



Ways and Means Committee

Wednesday, April 5, 2017

9:00 a.m. – 2:00 p.m.

Morris Hall

AMENDMENTS

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
 2 Representative Raburn offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraphs (c) and (d) of subsection (3) of
 7 section 163.356, Florida Statutes, are amended to read:

8 163.356 Creation of community redevelopment agency.—

9 (3)(c) The governing body of the county or municipality
 10 shall designate a chair and vice chair from among the
 11 commissioners. An agency may employ an executive director,
 12 technical experts, and such other agents and employees,
 13 permanent and temporary, as it requires, and determine their
 14 qualifications, duties, and compensation. For such legal service
 15 as it requires, an agency may employ or retain its own counsel
 16 and legal staff.

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17 (d) An agency authorized to transact business and exercise
18 powers under this part shall file with the governing body the
19 report required pursuant to s. 163.371(1)., ~~on or before March~~
20 ~~31 of each year, a report of its activities for the preceding~~
21 ~~fiscal year, which report shall include a complete financial~~
22 ~~statement setting forth its assets, liabilities, income, and~~
23 ~~operating expenses as of the end of such fiscal year. At the~~
24 ~~time of filing the report, the agency shall publish in a~~
25 ~~newspaper of general circulation in the community a notice to~~
26 ~~the effect that such report has been filed with the county or~~
27 ~~municipality and that the report is available for inspection~~
28 ~~during business hours in the office of the clerk of the city or~~
29 ~~county commission and in the office of the agency.~~

30 (e)(d) At any time after the creation of a community
31 redevelopment agency, the governing body of the county or
32 municipality may appropriate to the agency such amounts as the
33 governing body deems necessary for the administrative expenses
34 and overhead of the agency, including the development and
35 implementation of community policing innovations.

36 Section 2. Subsection (1) of section 163.367, Florida
37 Statutes, is amended to read:

38 163.367 Public officials, commissioners, and employees
39 subject to code of ethics.—

40 (1) (a) The officers, commissioners, and employees of a
41 community redevelopment agency created by, or designated

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42 pursuant to, s. 163.356 or s. 163.357 are shall be subject to
43 the provisions and requirements of part III of chapter 112.

44 (b) Commissioners of a community redevelopment agency must
45 comply with the ethics training requirements in s. 112.3142.

46 Section 3. Subsection (5) is added to section 163.370,
47 Florida Statutes, to read:

48 163.370 Powers; counties and municipalities; community
49 redevelopment agencies.—

50 (5) A community redevelopment agency shall procure all
51 commodities and services under the same purchasing processes and
52 requirements that apply to the county or municipality that
53 created the agency.

54 Section 4. Section 163.371, Florida Statutes, is created
55 to read:

56 163.371 Reporting requirements.—

57 (1) Beginning March 31, 2018, and no later than March 31
58 of each year thereafter, a community redevelopment agency shall
59 file an annual report with the county or municipality that
60 created the agency and publish the information on the agency's
61 website. At the time the report is filed and the information is
62 published on the website, the agency shall also publish in a
63 newspaper of general circulation in the community a notice to
64 the effect that such report has been filed with the county or
65 municipality and that the report is available for inspection
66 during business hours in the office of the clerk of the city or

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67 county commission and in the office of the agency or on the
68 website of the agency. The report must include the following
69 information:

70 (a) A complete audit report of the redevelopment trust
71 fund pursuant to s. 163.387(8).

72 (b) The performance data for each plan authorized,
73 administered, or overseen by the community redevelopment agency
74 as of December 31 of the year being reported, including the:

75 1. Total number of projects started, completed, and the
76 estimated project cost for each project.

77 2. Total expenditures from the redevelopment trust fund.

78 3. Original assessed real property values within the
79 community redevelopment agency's area of authority as of the day
80 the agency was created.

81 4. Total assessed real property values of property within
82 the boundaries of the community redevelopment agency as of
83 January 1 of the year being reported.

84 5. The earliest available total of commercial property
85 vacancy rates within the community redevelopment agency's area
86 of authority as of the day the agency was created.

87 6. Total commercial property vacancy rates within the
88 boundaries of the community redevelopment agency.

89 7. Assessed real property values for redeveloped
90 properties within the boundaries of the community redevelopment
91 agency as of January 1 of the year being reported.

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92 8. The earliest available total of housing vacancy rates
93 within the community redevelopment agency's area of authority as
94 of the day the agency was created.

95 9. Total housing vacancy rates within the boundaries of
96 the community redevelopment agency.

97 10. Total code enforcement violations within the
98 boundaries of the community redevelopment agency.

99 11. Total amount expended for affordable housing for low
100 and middle income residents if the community redevelopment
101 agency has affordable housing as part of its community
102 redevelopment plan.

103 12. For sponsorships and donations made to the community
104 redevelopment agency, the name of the sponsor or donor and the
105 total amount sponsored or donated.

106 13. Ratio of redevelopment funds to private funds expended
107 within the boundaries of the community redevelopment agency.

108 (2) By January 1, 2018, each community redevelopment
109 agency shall publish on its website digital maps that depict the
110 geographic boundaries and total acreage of the community
111 redevelopment agency. If any change is made to the boundaries or
112 total acreage, the agency shall post updated map files on its
113 website within 60 days after the date such change takes effect.

114 Section 5. Section 163.3755, Florida Statutes, is created
115 to read:

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116 163.3755 Termination of community redevelopment agencies;
117 prohibition on future creation.-

118 (1) Unless the governing body of the county or
119 municipality that created the community redevelopment agency
120 approves its continued existence by a super majority vote of the
121 governing body members, a community redevelopment agency in
122 existence on October 1, 2017, shall terminate on the expiration
123 date provided in the community redevelopment agency's charter on
124 October 1, 2017, or on September 30, 2037, whichever is earlier.

125 (2) (a) If the governing body of the county or municipality
126 that created the community redevelopment agency does not approve
127 its continued existence by a super majority vote of the
128 governing body members, a community redevelopment agency with
129 outstanding bonds as of October 1, 2017, and that do not mature
130 until after the earlier of the termination date of the agency or
131 September 30, 2037, remains in existence until the date the
132 bonds mature.

133 (b) A community redevelopment agency operating under this
134 subsection on or after September 30, 2037, may not extend the
135 maturity date of any outstanding bonds.

