairs; Ethics and Elections; Latvala**

**Tied Bills: None**

**Companion Bills: None**

**Committee(s) of Reference: Senate Ethics and Elections; Community Affairs; Appropriations; House State Affairs Committee**

**Category: Ethics**

The bill requires certain persons affiliated with the following quasi-governmental entities to comply with provisions of the state Code of Ethics: the Florida Clerks of Court Operations Corporation; Enterprise Florida, Inc.; the divisions of Enterprise Florida, Inc.; the Florida Development Finance Corporation; and Citizens Property Insurance Corporation.

The bill permits officers or members of the Florida Tourism Industry Marketing Corporation board of directors to vote on the 4-year marketing plan and participate in the establishment or calculation of payments related to the private match requirements, as required by law. The bill requires an annual disclosure of interests in the private match requirements.

The bill requires elected municipal officers to complete four hours of annual ethics, public records, and open meetings training; mandates all individuals required to complete the training to certify completion of the training on annual financial disclosures; and specifies that failure to certify completion of training does not constitute an immaterial, inconsequential, or de minimis error or omission.

The bill requires the Commission on Ethics ("commission") to initiate proceedings, without a complaint, against a person who has failed or refused to file an annual financial disclosure and has accrued the maximum automatic fine. If the commission initiates a proceeding, it must determine whether the failure to file was willful and, if so, recommend removal from office of certain persons.

The bill requires citizen support and direct-support organizations to adopt a code of ethics and specifies that certain provisions must be included.

The bill requires persons who lobby water management districts to annually register with the district as a lobbyist. The bill authorizes the commission to investigate complaints alleging a violation of the registration requirements.

The bill applies ethics standards to board members and certain staff of the Miami-Dade Expressway Authority ("authority"); applies certain post-officeholding restrictions to authority board members; requires disclosure of various conflicts of interest by authority board members, employees, and consultants; requires the authority's general counsel to serve as the authority's ethics officer; and requires ethics training for authority employees.

The bill allows a member of a local governmental board to abstain from voting if there is a conflict of interest under local standards of conduct in addition to or more stringent than the standards in the Code of Ethics and specifies conflict of interest disclosure requirements for those members.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 7171 - Establishing Minimum Water Flows and Levels for Water Bodies**

**By: State Affairs Committee; Brodeur and others**

**Tied Bills: None**

**Companion Bills: SB 1748**

**Committee(s) of Reference: None**

**Category: Administrative Procedure, Environmental Protection, Natural Resources**

The bill exempts Department of Environmental Protection (DEP) rules establishing minimum water flows and levels and recovery and prevention strategies for the Lower Santa Fe and Ichetucknee Rivers and associated priority springs, from the legislative ratification requirement. The bill also requires DEP to publish, when the rules are adopted, notice of the exemption from ratification in the Florida Administrative Register. This exemption applies only to the proposed rule and not to future amendments to the rule. The bill expressly states that it serves no purpose other than exempting the rule from the ratification requirement and that it will not be codified in the Florida Statutes.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**HB 7177 - OGSR/Prescription Drug Monitoring Program**

**By: State Affairs Committee; Brodeur**

**Tied Bills: None**

**Companion Bills: CS/SB 866**

**Committee(s) of Reference: None**

**Category: Government in the Sunshine, Health**

The bill saves from repeal the public record exemption for certain information held by the Department of Health (department) pursuant to the Prescription Drug Monitoring Program. In addition, the bill:

- requires a law enforcement agency to enter into a user agreement with the department before the law enforcement agency can receive the confidential and exempt information;
- provides that the Attorney General or a law enforcement agency may only share confidential and exempt information with a state attorney in response to a discovery demand for information that is directly related to a criminal case. Any unrelated information may only be released upon an order of a court; and
- clarifies that the Attorney General, law enforcement agency, or health care regulatory board may only disclose to a criminal justice or law enforcement agency information that is relevant to a specific investigation or an identified active investigation that prompted the request for the confidential and exempt information.



Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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## **Agriculture & Natural Resources Subcommittee**

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**CS/HB 47 - Spiny Lobster**

**By: Agriculture & Natural Resources Subcommittee; Raschein and others**

**Tied Bills: None**

**Companion Bills: CS/SB 194**

**Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Criminal Justice Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

**Category: Environmental Protection, Law Enforcement, Natural Resources, Sentencing**

The bill increases the penalties for the unlawful possession of spiny lobster and wrung tails by providing that it is a major violation to possess spiny lobster during the closed season or, while on the water, to possess spiny lobster tails that have been wrung or separated from the body, unless the possession is allowed by Florida Fish and Wildlife Conservation Commission rule. Any person, firm, or corporation that violates this provision is subject to the following penalties:

- A first violation is a second degree misdemeanor; if the violation involves 25 or more lobster, the violation is a first degree misdemeanor
- A second violation is a first degree misdemeanor and the violator is subject to a suspension of all license privileges for a period not to exceed 90 days
- A third violation is a first degree misdemeanor with a mandatory minimum term of imprisonment of 6 months; the violator may be assessed a civil penalty of up to \$2,500 and is subject to a suspension of all license privileges for a period not to exceed 6 months
- A third violation within one year after a second violation is a third degree felony with a mandatory minimum term of imprisonment of one year; the violator must be assessed a civil penalty of \$5,000 and all license privileges must be permanently revoked
- A fourth or subsequent violation is a third degree felony with a mandatory minimum term of imprisonment of one year; the violator must be assessed a civil penalty of \$5,000 and all license privileges must be permanently revoked.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/SB 536 - Reclaimed Water**

**By: Environmental Preservation and Conservation; Agriculture; Simpson**

**Tied Bills: None**

**Companion Bills: CS/CS/HB 601**

**Committee(s) of Reference: Agriculture; Environmental Preservation and Conservation**

**Category: Environmental Protection, Natural Resources, Utilities and Communications**

The bill directs the Department of Environmental Protection (DEP), in coordination with stakeholders, to conduct a study and submit a report on the expansion of the beneficial use of reclaimed water, storm water, and excess surface water. The report must:

- identify factors that prohibit or complicate the expansion of using reclaimed water, storm water, and excess surface water and recommend how those factors can be mitigated or eliminated;
- identify measures that would lead to the efficient use of reclaimed water;
- identify the environmental, engineering, public health, public perception, and fiscal constraints of expanding the use of reclaimed water, including utility rate structures for reclaimed water;
- identify areas where traditional water supply sources are limited and the use of reclaimed water, storm water, or excess surface water for irrigation or other uses is necessary;
- recommend permit incentives, such as extending current authorizations for long-term consumptive use permits (CUPs) for all entities that substitute reclaimed water for traditional water sources that become unavailable or otherwise cost prohibitive; and
- determine the feasibility, benefit, and cost estimate of the infrastructure needed to construct regional storage features on public or private lands for reclaimed water, storm water, and excess surface water.