136 (c) The county or municipality that created the community
137 redevelopment agency must issue a new finding of necessity
138 limited to timely meeting the remaining bond obligations of the
139 community redevelopment agency.

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140 (3) A community redevelopment agency may not be created on
141 or after October 1, 2017. A community redevelopment agency in
142 existence before October 1, 2017, may continue to operate as
143 provided in this part.

144 Section 6. Section 163.3756, Florida Statutes, is created
145 to read:

146 163.3756 Inactive community redevelopment agencies.-

147 (1) The Legislature finds that a number of community
148 redevelopment agencies continue to exist but report no revenues,
149 no expenditures, and no outstanding debt in their annual report
150 to the Department of Financial Services pursuant to s. 218.32.

151 (2)(a) Beginning October 1, 2014, a community
152 redevelopment agency that has reported no revenues, no
153 expenditures, and no debt under s. 218.32 or s. 189.016(9), for
154 3 consecutive fiscal years shall be declared inactive by the
155 Department of Economic Opportunity. The department shall notify
156 the agency of the declaration of inactive status under this
157 subsection. If the agency has no board members or no agent, the
158 notice of inactive status must be delivered to the governing
159 board or commission of the county or municipality that created
160 the agency.

161 (b) The governing board of a community redevelopment
162 agency declared inactive under this subsection may seek to
163 invalidate the declaration by initiating proceedings under s.

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164 189.062(5) within 30 days after the date of the receipt of the
165 notice from the department.

166 (3) A community redevelopment agency declared inactive
167 under this section is authorized only to expend funds from the
168 redevelopment trust fund as necessary to service outstanding
169 bond debt. The agency may not expend other funds without an
170 ordinance of the governing body of the local government that
171 created the agency consenting to the expenditure of funds.

172 (4) The provisions of s. 189.062(2) and (4) do not apply
173 to a community redevelopment agency that has been declared
174 inactive under this section.

175 (5) The provisions of this section are cumulative to the
176 provisions of s. 189.062. To the extent the provisions of this
177 section conflict with the provisions of s. 189.062, this section
178 prevails.

179 (6) The Department of Economic Opportunity shall maintain
180 on its website a separate list of community redevelopment
181 agencies declared inactive under this section.

182 Section 7. Subsection (6), paragraph (d) of subsection
183 (7), and subsection (8) of section 163.387, Florida Statutes,
184 are amended to read:

185 163.387 Redevelopment trust fund.—

186 (6) Beginning October 1, 2017, moneys in the redevelopment
187 trust fund may be expended ~~from time to time~~ for undertakings of
188 a community redevelopment agency as described in the community

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189 redevelopment plan only pursuant to an annual budget adopted by
190 the board of commissioners of the community redevelopment agency
191 and only for the following purposes stated in this subsection.
192 ~~including, but not limited to:~~

193 (a) Except as provided in this subsection, a community
194 redevelopment agency shall comply with the requirements of s.
195 189.016.

196 (b) A community redevelopment agency created by a
197 municipality shall submit its operating budget to the board of
198 county commissioners for the county in which the community
199 redevelopment agency is located within 10 days after the date of
200 adoption of such budget and submit amendments to its operating
201 budget to the board of county commissioners within 10 days after
202 the date of adoption of the amended budget. ~~Administrative and~~
203 ~~overhead expenses necessary or incidental to the implementation~~
204 ~~of a community redevelopment plan adopted by the agency.~~

205 (c) The annual budget of a community redevelopment agency
206 may provide for payment of the following expenses:

207 1. Administrative and overhead expenses directly or
208 indirectly necessary to implement a community redevelopment plan
209 adopted by the agency.

210 2. ~~(b)~~ Expenses of redevelopment planning, surveys, and
211 financial analysis, including the reimbursement of the governing
212 body or the community redevelopment agency for such expenses
213 incurred before the redevelopment plan was approved and adopted.

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214 3.(e) The acquisition of real property in the
215 redevelopment area.

216 4.(d) The clearance and preparation of any redevelopment
217 area for redevelopment and relocation of site occupants within
218 or outside the community redevelopment area as provided in s.
219 163.370.

220 5.(e) The repayment of principal and interest or any
221 redemption premium for loans, advances, bonds, bond anticipation
222 notes, and any other form of indebtedness.

223 6.(f) All expenses incidental to or connected with the
224 issuance, sale, redemption, retirement, or purchase of bonds,
225 bond anticipation notes, or other form of indebtedness,
226 including funding of any reserve, redemption, or other fund or
227 account provided for in the ordinance or resolution authorizing
228 such bonds, notes, or other form of indebtedness.

229 7.(g) The development of affordable housing within the
230 community redevelopment area.

231 8.(h) The development of community policing innovations.

232 (7) On the last day of the fiscal year of the community
233 redevelopment agency, any money which remains in the trust fund
234 after the payment of expenses pursuant to subsection (6) for
235 such year shall be:

236 (d) Appropriated to a specific redevelopment project
237 pursuant to an approved community redevelopment plan which
238 ~~project will be completed within 3 years from the date of such~~

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239 ~~appropriation.~~ The specific redevelopment project for which
240 funds are appropriated under this subsection may not be changed
241 at a later date.

242 (8) (a) Each community redevelopment agency shall provide
243 for an audit of the trust fund each fiscal year and a report of
244 such audit to be prepared by an independent certified public
245 accountant or firm.

246 (b) The audit ~~Such~~ report shall:

247 1. Describe the amount and source of deposits into, and
248 the amount and purpose of withdrawals from, the trust fund
249 during such fiscal year and the amount of principal and interest
250 paid during such year on any indebtedness to which increment
251 revenues are pledged and the remaining amount of such
252 indebtedness.

253 2. Include a complete financial statement identifying the
254 assets, liabilities, income, and operating expenses of the
255 community redevelopment agency as of the end of such fiscal
256 year.

257 3. Include a finding by the auditor determining whether
258 the community redevelopment agency complies with the
259 requirements of subsection (7).

260 (c) The audit report for the community redevelopment
261 agency shall be included with the annual financial report
262 submitted by the county or municipality that created the agency
263 to the Department of Financial Services as provided in s.

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264 218.32, regardless of whether the agency reports separately
265 under s. 218.32.

266 (d) The agency shall provide ~~by registered mail~~ a copy of
267 the audit report to each taxing authority.