The bill requires DEP to hold at least two public meetings to gather input on the study and provide an opportunity for the public to submit written comments before delivering the report, which must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor by December 1, 2015.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 955 - Fish and Wildlife Conservation Commission**

**By: State Affairs Committee; Agriculture & Natural Resources Subcommittee; Goodson**

**Tied Bills: None**

**Companion Bills: CS/SB 1126**

**Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

**Category: Environmental Protection, Law Enforcement, Local Government, Natural Resources**

The bill makes the following revisions related to various programs under the authority of the Florida Fish and Wildlife Conservation Commission (FWC):

- Allows a person who is required to take a boating safety course as a result of a boating violation to do so online, and specifies that people who must take the course because they were convicted of operating a vessel after consuming alcohol under the age of 21 must take the course at their own expense
- Extends the pilot program for the mooring of certain vessels to July 1, 2017, and requires an updated report to be submitted to the Governor and Legislature by January 1, 2017;
- Allows counties to use their portion of vessel registration revenues for additional boating-related activities
- Specifies that the annual military gold sportsman's license authorizes the same activities as the annual gold sportsman's license
- Repeals the \$2 (under 18) and \$5 (18 and older) fee FWC is authorized to charge for hunting on lands subject to cooperative agreements between FWC and the U.S. Forest Service;
- Repeals the provision allowing any person who meets certain requirements to trawl for shrimp for personal food use in the St. Johns River, if noncommercial trawling is authorized by FWC; noncommercial trawling has not been authorized by FWC since 1996
- Repeals the now outdated Special Recreational Spiny Lobster license
- Repeals the \$50 fee associated with the statewide freshwater trawl seine gear license and the \$100 fee associated with the statewide haul seine gear license
- Repeals FWC's authority to issue haul seine and trawl permits and fees for Lake Okeechobee

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**HB 1049 - Divers**

**By: Raschein and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1176**

**Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; State Affairs Committee**

**Category: Natural Resources, Safety**

The bill amends current law to give divers the option to display a divers-down buoy instead of a divers-down flag that contains the same universal divers-down symbol. Under the bill, a diver must display either the divers-down flag or the divers-down buoy, or both, when diving. The bill also requires boater education and safety courses to include a component regarding divers-down buoys, along with the divers-down flag component required in current law.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/CS/HB 1363 - Vessel Safety**

**By: State Affairs Committee; Agriculture & Natural Resources Subcommittee; Van Zant**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1594**

**Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; State Affairs Committee**

**Category: Law Enforcement, Local Government, Natural Resources, Safety**

The bill specifies that contractors who perform the relocation or removal of a vessel at the direction of the Florida Fish and Wildlife Conservation Commission (FWC) or a law enforcement agency or officer must meet certain requirements.

The bill amends the vessel safety statutes to authorize FWC, officers of FWC, and any law enforcement agency or officer to relocate a vessel that unreasonably or unnecessarily constitutes a navigational hazard or interferes with another vessel. The bill exempts FWC or any other law enforcement agency or officer from liability for damages caused by the relocation or removal of a vessel, unless the damage results from gross negligence or willful misconduct. Furthermore, the bill authorizes FWC or another law enforcement agency to recover from the vessel owner all costs, including costs owed to a third party, resulting from the relocation or removal of a vessel that unreasonably or unnecessarily constitutes a navigational hazard or interferes with another vessel. The bill requires the Department of Legal Affairs to represent FWC in actions to recover such costs.

The bill amends the public nuisance and pollutant discharge statutes to specify that, in addition to being authorized to remove a derelict vessel, FWC, an officer of FWC, and certain law enforcement agencies or officers are authorized to relocate or cause to be relocated a derelict vessel from public waters. The bill also exempts FWC or a law enforcement agency from liability for damages caused by the relocation or removal of a derelict vessel authorized by the bill, unless the damage results from gross negligence or willful misconduct. The bill authorizes FWC or other law enforcement agencies to recover from the vessel owner all costs, including costs owed to a third party, incurred by FWC or other law enforcement agencies for relocating a derelict vessel, and specifies that all third-party costs that are incurred by the FWC or other law enforcement agencies in the relocation or removal of the derelict vessel can be recovered from the vessel owner.

The bill defines "gross negligence" to mean conduct so reckless or wanting in care that it constitutes a conscious disregard or indifference to the safety of the property exposed to such conduct. The bill also defines "willful misconduct" to mean conduct evidencing carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design or to show an intentional and substantial disregard of the interests of the vessel owner.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 7091 - Department of Agriculture and Consumer Services**

**By: State Affairs Committee; Agriculture & Natural Resources Subcommittee; Pigman and others**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 1630**

**Committee(s) of Reference: Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

**Category: Agriculture, Environmental Protection, Local Government, Natural Resources, Taxes**

The bill addresses a number of issues relating to the powers and duties of the Department of Agriculture and Consumer Services (department). The bill primarily reorganizes the department's general authorizing statute, ch. 570, F.S., into five separate "parts," creating a new Part V that consolidates all of the provisions establishing fines enforced by the department that are currently spread throughout several different chapters. The bill does not increase, and in some cases decreases, fines currently in law. Among other things, the bill:

- expands the authority of the Florida Forest Service, under certain conditions, to grant leases, permits, privileges, and concessions for the use of state forest lands to include any lands leased by or assigned to the Florida Forest Service for management purposes;
- allows landowners who miss the March 1 application deadline for obtaining an agricultural classification on their lands for property tax purposes to provide the property appraiser evidence that the applicant was unable to apply in a timely manner or otherwise demonstrate extenuating circumstances; if the property appraiser finds the evidence sufficient, the classification may be granted;
- allows agricultural lands participating in a dispersed water storage program to retain an agricultural classification and requires those lands to be assessed as nonproductive agricultural lands. If the land is diverted to a non-agricultural use, it must be assessed as any other non-agricultural land;
- authorizes the department to close a food facility if the department finds it poses an immediate danger or threat to public health, safety, and welfare;
- authorizes the department to issue a stop-use, removal, or hold order if the department has probable cause to believe that a food processing area or food storage area is in violation of current laws so as to be dangerous or unsanitary;
- removes the requirement that a fertilizer company post a surety bond to ensure payment of certain required fees. The department has authority elsewhere to enforce and collect these fees;
- repeals a pilot program related to use of Australian pine trees and authorizes use of the trees statewide as a windbreak for citrus groves with a valid permit;
- brings Florida into compliance with the Interstate Shellfish Sanitation Conference regarding mandatory training requirements for the Shellfish Model Ordinance; and
- specifies that businesses must have a food permit and pay fees prior to opening for business, and that food permits are not transferable to a different location or owner.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/HB 7093 – Department of Environmental Protection**