268 Section 8. Subsection (3) of section 218.32, Florida
269 Statutes, is amended to read:

270 218.32 Annual financial reports; local governmental
271 entities.-

272 (3) (a) The department shall notify the President of the
273 Senate and the Speaker of the House of Representatives of any
274 municipality that has not reported any financial activity for
275 the last 4 fiscal years. Such notice must be sufficient to
276 initiate dissolution procedures as described in s.
277 165.051(1)(a). Any special law authorizing the incorporation or
278 creation of the municipality must be included within the
279 notification.

280 (b) Failure of a county or municipality to include in its
281 annual report to the department the full audit required by s.
282 163.387(8) for each community redevelopment agency created by
283 that county or municipality constitutes a failure to report
284 under this section.

285 (c) By November 1 of each year, the department must
286 provide the Special District Accountability Program of the
287 Department of Economic Opportunity with a list of each community
288 redevelopment agency reporting no revenues, no expenditures, and

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289 no debt for the community redevelopment agency's previous fiscal
290 year.

291 Section 9. This act shall take effect October 1, 2017.

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

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Remove everything before the enacting clause and insert:

296

A bill to be entitled

297

An act relating to community redevelopment agencies; amending s.

298

163.356, F.S.; providing reporting requirements; deleting

299

provisions requiring certain annual reports; amending s.

300

163.367, F.S.; requiring ethics training for community

301

redevelopment agency commissioners; amending s. 163.370, F.S.;

302

establishing procurement procedures; creating s. 163.371, F.S.;

303

providing annual reporting requirements; requiring publication

304

of notices of reports; requiring reports to be available for

305

inspection in designated places; requiring a community

306

redevelopment agency to publish annual reports and boundary maps

307

on its website; creating s. 163.3755, F.S.; prohibiting the

308

creation of new community redevelopment agencies after a date

309

certain; providing a phase-out period for existing community

310

redevelopment agencies unless the local government governing

311

body that created the agency approves its continued existence by

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a super majority vote; providing a limited exception for

313

community redevelopment agencies with certain outstanding bond

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314 obligations; creating s. 163.3756, F.S.; providing legislative
315 findings; requiring the Department of Economic Opportunity to
316 declare inactive community redevelopment agencies that have
317 reported no financial activity for a specified number of years;
318 providing hearing procedures; authorizing certain financial
319 activity by a community redevelopment agency that is declared
320 inactive; requiring the Department of Economic Opportunity to
321 maintain a website identifying all inactive community
322 redevelopment agencies; amending s. 163.387, F.S.; revising
323 requirements for the use of the redevelopment trust fund
324 proceeds; limiting allowed expenditures; revising requirements
325 for the annual budget of a community redevelopment agency;
326 requiring municipal community redevelopment agencies to provide
327 annual budget to county commission; revising requirements for
328 use of moneys in the redevelopment trust fund for specific
329 redevelopment projects; revising requirements for the annual
330 audit; requiring the audit to be included with the financial
331 report of the county or municipality that created the community
332 redevelopment agency; amending s. 218.32, F.S.; requiring county
333 and municipal governments to report community redevelopment
334 agency annual audit reports as part of the county or municipal
335 annual report; revising criteria for finding that a county or
336 municipality failed to file report; requiring the Department of
337 Financial Services to provide a report to the Department of
338 Economic Opportunity concerning community redevelopment agencies

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339 | with no revenues, no expenditures, and no debts; providing an
340 | effective date.

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COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Ingoglia offered the following:

Amendment (with title amendment)

Remove lines 454-457 and insert:

shall be held only:

(a) At a primary election, as defined in s. 97.021, and requires approval of 60 percent of the voters voting on the ballot question for passage, or

(b) At a general election, as defined in s. 97.021, and requires the approval of a majority of the voters voting on the ballot question for passage.

Section 2. This act shall take effect July 1, 2018.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 139 (2017)

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

Remove line 6 and insert:
date of a primary election or on the date of a general
election; providing an effective

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee

2 Representative Avila offered the following:

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

5 Remove lines 84-444 and insert:

6 shall waive penalties and interest if the property appraiser
7 determines that the person qualified for the property assessment
8 limitation at the time the application was filed and, other than
9 the improperly received tax savings, the person did not receive
10 any additional financial benefit, such as rental payments or
11 other income. The property appraiser may not waive penalty or
12 interest if the person claimed an ad valorem tax exemption or a
13 tax credit on another property in this state or in another state
14 where permanent residency is required as a basis for granting
15 the ad valorem tax exemption or credit.

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17 (b) If the property appraiser improperly grants the
18 property assessment limitation as a result of a clerical mistake
19 or an omission, the person or entity improperly receiving the
20 property assessment limitation may not be assessed a penalty or
21 interest.

22 (c) Before a lien may be filed, the person or entity so
23 notified must be given 30 days to pay the taxes and any
24 applicable penalties and interest. If the property appraiser
25 improperly grants the property assessment limitation as a result
26 of a clerical mistake or an omission, the person or entity
27 improperly receiving the property assessment limitation may not
28 be assessed a penalty or interest.

29 Section 3. Subsection (7) of section 193.703, Florida
30 Statutes, is amended to read:

31 193.703 Reduction in assessment for living quarters of
32 parents or grandparents.—

33 (7) (a) If the property appraiser determines that for any
34 year within the previous 10 years a property owner who was not
35 entitled to a reduction in assessed value under this section was
36 granted such reduction, the property appraiser shall serve on
37 the owner a notice of intent to record in the public records of
38 the county a notice of tax lien against any property owned by
39 that person in the county, and that property must be identified
40 in the notice of tax lien. Any property that is owned by that
41 person and is situated in this state is subject to the taxes
42 exempted by the improper reduction, plus a penalty of 50 percent

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43 of the unpaid taxes for each year and interest at a rate of 15
44 percent per annum. The property appraiser shall waive penalties
45 and interest if the property appraiser determines that the
46 person qualified for the reduction at the time the application
47 was filed and, other than the improperly received tax savings,
48 the person did not receive any additional financial benefit,
49 such as rental payments or other income. The property appraiser
50 may not waive penalty or interest if the person claimed an ad
51 valorem tax exemption or a tax credit on another property in
52 this state or in another state where permanent residency is
53 required as a basis for granting the ad valorem tax exemption or
54 credit.