**By: State Affairs Committee; Agriculture & Natural Resources Subcommittee; Rooney and others**

**Tied Bills: None**

**Companion Bills: CS/SB 1582**

**Committee(s) of Reference: Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee**

**Category: Environmental Protection, Government Operations, Natural Resources**

The bill repeals the Preapproval Program within the Department of Environmental Protection's (DEP's) Petroleum Restoration Program. Thus, DEP will no longer preapprove site rehabilitation work based on templated costs. Instead, the bill requires all site rehabilitation work to be competitively procured pursuant to ch. 287, F.S., or rules adopted by DEP. The bill requires the department's rules to specify that only vendors who meet the minimum qualifications in current law may submit responses on a competitive solicitation or perform site rehabilitation work. Competitive bidding for site rehabilitation projects is no longer exempt from the requirements of the Consultants' Competitive Negotiation Act. Furthermore, the bill allows an applicant for the Advanced Cleanup Program to use a commitment to pay or demonstration of a cost savings to meet the required cost share commitment when bundling 20 or more sites in a single contract.

The bill expands the activities that qualify for a DEP-issued area-wide permit to include the construction of minor structures. The bill also adds dune restoration and on-grade walkovers for accessibility or use in compliance with the Americans with Disabilities Act to the list of specific activities or structures that are considered minor structures and special classes of activities. The bill authorizes DEP to grant a general permit for dune restoration, swimming pools associated with single-family habitable structures that do not advance the line of existing construction and satisfy all siting and design requirements, and minor reconstruction for existing coastal armoring structures.

The bill requires DEP to promote the public use of aquatic preserves, authorizes DEP to receive gifts and donations to carry out the purpose of the Florida Aquatic Preserves Act, and authorizes DEP to grant a privilege or concession for the accommodation of visitors to aquatic preserves and their associated state-owned uplands if certain criteria are met. The bill also provides that after May 1, 2014, the Division of Parks and Recreation, within DEP, is prohibited from granting new concession agreements for the accommodation of visitors in a state park that provides beach access and contains less than 7,000 linear feet of shoreline if the type of concession is available within 1,500 feet of the park's boundaries.

Lastly, the bill appropriates \$1.5 million from the General Revenue Fund to DEP to be distributed to the Southwest Florida Water Management District to purchase property for the construction of a stormwater retention pond to mitigate flooding in Pasco County.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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## **Ethics & Elections Subcommittee**

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The Ethics & Elections Subcommittee was not first reference on any bill that passed both houses of the Legislature.

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## **Government Operations Subcommittee**

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### **CS/HB 9 - Legislative Session Dates**

**By: State Affairs Committee; Nuñez and others**

**Tied Bills: None**

**Companion Bills: CS/SB 72**

**Committee(s) of Reference: Government Operations Subcommittee; State Affairs Committee**

**Category: Government Operations**

The bill requires the 2016 Regular Session of the Legislature to convene on January 12, 2016.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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### **CS/SB 106 (ch. 2014-7, L.O.F.) - County Employees**

**By: Governmental Oversight and Accountability; Dean**

**Tied Bills: None**

**Companion Bills: CS/HB 21**

**Committee(s) of Reference: Community Affairs; Governmental Oversight and Accountability; Rules**

**Category: Government Operations, Local Government, Public Employees**

The bill clarifies that the existing authority of counties to employ personnel includes the ability to determine available benefits for different types of positions, including, but not limited to, insurance coverage and paid leave. It also clarifies that ch. 121, F.S., governs the participation of county employees in the Florida Retirement System.

The bill became law on May 12, 2014, chapter 2014-7, Laws of Florida, and becomes effective July 1, 2014.

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**HB 117 (ch. 2014-28, L.O.F.) - Public Retirement Plans**

**By: Ray and others**

**Tied Bills: None**

**Companion Bills: SB 388**

**Committee(s) of Reference: Government Operations Subcommittee; Finance & Tax Subcommittee; State Affairs Committee**

**Category: Local Government, Retirement**

The bill expands the applicability of the Marvin B. Clayton Police Officers Pension Trust Fund Act to municipalities organized as a single consolidated government consisting of a former county and one or more municipalities. The bill requires the consolidated government to notify the Department of Management Services, Division of Retirement, when it enters into an interlocal agreement to provide police services to a municipality within its boundaries. It provides that the municipality may enact an ordinance to levy a premium tax as authorized in law, and the municipality may distribute any premium taxes reported for the municipality to the consolidated government as long as the interlocal agreement is in effect.

The bill became law on May 12, 2014, chapter 2014-28, Laws of Florida, and becomes effective July 1, 2014.

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**SB 506 - OGSR/Florida Insurance Guaranty Association**

**By: Banking and Insurance**

**Tied Bills: None**

**Companion Bills: HB 7045**

**Committee(s) of Reference: Ethics and Elections; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Insurance**

The bill saves from repeal the public record exemption for the Florida Insurance Guaranty Association for claims files, medical records, and records pertaining to matters reasonably encompassed in privileged attorney-client communications.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/SB 646 (ch. 2014-11, L.O.F.) - OGSR/Postsecondary Education Records and Applicant Records**

**By: Governmental Oversight and Accountability; Montford**

**Tied Bills: None**

**Companion Bills: HB 7121**

**Committee(s) of Reference: Education; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Higher Education and Workforce**

The bill saves from repeal the public record exemption for education and applicant records held by a public postsecondary educational institution.

The bill became law on May 12, 2014, chapter 2014-11, Laws of Florida, and becomes effective October 1, 2014.

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**CS/SB 648 (ch. 2014-12, L.O.F.) - OGSR/K-12 Education Records**

**By: Governmental Oversight and Accountability; Montford**

**Tied Bills: None**

**Companion Bills: HB 7119**

**Committee(s) of Reference: Education; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Pre-K through 12 Education**

The bill saves from repeal the public record exemption for K-12 education records held by an educational agency or institution.

The bill became law on May 12, 2014, chapter 2014-12, Laws of Florida, and becomes effective October 1, 2014.

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**CS/SB 650 - OGSR/Inventories of an Estate or Elective Estate**

**By: Governmental Oversight and Accountability; Judiciary**

**Tied Bills: None**

**Companion Bills: HB 7101**

**Committee(s) of Reference: Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine**

The bill saves from repeal the public record exemption for an inventory of an estate or elective estate, or an accounting filed in an estate proceeding.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 656 (ch. 2014-13, L.O.F.) - OGSR/Active Investigations of Allegations of Testing Impropriety**

**By: Governmental Oversight and Accountability; Montford**

**Tied Bills: None**

**Companion Bills: HB 7115**

**Committee(s) of Reference: Education; Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Higher Education and Workforce, Pre-K through 12 Education**

The bill saves from repeal the public record exemption for certain information obtained by or reported to the Department of Education during an active investigation of an allegation of testing impropriety.

The bill became law on May 12, 2014, chapter 2014-13, Laws of Florida, and becomes effective October 1, 2014.

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**CS/CS/HB 811 - Foreign Investments**

**By: Appropriations Committee; Government Operations Subcommittee; Hager and others**

**Tied Bills: None**

**Companion Bills: CS/CS/CS/SB 948**

**Committee(s) of Reference: Government Operations Subcommittee; Appropriations Committee**

**Category: Government Operations, Insurance, Retirement**

The bill allows the State Board of Administration (SBA) to invest up to 50 percent of its funds in foreign corporate securities and obligations, an increase from the current maximum of 35 percent.

The bill modifies the Protecting Florida's Investment Act to provide that SBA investments in exchange-traded funds are not subject to divestiture requirements. It also makes terminology changes to reflect that South Sudan is now an independent nation.

The bill requires a domestic insurer to report annually to the Office of Insurance Regulation a list of investments the insurer has in companies included on the SBA's Scrutinized Companies list.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**CS/SB 858 - OGSR/Florida Defense Support Task Force**

**By: Governmental Oversight and Accountability; Military and Veterans Affairs, Space, and Domestic Security**

**Tied Bills: None**

**Companion Bills: HB 7103**

**Committee(s) of Reference: Governmental Oversight and Accountability**

**Category: Government in the Sunshine, Military**

The bill saves from repeal the public record and public meeting exemptions for the Florida Defense Support Task Force regarding the United States base realignment and closure process.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**HB 953 - State Contracting**

**By: Peters**

**Tied Bills: None**

**Companion Bills: SB 914**

**Committee(s) of Reference: Government Operations Subcommittee; Government Operations Appropriations Subcommittee; State Affairs Committee**

**Category: Government Operations**

The bill requires state agencies to consider the prior relevant experience of a vendor when evaluating the responses to a request for proposal or invitation to negotiate. Currently, agencies may consider prior relevant experience but are not required to do so.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 996 - OGSR/Scripps Florida Funding Corporation**

**By: Commerce and Tourism**

**Tied Bills: None**

**Companion Bills: HB 7047**

**Committee(s) of Reference: Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Repeals of Existing Laws**

The bill repeals the public record and public meeting exemptions for the Scripps Florida Funding Corporation.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**SB 1108 - OGSR/Children of Agency Officers and Employees/Identifying Information**

**By: Community Affairs**

**Tied Bills: None**

**Companion Bills: HB 7049**

**Committee(s) of Reference: Governmental Oversight and Accountability; Rules**

**Category: Government in the Sunshine, Public Employees**

The bill saves from repeal the public record exemption for personal identifying information of a dependent child of an agency officer or employee when that child is insured under an agency group insurance plan.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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**CS/SB 1194 - Citizen Support and Direct-support Organizations**

**By: Appropriations; Governmental Oversight and Accountability**

**Tied Bills: None**

**Companion Bills: CS/HB 1153**

**Committee(s) of Reference: Community Affairs; Appropriations**

**Category: Government Operations**

The bill creates new reporting and transparency requirements for each citizen support organization (CSO) and direct-support organization (DSO) created or authorized pursuant to law or executive order and created, approved, or administered by a state agency.

The bill requires each CSO and DSO to report information related to its organization, mission, and finances to the agency it was created to support. It also provides contract requirements, including provisions for terminating the contract, related to the reporting of information by the CSO or DSO.

The bill requires each agency receiving reported information from a CSO or DSO to make the information available on the agency's website and to provide a link to the CSO's or DSO's website if such a website exists. Each agency must annually report the information to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability, and must make a recommendation on whether to continue, terminate, or modify the agency's association with the CSO or DSO.

A law creating or authorizing the creation of a CSO or DSO must state that the creation or authorization is repealed on October 1 of the fifth year after enactment, unless reviewed and saved from repeal through reenactment by the Legislature. The bill directs the Legislature to review certain CSOs and DSOs by a date certain. It also provides for the future repeal of certain sections of law authorizing CSOs and DSOs unless those sections are reviewed and saved from repeal by the Legislature.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law.

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**CS/CS/HB 1385 - Inspectors General**

**By: Appropriations Committee; Government Operations Subcommittee; Raulerson**

**Tied Bills: None**

**Companion Bills: CS/CS/SB 1328**

**Committee(s) of Reference: Government Operations Subcommittee; Appropriations Committee**

**Category: Government Operations**

The bill provides that upon a change in Governors or reelection of the Governor, the Governor must appoint or reappoint a Chief Inspector General (CIG) before adjournment sine die of the first regular session of the Legislature that convenes after such change in Governors or reelection.

The bill increases the independence of each inspector general in a state agency under the jurisdiction of the Governor. Such inspectors general must report to the CIG and may only be hired by the CIG. Such inspectors general may only be removed from office by the CIG for cause.

The bill provides that agency heads may request, rather than direct, the inspector general to perform audits.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2014.

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**SB 1678 - OGSR/Agency Personnel Information**

**By: Governmental Oversight and Accountability**

**Tied Bills: None**

**Companion Bills: HB 7143**

**Committee(s) of Reference: Community Affairs; Rules**

**Category: Government in the Sunshine, Public Employees**

The bill saves from repeal the public record exemption for social security numbers of current and former agency employees held by the employing agency.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2014.