55 (b) However, if a reduction is improperly granted due to a
56 clerical mistake or an omission by the property appraiser, the
57 person who improperly received the reduction may not be assessed
58 a penalty or interest.

59 (c) Before such lien may be filed, the owner must be given
60 30 days within which to pay the taxes, penalties, and interest.
61 Such lien is subject to s. 196.161(3).

62 Section 4. Paragraph (d) of subsection (3) of section
63 194.011, Florida Statutes, is amended to read:

64 194.011 Assessment notice; objections to assessments.—

65 (3) A petition to the value adjustment board must be in
66 substantially the form prescribed by the department.
67 Notwithstanding s. 195.022, a county officer may not refuse to
68 accept a form provided by the department for this purpose if the

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69 taxpayer chooses to use it. A petition to the value adjustment
70 board must be signed by the taxpayer or be accompanied at the
71 time of filing by the taxpayer's written authorization or power
72 of attorney, unless the person filing the petition is listed in
73 s. 194.034(1)(a). A person listed in s. 194.034(1)(a) may file a
74 petition with a value adjustment board without the taxpayer's
75 signature or written authorization by certifying under penalty
76 of perjury that he or she has authorization to file the petition
77 on behalf of the taxpayer. If a taxpayer notifies the value
78 adjustment board that a petition has been filed for the
79 taxpayer's property without his or her consent, the value
80 adjustment board may require the person filing the petition to
81 provide written authorization from the taxpayer authorizing the
82 person to proceed with the appeal before a hearing is held. If
83 the value adjustment board finds that a person listed in s.
84 194.034(1)(a) willfully and knowingly filed a petition that was
85 not authorized by the taxpayer, the value adjustment board shall
86 require such person to provide the taxpayer's written
87 authorization for representation to the value adjustment board
88 clerk before any petition filed by that person is heard, for 1
89 year after imposition of such requirement by the value
90 adjustment board. A power of attorney or written authorization
91 is valid for 1 assessment year, and a new power of attorney or
92 written authorization by the taxpayer is required for each

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93 subsequent assessment year. A petition shall also describe the
94 property by parcel number and shall be filed as follows:

95 (d) The petition may be filed, as to valuation issues, at
96 any time during the taxable year on or before the 25th day
97 following the mailing of the notice by the property appraiser as
98 provided in subsection (1). With respect to an issue involving
99 the denial of an exemption, an agricultural or high-water
100 recharge classification application, an application for
101 classification as historic property used for commercial or
102 certain nonprofit purposes, or a deferral, the petition must be
103 filed at any time during the taxable year on or before the 30th
104 day following the mailing of the notice by the property
105 appraiser under s. 193.461, s. 193.503, s. 193.625, s. 196.173,
106 or s. 196.193 or notice by the tax collector under s. 197.2425.
107 If the petitioner identifies extenuating circumstances
108 demonstrating to the value adjustment board that the petitioner
109 was unable to file a petition in a timely manner, the petitioner
110 may file a petition within 60 days after the deadline. However,
111 the value adjustment board is not required to delay proceedings
112 for the 60-day timeframe and no late petition is authorized
113 after the value adjustment board has concluded its review of
114 petitions.

115 Section 5. Paragraph (a) of subsection (2) of section
116 194.032, Florida Statutes, is amended to read:

117 194.032 Hearing purposes; timetable.—

118 (2) (a) 1. The clerk of the governing body of the county

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119 shall prepare a schedule of appearances before the board based
120 on petitions timely filed with him or her. The clerk shall
121 notify each petitioner of the scheduled time of his or her
122 appearance at least 25 calendar days before the day of the
123 scheduled appearance. The notice must indicate whether the
124 petition has been scheduled to be heard at a particular time or
125 during a block of time. If the petition has been scheduled to be
126 heard within a block of time, the beginning and ending of that
127 block of time must be indicated on the notice; however, as
128 provided in paragraph (b), a petitioner may not be required to
129 wait for more than a reasonable time, not to exceed 2 hours,
130 after the beginning of the block of time. The property appraiser
131 must provide a copy of the property record card containing
132 information relevant to the computation of the current
133 assessment, with confidential information redacted, to the
134 petitioner upon receipt of the petition from the clerk
135 regardless of whether the petitioner initiates evidence
136 exchange, unless the property record card is available online
137 from the property appraiser, in which case the property
138 appraiser must notify the petitioner that the property record
139 card is available online. The petitioner and the property
140 appraiser may each reschedule the hearing a single time for good
141 cause. As used in this paragraph, the term "good cause" means
142 circumstances beyond the control of the person seeking to
143 reschedule the hearing which reasonably prevent the party from
144 having adequate representation at the hearing. If the hearing is

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145 rescheduled by the petitioner or the property appraiser, the
146 clerk shall notify the petitioner of the rescheduled time of his
147 or her appearance at least 15 calendar days before the day of
148 the rescheduled appearance, unless this notice is waived by both
149 parties.

150 2. For counties in which the number of petitions filed
151 exceeds 5,000 per value adjustment board roll year:

152 a. The term "good cause" does not include being scheduled
153 for two separate hearings in different jurisdictions at the same
154 time or date, unless the hearings involve the same petitioner or
155 the property appraiser and the petitioner agree to reschedule
156 the hearing.

157 b. The clerk of the board, before the commencement of
158 hearings for the value adjustment board roll year, may request
159 that the property appraiser and the individual, agent, or legal
160 entity that signed the petition identify up to 15 business days
161 per roll year in which they are unavailable for hearing.