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SB 730	<a href="#">SB 730</a>	<a href="#">Local &amp; Federal Affairs Committee</a>
HB 731	<a href="#">HB 731</a>	<a href="#">Economic Affairs Committee</a>
SB 734	<a href="#">HB 511</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 743	<a href="#">SB 708</a>	<a href="#">Regulatory Affairs Committee</a>
SB 744	<a href="#">HB 977</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 745	<a href="#">SB 702</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 749	<a href="#">SB 398</a>	<a href="#">Economic Affairs Committee</a>
SB 754	<a href="#">SB 754</a>	<a href="#">Economic Affairs Committee</a>
HB 755	<a href="#">HB 755</a>	<a href="#">Judiciary Committee</a>
HB 757	<a href="#">HB 757</a>	<a href="#">Judiciary Committee</a>
SB 758	<a href="#">HB 805</a>	<a href="#">Regulatory Affairs Committee</a>
HB 759	<a href="#">SB 708</a>	<a href="#">Regulatory Affairs Committee</a>
HB 761	<a href="#">SB 392</a>	<a href="#">Economic Affairs Committee</a>
SB 762	<a href="#">SB 762</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 766	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 768	<a href="#">HB 989</a>	<a href="#">Judiciary Committee</a>
HB 769	<a href="#">HB 5601</a>	<a href="#">Appropriations Committee</a>
SB 772	<a href="#">SB 218</a>	<a href="#">Economic Affairs Committee</a>
HB 773	<a href="#">HB 773</a>	<a href="#">Regulatory Affairs Committee</a>
HB 775	<a href="#">HB 775</a>	<a href="#">Regulatory Affairs Committee</a>
SB 780	<a href="#">HB 697</a>	<a href="#">Judiciary Committee</a>
HB 781	<a href="#">HB 781</a>	<a href="#">Judiciary Committee</a>
HB 783	<a href="#">HB 783</a>	<a href="#">Regulatory Affairs Committee</a>
HB 785	<a href="#">HB 785</a>	<a href="#">Regulatory Affairs Committee</a>
SB 788	<a href="#">HB 797</a>	<a href="#">Judiciary Committee</a>
SB 796	<a href="#">SB 796</a>	<a href="#">Regulatory Affairs Committee</a>
HB 797	<a href="#">HB 797</a>	<a href="#">Judiciary Committee</a>

<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
SB 798	<a href="#">HB 807</a>	<a href="#">Judiciary Committee</a>
HB 803	<a href="#">HB 803</a>	<a href="#">Appropriations Committee</a>
HB 805	<a href="#">HB 805</a>	<a href="#">Regulatory Affairs Committee</a>
HB 805	<a href="#">HB 321</a>	<a href="#">Regulatory Affairs Committee</a>
HB 807	<a href="#">HB 807</a>	<a href="#">Judiciary Committee</a>
SB 808	<a href="#">HB 775</a>	<a href="#">Regulatory Affairs Committee</a>
SB 810	<a href="#">HB 773</a>	<a href="#">Regulatory Affairs Committee</a>
HB 811	<a href="#">HB 811</a>	<a href="#">State Affairs Committee</a>
HB 815	<a href="#">HB 5601</a>	<a href="#">Appropriations Committee</a>
SB 820	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 820	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 820	<a href="#">SB 820</a>	<a href="#">Economic Affairs Committee</a>
SB 826	<a href="#">HB 405</a>	<a href="#">Judiciary Committee</a>
SB 828	<a href="#">SB 828</a>	<a href="#">Judiciary Committee</a>
SB 832	<a href="#">HB 783</a>	<a href="#">Regulatory Affairs Committee</a>
SB 834	<a href="#">HB 781</a>	<a href="#">Judiciary Committee</a>
SB 836	<a href="#">SB 836</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 839	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 840	<a href="#">HB 711</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 843	<a href="#">SB 1030</a>	<a href="#">Judiciary Committee</a>
SB 846	<a href="#">SB 846</a>	<a href="#">State Affairs Committee</a>
HB 847	<a href="#">HB 5601</a>	<a href="#">Appropriations Committee</a>
SB 850	<a href="#">SB 850</a>	<a href="#">Education Committee</a>
HB 851	<a href="#">HB 851</a>	<a href="#">Education Committee</a>
SB 856	<a href="#">SB 828</a>	<a href="#">Judiciary Committee</a>
SB 858	<a href="#">SB 858</a>	<a href="#">State Affairs Committee</a>
SB 860	<a href="#">HB 7015</a>	<a href="#">Economic Affairs Committee</a>
HB 863	<a href="#">HB 863</a>	<a href="#">Economic Affairs Committee</a>
SB 864	<a href="#">SB 864</a>	<a href="#">Education Committee</a>
HB 865	<a href="#">HB 865</a>	<a href="#">Economic Affairs Committee</a>
SB 866	<a href="#">HB 7177</a>	<a href="#">State Affairs Committee</a>
SB 872	<a href="#">HB 709</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 876	<a href="#">HB 865</a>	<a href="#">Economic Affairs Committee</a>
SB 876	<a href="#">HB 863</a>	<a href="#">Economic Affairs Committee</a>
HB 879	<a href="#">SB 542</a>	<a href="#">Regulatory Affairs Committee</a>
HB 883	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 886	<a href="#">HB 337</a>	<a href="#">Education Committee</a>
SB 898	<a href="#">HB 803</a>	<a href="#">Appropriations Committee</a>
HB 899	<a href="#">HB 5601</a>	<a href="#">Appropriations Committee</a>