162 Section 6. Subsection (1) of section 194.035, Florida
163 Statutes, is amended to read:

164 194.035 Special magistrates; property evaluators.-

165 (1) In counties having a population of more than 75,000,
166 the board shall appoint special magistrates for the purpose of
167 taking testimony and making recommendations to the board, which
168 recommendations the board may act upon without further hearing.
169 These special magistrates may not be elected or appointed
170 officials or employees of the county but shall be selected from

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171 a list of those qualified individuals who are willing to serve
172 as special magistrates. Employees and elected or appointed
173 officials of a taxing jurisdiction or of the state may not serve
174 as special magistrates. The clerk of the board shall annually
175 notify such individuals or their professional associations to
176 make known to them that opportunities to serve as special
177 magistrates exist. The Department of Revenue shall provide a
178 list of qualified special magistrates to any county with a
179 population of 75,000 or less. Subject to appropriation, the
180 department shall reimburse counties with a population of 75,000
181 or less for payments made to special magistrates appointed for
182 the purpose of taking testimony and making recommendations to
183 the value adjustment board pursuant to this section. The
184 department shall establish a reasonable range for payments per
185 case to special magistrates based on such payments in other
186 counties. Requests for reimbursement of payments outside this
187 range shall be justified by the county. If the total of all
188 requests for reimbursement in any year exceeds the amount
189 available pursuant to this section, payments to all counties
190 shall be prorated accordingly. If a county having a population
191 less than 75,000 does not appoint a special magistrate to hear
192 each petition, the person or persons designated to hear
193 petitions before the value adjustment board or the attorney
194 appointed to advise the value adjustment board shall attend the
195 training provided pursuant to subsection (3), regardless of

Amendment No. 1

196 whether the person would otherwise be required to attend, but
197 shall not be required to pay the tuition fee specified in
198 subsection (3). A special magistrate appointed to hear issues of
199 exemptions, classifications, and determinations that a change of
200 ownership, a change of ownership or control, or a qualifying
201 improvement has occurred shall be a member of The Florida Bar
202 with no less than 5 years' experience in the area of ad valorem
203 taxation. A special magistrate appointed to hear issues
204 regarding the valuation of real estate shall be a state
205 certified real estate appraiser with not less than 5 years'
206 experience in real property valuation. A special magistrate
207 appointed to hear issues regarding the valuation of tangible
208 personal property shall be a designated member of a nationally
209 recognized appraiser's organization with not less than 5 years'
210 experience in tangible personal property valuation. A special
211 magistrate need not be a resident of the county in which he or
212 she serves. A special magistrate may not represent a person
213 before the board in any tax year during which he or she has
214 served that board as a special magistrate. An appraisal
215 performed by a special magistrate may not be submitted as
216 evidence to the value adjustment board in any roll year during
217 which he or she has served that board as a special magistrate.
218 Before appointing a special magistrate, a value adjustment board
219 shall verify the special magistrate's qualifications. The value
220 adjustment board shall ensure that the selection of special

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221 magistrates is based solely upon the experience and
222 qualifications of the special magistrate and is not influenced
223 by the property appraiser. The special magistrate shall
224 accurately and completely preserve all testimony and, in making
225 recommendations to the value adjustment board, shall include
226 proposed findings of fact, conclusions of law, and reasons for
227 upholding or overturning the determination of the property
228 appraiser. The expense of hearings before magistrates and any
229 compensation of special magistrates shall be borne three-fifths
230 by the board of county commissioners and two-fifths by the
231 school board. When appointing special magistrates or when
232 scheduling special magistrates for specific hearings, the board,
233 the board attorney, and the board clerk may not consider the
234 dollar amount or percentage of any assessment reductions
235 recommended by any special magistrate in the current year or in
236 any previous year.

237 Section 7. Paragraph (a) of subsection (9) of section
238 196.011, Florida Statutes, is amended to read:

239 196.011 Annual application required for exemption.—

240 (9)(a) A county may, at the request of the property
241 appraiser and by a majority vote of its governing body, waive
242 the requirement that an annual application or statement be made
243 for exemption of property within the county after an initial
244 application is made and the exemption granted. The waiver under
245 this subsection of the annual application or statement

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246 requirement applies to all exemptions under this chapter except
247 the exemption under s. 196.1995. Notwithstanding such waiver,
248 refiling of an application or statement shall be required when
249 any property granted an exemption is sold or otherwise disposed
250 of, when the ownership changes in any manner, when the applicant
251 for homestead exemption ceases to use the property as his or her
252 homestead, or when the status of the owner changes so as to
253 change the exempt status of the property. In its deliberations
254 on whether to waive the annual application or statement
255 requirement, the governing body shall consider the possibility
256 of fraudulent exemption claims which may occur due to the waiver
257 of the annual application requirement. The owner of any property
258 granted an exemption who is not required to file an annual
259 application or statement shall notify the property appraiser
260 promptly whenever the use of the property or the status or
261 condition of the owner changes so as to change the exempt status
262 of the property. If any property owner fails to so notify the
263 property appraiser and the property appraiser determines that
264 for any year within the prior 10 years the owner was not
265 entitled to receive such exemption, the owner of the property is
266 subject to the taxes exempted as a result of such failure plus
267 15 percent interest per annum and a penalty of 50 percent of the
268 taxes exempted. Except for homestead exemptions controlled by s.
269 196.161, the property appraiser making such determination shall
270 record in the public records of the county a notice of tax lien
271 against any property owned by that person or entity in the

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272 county, and such property must be identified in the notice of
273 tax lien. Such property is subject to the payment of all taxes
274 and penalties. Such lien when filed shall attach to any
275 property, identified in the notice of tax lien, owned by the
276 person who illegally or improperly received the exemption. If
277 such person no longer owns property in that county but owns
278 property in some other county or counties in the state, the
279 property appraiser shall record a notice of tax lien in such
280 other county or counties, identifying the property owned by such
281 person or entity in such county or counties, and it shall become
282 a lien against such property in such county or counties. The
283 property appraiser shall waive penalties and interest if the
284 property appraiser determines that the person qualified for the
285 exemption at the time the application was filed and, other than
286 the improperly received tax savings, the person did not receive
287 any additional financial benefit, such as rental payments or
288 other income. The property appraiser may not waive penalty or
289 interest if the person claimed a similar ad valorem tax
290 exemption or tax credit on another property located in this
291 state or in another state where permanent residency is required
292 as a basis for granting the ad valorem tax exemption or credit.

293 Section 8. Subsection (9) of section 196.075, Florida
294 Statutes, is amended to read:

295 196.075 Additional homestead exemption for persons 65 and
296 older.—

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297 (9) (a) If the property appraiser determines that for any
298 year within the immediately previous 10 years a person who was
299 not entitled to the additional homestead exemption under this
300 section was granted such an exemption, the property appraiser
301 shall serve upon the owner a notice of intent to record in the
302 public records of the county a notice of tax lien against any
303 property owned by that person in the county, and that property
304 must be identified in the notice of tax lien. Any property that
305 is owned by the taxpayer and is situated in this state is
306 subject to the taxes exempted by the improper homestead
307 exemption, plus a penalty of 50 percent of the unpaid taxes for
308 each year and interest at a rate of 15 percent per annum. The
309 property appraiser shall waive penalties and interest if the
310 property appraiser determines that the person qualified for the
311 exemption at the time the application was filed and, other than
312 the improperly received tax savings, the person did not receive
313 any additional financial benefit, such as rental payments or
314 other income. The property appraiser may not waive penalty or
315 interest if the person claimed a similar ad valorem tax
316 exemption or a tax credit on another property located in this
317 state or in another state where permanent residency is required
318 as a basis for granting the ad valorem tax exemption or credit.

319 (b) However, if such an exemption is improperly granted as
320 a result of a clerical mistake or an omission by the property

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321 appraiser, the person who improperly received the exemption may
322 not be assessed a penalty and interest.

323 (c) Before any such lien may be filed, the owner must be
324 given 30 days within which to pay the taxes, penalties, and
325 interest. Such a lien is subject to the procedures and
326 provisions set forth in s. 196.161(3).

327 Section 9. Section 200.069, Florida Statutes, is amended to
328 read:

329 200.069 Notice of proposed property taxes and non-ad
330 valorem assessments.—Pursuant to s. 200.065(2)(b), the property
331 appraiser, in the name of the taxing authorities and local
332 governing boards levying non-ad valorem assessments within his
333 or her jurisdiction and at the expense of the county, shall
334 prepare and deliver by first-class mail to each taxpayer to be
335 listed on the current year's assessment roll a notice of
336 proposed property taxes, which notice shall contain the elements
337 and use the format provided in the following form.

338 Notwithstanding the provisions of s. 195.022, no county officer
339 shall use a form other than that provided herein. The Department
340 of Revenue may adjust the spacing and placement on the form of
341 the elements listed in this section as it considers necessary
342 based on changes in conditions necessitated by various taxing
343 authorities. If the elements are in the order listed, the
344 placement of the listed columns may be varied at the discretion
345 and expense of the property appraiser, and the property

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346 appraiser may use printing technology and devices to complete
347 the form, the spacing, and the placement of the information in
348 the columns. In addition, the property appraiser may only
349 include in the mailing of the notice of ad valorem taxes and
350 non-ad valorem assessments additional statements explaining any
351 item on the notice and any other relevant information for
352 property owners. A county officer may use a form other than
353
354

355 -----
356 **T I T L E A M E N D M E N T**

357 Remove lines 21-27 and insert:
358 evidence to a value adjustment board; amending s. 200.069, F.S.;

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Burton offered the following:

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

5 Between lines 50 and 51, insert:

6 Section 3. Paragraph (a) of subsection (2) of section
7 561.20, Florida Statutes, is amended to read:

8 561.20 Limitation upon number of licenses issued.—

9 (2)(a) The limitation of the number of licenses as
10 provided in this section does not prohibit the issuance of a
11 special license to:

12 1. Any bona fide hotel, motel, or motor court of not fewer
13 than 80 guest rooms in any county having a population of less
14 than 50,000 residents, and of not fewer than 100 guest rooms in
15 any county having a population of 50,000 residents or greater;
16 or any bona fide hotel or motel located in a historic structure,

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17 as defined in s. 561.01(21), with fewer than 100 guest rooms
18 which derives at least 51 percent of its gross revenue from the
19 rental of hotel or motel rooms, which is licensed as a public
20 lodging establishment by the Division of Hotels and Restaurants;
21 provided, however, that a bona fide hotel or motel with no fewer
22 than 10 and no more than 25 guest rooms which is a historic
23 structure, as defined in s. 561.01(21), in a municipality that
24 on the effective date of this act has a population, according to
25 the University of Florida's Bureau of Economic and Business
26 Research Estimates of Population for 1998, of no fewer than
27 25,000 and no more than 35,000 residents and that is within a
28 constitutionally chartered county may be issued a special
29 license. This special license shall allow the sale and
30 consumption of alcoholic beverages only on the licensed premises
31 of the hotel or motel. In addition, the hotel or motel must
32 derive at least 60 percent of its gross revenue from the rental
33 of hotel or motel rooms and the sale of food and nonalcoholic
34 beverages; provided that ~~the provisions of~~ this subparagraph
35 shall supersede local laws requiring a greater number of hotel
36 rooms;

37 2. Any condominium accommodation of which no fewer than
38 100 condominium units are wholly rentable to transients and
39 which is licensed under ~~the provisions of~~ chapter 509, except
40 that the license shall be issued only to the person or
41 corporation which operates the hotel or motel operation and not

COMMITTEE/SUBCOMMITTEE AMENDMENT

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42 to the association of condominium owners;

43 3. Any condominium accommodation of which no fewer than 50
44 condominium units are wholly rentable to transients, which is
45 licensed under ~~the provisions of~~ chapter 509, and which is
46 located in any county having home rule under s. 10 or s. 11,
47 Art. VIII of the State Constitution of 1885, as amended, and
48 incorporated by reference in s. 6(e), Art. VIII of the State
49 Constitution, except that the license shall be issued only to
50 the person or corporation that ~~which~~ operates the hotel or motel
51 operation and not to the association of condominium owners;

52 4. A food service establishment that has 2,500 square feet
53 of service area, is equipped to serve meals to 150 persons at
54 one time, and derives at least 51 percent of its gross food and
55 beverage revenue from the sale of food and nonalcoholic
56 beverages during the first 60-day operating period and each 12-
57 month operating period thereafter. A food service establishment
58 granted a special license on or after January 1, 1958, pursuant
59 to general or special law may not operate as a package store and
60 may not sell intoxicating beverages under such license after the
61 hours of serving or consumption of food have elapsed. Failure by
62 a licensee to meet the required percentage of food and
63 nonalcoholic beverage gross revenues during the covered
64 operating period shall result in revocation of the license or
65 denial of the pending license application. A licensee whose
66 license is revoked or an applicant whose pending application is

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67 denied, or any person required to qualify on the special license
68 application, is ineligible to have any interest in a subsequent
69 application for such a license for a period of 120 days after
70 the date of the final denial or revocation;