<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
HB 903	<a href="#">SB 386</a>	<a href="#">Judiciary Committee</a>
SB 914	<a href="#">HB 953</a>	<a href="#">State Affairs Committee</a>
SB 918	<a href="#">HB 1047</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 921	<a href="#">SB 864</a>	<a href="#">Education Committee</a>
HB 927	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 928	<a href="#">HB 7073</a>	<a href="#">Appropriations Committee</a>
SB 932	<a href="#">SB 932</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 934	<a href="#">SB 934</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 936	<a href="#">SB 936</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 938	<a href="#">SB 938</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 940	<a href="#">SB 940</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 942	<a href="#">SB 942</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 947	<a href="#">SB 1070</a>	<a href="#">Economic Affairs Committee</a>
SB 948	<a href="#">HB 811</a>	<a href="#">State Affairs Committee</a>
SB 950	<a href="#">HB 433</a>	<a href="#">Education Committee</a>
SB 952	<a href="#">HB 785</a>	<a href="#">Regulatory Affairs Committee</a>
HB 953	<a href="#">HB 953</a>	<a href="#">State Affairs Committee</a>
HB 955	<a href="#">HB 955</a>	<a href="#">State Affairs Committee</a>
SB 972	<a href="#">HB 561</a>	<a href="#">Judiciary Committee</a>
SB 976	<a href="#">HB 1179</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 977	<a href="#">HB 977</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 979	<a href="#">HB 979</a>	<a href="#">Economic Affairs Committee</a>
HB 989	<a href="#">HB 989</a>	<a href="#">Judiciary Committee</a>
HB 993	<a href="#">HB 993</a>	<a href="#">Education Committee</a>
SB 996	<a href="#">SB 996</a>	<a href="#">State Affairs Committee</a>
SB 998	<a href="#">HB 757</a>	<a href="#">Judiciary Committee</a>
SB 1002	<a href="#">HB 415</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1006	<a href="#">HB 413</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1008	<a href="#">HB 609</a>	<a href="#">Judiciary Committee</a>
SB 1010	<a href="#">SB 1010</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1012	<a href="#">SB 1012</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1015	<a href="#">HB 5601</a>	<a href="#">Appropriations Committee</a>
HB 1017	<a href="#">HB 989</a>	<a href="#">Judiciary Committee</a>
SB 1018	<a href="#">HB 7051</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1024	<a href="#">SB 1024</a>	<a href="#">Economic Affairs Committee</a>
HB 1027	<a href="#">SB 1174</a>	<a href="#">Local &amp; Federal Affairs Committee</a>
HB 1029	<a href="#">HB 409</a>	<a href="#">Judiciary Committee</a>
SB 1030	<a href="#">SB 1030</a>	<a href="#">Judiciary Committee</a>
SB 1032	<a href="#">HB 489</a>	<a href="#">Judiciary Committee</a>

<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
HB 1035	<a href="#">SB 1344</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1036	<a href="#">SB 1036</a>	<a href="#">Select Committee on Health Care Workforce Innovation</a>
SB 1044	<a href="#">HB 7147</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1046	<a href="#">HB 865</a>	<a href="#">Economic Affairs Committee</a>
SB 1046	<a href="#">HB 863</a>	<a href="#">Economic Affairs Committee</a>
HB 1047	<a href="#">HB 1047</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1048	<a href="#">HB 1161</a>	<a href="#">Economic Affairs Committee</a>
SB 1048	<a href="#">SB 218</a>	<a href="#">Economic Affairs Committee</a>
SB 1048	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 1048	<a href="#">HB 7175</a>	<a href="#">Economic Affairs Committee</a>
HB 1049	<a href="#">HB 1049</a>	<a href="#">State Affairs Committee</a>
SB 1050	<a href="#">SB 272</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1057	<a href="#">SB 1142</a>	<a href="#">Economic Affairs Committee</a>
HB 1059	<a href="#">SB 1036</a>	<a href="#">Select Committee on Health Care Workforce Innovation</a>
SB 1060	<a href="#">HB 7029</a>	<a href="#">Education Committee</a>
HB 1065	<a href="#">HB 1065</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1068	<a href="#">HB 1065</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1070	<a href="#">SB 1070</a>	<a href="#">Economic Affairs Committee</a>
SB 1084	<a href="#">HB 515</a>	<a href="#">Judiciary Committee</a>
HB 1089	<a href="#">HB 1089</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1090	<a href="#">HB 979</a>	<a href="#">Economic Affairs Committee</a>
SB 1106	<a href="#">HB 7147</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1108	<a href="#">SB 1108</a>	<a href="#">State Affairs Committee</a>
HB 1109	<a href="#">SB 1672</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1122	<a href="#">HB 1131</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1126	<a href="#">HB 955</a>	<a href="#">State Affairs Committee</a>
HB 1131	<a href="#">HB 1131</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1140	<a href="#">SB 1140</a>	<a href="#">Economic Affairs Committee</a>
SB 1142	<a href="#">SB 1142</a>	<a href="#">Economic Affairs Committee</a>
SB 1152	<a href="#">HB 1161</a>	<a href="#">Economic Affairs Committee</a>
SB 1152	<a href="#">HB 7175</a>	<a href="#">Economic Affairs Committee</a>
HB 1153	<a href="#">SB 1194</a>	<a href="#">State Affairs Committee</a>
HB 1161	<a href="#">HB 1161</a>	<a href="#">Economic Affairs Committee</a>
HB 1161	<a href="#">SB 218</a>	<a href="#">Economic Affairs Committee</a>
HB 1161	<a href="#">HB 7175</a>	<a href="#">Economic Affairs Committee</a>
SB 1174	<a href="#">SB 1174</a>	<a href="#">Local &amp; Federal Affairs Committee</a>
SB 1176	<a href="#">HB 1049</a>	<a href="#">State Affairs Committee</a>
HB 1179	<a href="#">HB 1179</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 1181	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>



<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
SB 1184	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 1188	<a href="#">SB 1188</a>	<a href="#">Judiciary Committee</a>
HB 1191	<a href="#">SB 450</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1193	<a href="#">SB 1024</a>	<a href="#">Economic Affairs Committee</a>
SB 1194	<a href="#">SB 1194</a>	<a href="#">State Affairs Committee</a>
SB 1206	<a href="#">HB 487</a>	<a href="#">Education Committee</a>
SB 1208	<a href="#">HB 517</a>	<a href="#">Judiciary Committee</a>
SB 1210	<a href="#">SB 708</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1210	<a href="#">HB 633</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1216	<a href="#">HB 7095</a>	<a href="#">Economic Affairs Committee</a>
SB 1226	<a href="#">HB 7031</a>	<a href="#">Education Committee</a>
SB 1234	<a href="#">HB 41</a>	<a href="#">Judiciary Committee</a>
HB 1237	<a href="#">SB 1632</a>	<a href="#">Local &amp; Federal Affairs Committee</a>
SB 1238	<a href="#">SB 1238</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1260	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
SB 1260	<a href="#">SB 1672</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1260	<a href="#">SB 1308</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1260	<a href="#">SB 708</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1262	<a href="#">SB 1262</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1267	<a href="#">SB 1238</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1269	<a href="#">SB 1320</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1271	<a href="#">SB 1308</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1272	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
HB 1273	<a href="#">SB 1300</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1274	<a href="#">HB 1089</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1278	<a href="#">SB 1278</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1300	<a href="#">SB 1300</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1308	<a href="#">SB 1308</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1320	<a href="#">SB 1320</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1321	<a href="#">SB 272</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1328	<a href="#">HB 1385</a>	<a href="#">State Affairs Committee</a>
SB 1344	<a href="#">SB 1344</a>	<a href="#">Regulatory Affairs Committee</a>
HB 1363	<a href="#">HB 1363</a>	<a href="#">State Affairs Committee</a>
SB 1366	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
HB 1385	<a href="#">HB 1385</a>	<a href="#">State Affairs Committee</a>
SB 1400	<a href="#">HB 851</a>	<a href="#">Education Committee</a>
SB 1466	<a href="#">HB 7037</a>	<a href="#">Judiciary Committee</a>
SB 1512	<a href="#">SB 850</a>	<a href="#">Education Committee</a>
SB 1524	<a href="#">SB 1524</a>	<a href="#">Judiciary Committee</a>