71 5. Any caterer, deriving at least 51 percent of its gross
72 food and beverage revenue from the sale of food and nonalcoholic
73 beverages at each catered event, licensed by the Division of
74 Hotels and Restaurants under chapter 509. This subparagraph does
75 not apply to a culinary education program, as defined in s.
76 381.0072(2), which is licensed as a public food service
77 establishment by the Division of Hotels and Restaurants and
78 provides catering services. Notwithstanding any ~~other provision~~
79 ~~of~~ law to the contrary, a licensee under this subparagraph shall
80 sell or serve alcoholic beverages only for consumption on the
81 premises of a catered event at which the licensee is also
82 providing prepared food, and shall prominently display its
83 license at any catered event at which the caterer is selling or
84 serving alcoholic beverages. A licensee under this subparagraph
85 shall purchase all alcoholic beverages it sells or serves at a
86 catered event from a vendor licensed under s. 563.02(1), s.
87 564.02(1), or licensed under s. 565.02(1) subject to the
88 limitation imposed in subsection (1), as appropriate. A licensee
89 under this subparagraph may not store any alcoholic beverages to
90 be sold or served at a catered event. Any alcoholic beverages
91 purchased by a licensee under this subparagraph for a catered

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92 event that are not used at that event must remain with the
93 customer; provided that if the vendor accepts unopened alcoholic
94 beverages, the licensee may return such alcoholic beverages to
95 the vendor for a credit or reimbursement. Regardless of the
96 county or counties in which the licensee operates, a licensee
97 under this subparagraph shall pay the annual state license tax
98 set forth in s. 565.02(1)(b). A licensee under this subparagraph
99 must maintain for a period of 3 years all records and receipts
100 for each catered event, including all contracts, customers'
101 names, event locations, event dates, food purchases and sales,
102 alcoholic beverage purchases and sales, nonalcoholic beverage
103 purchases and sales, and any other records required by the
104 department by rule to demonstrate compliance with the
105 requirements of this subparagraph, ~~including licensed vendor~~
106 ~~receipts for the purchase of alcoholic beverages and records~~
107 ~~identifying each customer and the location and date of each~~
108 ~~catered event~~. Notwithstanding any ~~provision of~~ law to the
109 contrary, any vendor licensed under s. 565.02(1) subject to the
110 limitation imposed in subsection (1), may, without any
111 additional licensure under this subparagraph, serve or sell
112 alcoholic beverages for consumption on the premises of a catered
113 event at which prepared food is provided by a caterer licensed
114 under chapter 509. If a licensee under this subparagraph also
115 possesses any other license under the Beverage Law, the license
116 issued under this subparagraph shall not authorize the holder to

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117 | conduct activities on the premises to which the other license or
118 | licenses apply that would otherwise be prohibited by the terms
119 | of that license or the Beverage Law. Nothing in this section
120 | shall permit the licensee to conduct activities that are
121 | otherwise prohibited by the Beverage Law or local law. The
122 | Division of Alcoholic Beverages and Tobacco is hereby authorized
123 | to adopt rules to administer the license created in this
124 | subparagraph, to include rules governing licensure,
125 | recordkeeping, and enforcement. The first \$300,000 in fees
126 | collected by the division each fiscal year pursuant to this
127 | subparagraph shall be deposited in the Department of Children
128 | and Families' Operations and Maintenance Trust Fund to be used
129 | only for alcohol and drug abuse education, treatment, and
130 | prevention programs. The remainder of the fees collected shall
131 | be deposited into the Hotel and Restaurant Trust Fund created
132 | pursuant to s. 509.072; or

133 | 6. A culinary education program as defined in s.
134 | 381.0072(2) which is licensed as a public food service
135 | establishment by the Division of Hotels and Restaurants.

136 | a. This special license shall allow the sale and
137 | consumption of alcoholic beverages on the licensed premises of
138 | the culinary education program. The culinary education program
139 | shall specify designated areas in the facility where the
140 | alcoholic beverages may be consumed at the time of application.
141 | Alcoholic beverages sold for consumption on the premises may be

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142 consumed only in areas designated pursuant to s. 561.01(11) and
143 may not be removed from the designated area. Such license shall
144 be applicable only in and for designated areas used by the
145 culinary education program.

146 b. If the culinary education program provides catering
147 services, this special license shall also allow the sale and
148 consumption of alcoholic beverages on the premises of a catered
149 event at which the licensee is also providing prepared food. A
150 culinary education program that provides catering services is
151 not required to derive at least 51 percent of its gross revenue
152 from the sale of food and nonalcoholic beverages.
153 Notwithstanding any ~~other provision of~~ law to the contrary, a
154 licensee that provides catering services under this sub-
155 subparagraph shall prominently display its beverage license at
156 any catered event at which the caterer is selling or serving
157 alcoholic beverages. Regardless of the county or counties in
158 which the licensee operates, a licensee under this sub-
159 subparagraph shall pay the annual state license tax set forth in
160 s. 565.02(1)(b). A licensee under this sub-subparagraph must
161 maintain for a period of 3 years all records required by the
162 department by rule to demonstrate compliance with the
163 requirements of this sub-subparagraph.

164 c. If a licensee under this subparagraph also possesses
165 any other license under the Beverage Law, the license issued
166 under this subparagraph does not authorize the holder to conduct

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167 activities on the premises to which the other license or
168 licenses apply that would otherwise be prohibited by the terms
169 of that license or the Beverage Law. Nothing in this
170 subparagraph shall permit the licensee to conduct activities
171 that are otherwise prohibited by the Beverage Law or local law.
172 Any culinary education program that holds a license to sell
173 alcoholic beverages shall comply with the age requirements set
174 forth in ss. 562.11(4), 562.111(2), and 562.13.

175 d. The Division of Alcoholic Beverages and Tobacco may
176 adopt rules to administer the license created in this
177 subparagraph, to include rules governing licensure,
178 recordkeeping, and enforcement.

179 e. A license issued pursuant to this subparagraph does not
180 permit the licensee to sell alcoholic beverages by the package
181 for off-premises consumption.