<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
SB 1526	<a href="#">SB 1526</a>	<a href="#">Judiciary Committee</a>
SB 1556	<a href="#">HB 489</a>	<a href="#">Judiciary Committee</a>
SB 1564	<a href="#">SB 820</a>	<a href="#">Economic Affairs Committee</a>
SB 1582	<a href="#">HB 7093</a>	<a href="#">State Affairs Committee</a>
SB 1594	<a href="#">HB 1363</a>	<a href="#">State Affairs Committee</a>
SB 1630	<a href="#">HB 7091</a>	<a href="#">State Affairs Committee</a>
SB 1632	<a href="#">SB 1632</a>	<a href="#">Local &amp; Federal Affairs Committee</a>
SB 1634	<a href="#">HB 7023</a>	<a href="#">Economic Affairs Committee</a>
SB 1636	<a href="#">SB 1636</a>	<a href="#">Judiciary Committee</a>
SB 1642	<a href="#">SB 1642</a>	<a href="#">Education Committee</a>
SB 1654	<a href="#">HB 7081</a>	<a href="#">Appropriations Committee</a>
SB 1664	<a href="#">SB 1664</a>	<a href="#">Judiciary Committee</a>
SB 1666	<a href="#">SB 1666</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1672	<a href="#">SB 1672</a>	<a href="#">Regulatory Affairs Committee</a>
SB 1674	<a href="#">HB 7089</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 1676	<a href="#">SB 1676</a>	<a href="#">Appropriations Committee</a>
SB 1678	<a href="#">SB 1678</a>	<a href="#">State Affairs Committee</a>
SB 1698	<a href="#">HB 7097</a>	<a href="#">Rules &amp; Calendar Committee</a>
SB 1700	<a href="#">SB 1700</a>	<a href="#">Judiciary Committee</a>
SB 1724	<a href="#">HB 7141</a>	<a href="#">Health &amp; Human Services Committee</a>
SB 1748	<a href="#">HB 7171</a>	<a href="#">State Affairs Committee</a>
SB 2500	<a href="#">HB 5001</a>	<a href="#">Appropriations Committee</a>
SB 2502	<a href="#">HB 5003</a>	<a href="#">Appropriations Committee</a>
SB 2504	<a href="#">HB 5007</a>	<a href="#">Appropriations Committee</a>
SB 2506	<a href="#">HB 5005</a>	<a href="#">Appropriations Committee</a>
SB 2508	<a href="#">HB 5303</a>	<a href="#">Appropriations Committee</a>
SB 2510	<a href="#">SB 2510</a>	<a href="#">Appropriations Committee</a>
SB 2512	<a href="#">HB 5201</a>	<a href="#">Appropriations Committee</a>
SB 2514	<a href="#">SB 218</a>	<a href="#">Appropriations Committee</a>
SB 2514	<a href="#">SB 2514</a>	<a href="#">Appropriations Committee</a>
HB 4007	<a href="#">HB 7147</a>	<a href="#">Regulatory Affairs Committee</a>
HB 4017	<a href="#">SB 1010</a>	<a href="#">Regulatory Affairs Committee</a>
HB 5001	<a href="#">HB 5001</a>	<a href="#">Appropriations Committee</a>
HB 5003	<a href="#">HB 5003</a>	<a href="#">Appropriations Committee</a>
HB 5005	<a href="#">HB 5005</a>	<a href="#">Appropriations Committee</a>
HB 5007	<a href="#">HB 5007</a>	<a href="#">Appropriations Committee</a>
HB 5101	<a href="#">HB 851</a>	<a href="#">Appropriations Committee</a>
HB 5101	<a href="#">HB 5101</a>	<a href="#">Appropriations Committee</a>
HB 5201	<a href="#">HB 5201</a>	<a href="#">Appropriations Committee</a>

<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
HB 5203	<a href="#">HB 5203</a>	<a href="#">Appropriations Committee</a>
HB 5301	<a href="#">HB 5301</a>	<a href="#">Appropriations Committee</a>
HB 5303	<a href="#">HB 5303</a>	<a href="#">Appropriations Committee</a>
HB 5403	<a href="#">HB 5403</a>	<a href="#">Appropriations Committee</a>
HB 5501	<a href="#">HB 5501</a>	<a href="#">Appropriations Committee</a>
HB 5601	<a href="#">HB 5601</a>	<a href="#">Appropriations Committee</a>
HB 7003	<a href="#">SB 828</a>	<a href="#">Judiciary Committee</a>
HB 7005	<a href="#">HB 7005</a>	<a href="#">Economic Affairs Committee</a>
HB 7005	<a href="#">SB 820</a>	<a href="#">Economic Affairs Committee</a>
HB 7007	<a href="#">HB 7007</a>	<a href="#">Economic Affairs Committee</a>
HB 7009	<a href="#">HB 7009</a>	<a href="#">Regulatory Affairs Committee</a>
HB 7011	<a href="#">SB 1140</a>	<a href="#">Economic Affairs Committee</a>
HB 7013	<a href="#">SB 522</a>	<a href="#">Judiciary Committee</a>
HB 7015	<a href="#">HB 7015</a>	<a href="#">Economic Affairs Committee</a>
HB 7017	<a href="#">SB 526</a>	<a href="#">Judiciary Committee</a>
HB 7019	<a href="#">SB 522</a>	<a href="#">Judiciary Committee</a>
HB 7021	<a href="#">SB 522</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 7021	<a href="#">SB 524</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 7023	<a href="#">HB 7023</a>	<a href="#">Economic Affairs Committee</a>
HB 7025	<a href="#">SB 528</a>	<a href="#">Judiciary Committee</a>
HB 7027	<a href="#">SB 526</a>	<a href="#">Judiciary Committee</a>
HB 7029	<a href="#">HB 7029</a>	<a href="#">Education Committee</a>
HB 7031	<a href="#">HB 7031</a>	<a href="#">Education Committee</a>
HB 7033	<a href="#">SB 850</a>	<a href="#">Education Committee</a>
HB 7035	<a href="#">HB 7035</a>	<a href="#">Judiciary Committee</a>
HB 7037	<a href="#">HB 7037</a>	<a href="#">Judiciary Committee</a>
HB 7041	<a href="#">SB 680</a>	<a href="#">Appropriations Committee</a>
HB 7043	<a href="#">SB 682</a>	<a href="#">Appropriations Committee</a>
HB 7045	<a href="#">SB 506</a>	<a href="#">State Affairs Committee</a>
HB 7047	<a href="#">SB 996</a>	<a href="#">State Affairs Committee</a>
HB 7049	<a href="#">SB 1108</a>	<a href="#">State Affairs Committee</a>
HB 7051	<a href="#">HB 7051</a>	<a href="#">Regulatory Affairs Committee</a>
HB 7053	<a href="#">SB 684</a>	<a href="#">Appropriations Committee</a>
HB 7055	<a href="#">HB 7055</a>	<a href="#">Judiciary Committee</a>
HB 7059	<a href="#">SB 686</a>	<a href="#">Appropriations Committee</a>
HB 7061	<a href="#">SB 688</a>	<a href="#">Appropriations Committee</a>
HB 7063	<a href="#">SB 754</a>	<a href="#">Economic Affairs Committee</a>
HB 7067	<a href="#">SB 676</a>	<a href="#">Appropriations Committee</a>
HB 7073	<a href="#">HB 7073</a>	<a href="#">Appropriations Committee</a>

<b>Bills</b>	<b>Passed As /In</b>	<b>Committee</b>
HB 7077	<a href="#">HB 7077</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 7079	<a href="#">SB 678</a>	<a href="#">Appropriations Committee</a>
HB 7081	<a href="#">HB 7081</a>	<a href="#">Appropriations Committee</a>
HB 7085	<a href="#">SB 1524</a>	<a href="#">Judiciary Committee</a>
HB 7087	<a href="#">SB 1526</a>	<a href="#">Judiciary Committee</a>
HB 7089	<a href="#">HB 7089</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7091	<a href="#">HB 7091</a>	<a href="#">State Affairs Committee</a>
HB 7093	<a href="#">HB 7093</a>	<a href="#">State Affairs Committee</a>
HB 7095	<a href="#">HB 7095</a>	<a href="#">Economic Affairs Committee</a>
HB 7097	<a href="#">HB 7097</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7099	<a href="#">SB 850</a>	<a href="#">Education Committee</a>
HB 7101	<a href="#">SB 650</a>	<a href="#">State Affairs Committee</a>
HB 7103	<a href="#">SB 858</a>	<a href="#">State Affairs Committee</a>
HB 7115	<a href="#">SB 656</a>	<a href="#">State Affairs Committee</a>
HB 7117	<a href="#">SB 1642</a>	<a href="#">Education Committee</a>
HB 7119	<a href="#">SB 648</a>	<a href="#">State Affairs Committee</a>
HB 7121	<a href="#">SB 646</a>	<a href="#">State Affairs Committee</a>
HB 7123	<a href="#">SB 156</a>	<a href="#">Appropriations Committee</a>
HB 7125	<a href="#">SB 1636</a>	<a href="#">Judiciary Committee</a>
HB 7127	<a href="#">SB 932</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7129	<a href="#">SB 934</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7131	<a href="#">SB 936</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7133	<a href="#">SB 938</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7135	<a href="#">SB 940</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7137	<a href="#">SB 942</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7141	<a href="#">HB 7141</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 7143	<a href="#">SB 1678</a>	<a href="#">State Affairs Committee</a>
HB 7145	<a href="#">HB 7145</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7147	<a href="#">HB 7147</a>	<a href="#">Regulatory Affairs Committee</a>
HB 7149	<a href="#">SB 820</a>	<a href="#">Economic Affairs Committee</a>
HB 7153	<a href="#">SB 1676</a>	<a href="#">Appropriations Committee</a>
HB 7159	<a href="#">SB 1262</a>	<a href="#">Regulatory Affairs Committee</a>
HB 7161	<a href="#">SB 1664</a>	<a href="#">Judiciary Committee</a>
HB 7163	<a href="#">HB 7163</a>	<a href="#">Rules &amp; Calendar Committee</a>
HB 7167	<a href="#">SB 850</a>	<a href="#">Education Committee</a>
HB 7169	<a href="#">SB 1666</a>	<a href="#">Health &amp; Human Services Committee</a>
HB 7171	<a href="#">HB 7171</a>	<a href="#">State Affairs Committee</a>
HB 7175	<a href="#">HB 1161</a>	<a href="#">Economic Affairs Committee</a>
HB 7175	<a href="#">SB 218</a>	<a href="#">Economic Affairs Committee</a>

Bills	Passed As /In	Committee
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HB 7177	<a href="#">HB 7177</a>	<a href="#">State Affairs Committee</a>

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Business and Professional Regulation	<a href="#">SB 680</a> , <a href="#">HB 7015</a> , <a href="#">HB 1047</a> , <a href="#">SB 674</a> , <a href="#">SB 702</a> , <a href="#">HB 1179</a> , <a href="#">HB 323</a> , <a href="#">HB 591</a> , <a href="#">SB 836</a> , <a href="#">HB 1065</a> , <a href="#">HB 7077</a> , <a href="#">SB 440</a> , <a href="#">HB 489</a> , <a href="#">HB 755</a> , <a href="#">HB 807</a> , <a href="#">HB 7037</a> , <a href="#">SB 224</a> , <a href="#">SB 242</a> , <a href="#">SB 320</a> , <a href="#">SB 356</a> , <a href="#">SB 404</a> , <a href="#">SB 450</a> , <a href="#">HB 523</a> , <a href="#">HB 525</a> , <a href="#">HB 629</a> , <a href="#">HB 713</a> , <a href="#">HB 773</a> , <a href="#">HB 775</a> , <a href="#">SB 796</a> , <a href="#">HB 7051</a> , <a href="#">HB 7147</a> , <a href="#">SB 1036</a>
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