182
183 However, any license heretofore issued to any such hotel, motel,
184 motor court, or restaurant or hereafter issued to any such
185 hotel, motel, or motor court, including a condominium
186 accommodation, under the general law shall not be moved to a new
187 location, such license being valid only on the premises of such
188 hotel, motel, motor court, or restaurant. Licenses issued to
189 hotels, motels, motor courts, or restaurants under the general
190 law and held by such hotels, motels, motor courts, or
191 restaurants on May 24, 1947, shall be counted in the quota

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192 limitation contained in subsection (1). Any license issued for
193 any hotel, motel, or motor court under ~~the provisions of this~~
194 law shall be issued only to the owner of the hotel, motel, or
195 motor court or, in the event the hotel, motel, or motor court is
196 leased, to the lessee of the hotel, motel, or motor court; and
197 the license shall remain in the name of the owner or lessee so
198 long as the license is in existence. Any special license now in
199 existence heretofore issued under ~~the provisions of this law~~
200 cannot be renewed except in the name of the owner of the hotel,
201 motel, motor court, or restaurant or, in the event the hotel,
202 motel, motor court, or restaurant is leased, in the name of the
203 lessee of the hotel, motel, motor court, or restaurant in which
204 the license is located and must remain in the name of the owner
205 or lessee so long as the license is in existence. Any license
206 issued under this section shall be marked "Special," and nothing
207 herein provided shall limit, restrict, or prevent the issuance
208 of a special license for any restaurant or motel which shall
209 hereafter meet the requirements of the law existing immediately
210 prior to the effective date of this act, if construction of such
211 restaurant has commenced prior to the effective date of this act
212 and is completed within 30 days thereafter, or if an application
213 is on file for such special license at the time this act takes
214 effect; and any such licenses issued under this proviso may be
215 annually renewed as now provided by law. Nothing herein prevents
216 an application for transfer of a license to a bona fide

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217 purchaser of any hotel, motel, motor court, or restaurant by the
218 purchaser of such facility or the transfer of such license
219 pursuant to law.

220

221

222

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

223

Remove line 10 and insert:

224

business meets sanitary requirements; amending s. 561.20, F.S.;

225

revising provisions related to special licenses to sell

226

alcoholic beverages for licensed caterers; amending s.

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Bill No. HB 1123 (2017)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER _____

1 Committee/Subcommittee hearing bill: Ways & Means Committee

2 Representative Drake offered the following:

3
4 **Amendment**

5 Remove line 183 and insert:

6 who applies for a transfer of title in his or her own name,
7 regardless of whether the surviving spouse is named on the
8 deceased motor vehicle owner's title, is

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Drake offered the following:

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

5 Between lines 342 and 343, insert:

6 Section 14. Subsection (1) of section 1012.56, Florida
7 Statutes, is amended to read:

8 1012.56 Educator certification requirements.—

9 (1) APPLICATION.—Each person seeking certification
10 pursuant to this chapter shall submit a completed application
11 containing the applicant's social security number to the
12 Department of Education and remit the fee required pursuant to
13 s. 1012.59 and rules of the State Board of Education.

14 (a) Beginning in the 2017-2018 fiscal year and each year
15 thereafter, the initial application fee and the fees for the
16 following examinations for an initial professional certificate

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17 are eliminated: the General Knowledge Test, First-Time
18 Registration; and the Professional Education Test, First-Time
19 Registration. This paragraph is subject to funding appropriated
20 in the General Appropriations Act.

21 (b) Beginning in the 2017-2018 fiscal year and each year
22 thereafter, one Subject Area Examination fee is waived for an
23 initial applicant for a professional certificate. This paragraph
24 is subject to funding appropriated in the General Appropriations
25 Act.

26 (c) Beginning in the 2017-2018 fiscal year and each year
27 thereafter, the fee for renewing a professional certificate is
28 eliminated for a certified teacher employed at a public school.
29 This paragraph is subject to funding appropriated in the General
30 Appropriations Act.

31 (d) Pursuant to the federal Personal Responsibility and
32 Work Opportunity Reconciliation Act of 1996, each party is
33 required to provide his or her social security number in
34 accordance with this section. Disclosure of social security
35 numbers obtained through this requirement is limited to the
36 purpose of administration of the Title IV-D program of the
37 Social Security Act for child support enforcement. Pursuant to
38 s. 120.60, the department shall issue within 90 calendar days
39 after the stamped receipted date of the completed application:

40 1.(a) If the applicant meets the requirements, a
41 professional certificate covering the classification, level, and

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42 area for which the applicant is deemed qualified and a document
43 explaining the requirements for renewal of the professional
44 certificate;

45 2.~~(b)~~ If the applicant meets the requirements and if
46 requested by an employing school district or an employing
47 private school with a professional education competence
48 demonstration program pursuant to paragraphs (6)(f) and (8)(b),
49 a temporary certificate covering the classification, level, and
50 area for which the applicant is deemed qualified and an official
51 statement of status of eligibility; or

52 3.~~(e)~~ If an applicant does not meet the requirements for
53 either certificate, an official statement of status of
54 eligibility.

55
56 The statement of status of eligibility must advise the applicant
57 of any qualifications that must be completed to qualify for
58 certification. Each statement of status of eligibility is valid
59 for 3 years after its date of issuance, except as provided in
60 paragraph (2)(d).

61 Section 15. Subsection (1) of section 1012.59, Florida
62 Statutes, is amended to read:

63 1012.59 Certification fees.—

64 (1) The State Board of Education, by rule, shall establish
65 separate fees for applications, examinations, certification,
66 certification renewal, late renewal, recordmaking, and

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67 recordkeeping, and may establish procedures for scheduling and
68 administering an examination upon an applicant's request. Each
69 fee shall be based on department estimates of the revenue
70 required to implement the provisions of law with respect to
71 certification of school personnel. The application fee shall be
72 nonrefundable. Each examination fee shall be sufficient to cover
73 the actual cost of developing and administering the examination.

74 (a) Beginning in the 2017-2018 fiscal year and each year
75 thereafter, the initial application fee and the fees for the
76 following examinations for an initial professional certificate
77 are eliminated: the General Knowledge Test, First-Time
78 Registration; and the Professional Education Test, First-Time
79 Registration. This paragraph is subject to funding appropriated
80 in the General Appropriations Act.

81 (b) Beginning in the 2017-2018 fiscal year and each year
82 thereafter, one Subject Area Examination fee is waived for an
83 initial applicant for a professional certificate. This paragraph
84 is subject to funding appropriated in the General Appropriations
85 Act.

86 (c) Beginning in the 2017-2018 fiscal year and each year
87 thereafter, the fee for renewing a professional certificate is
88 eliminated for a certified teacher employed at a public school.
89 This paragraph is subject to funding appropriated in the General
90 Appropriations Act.

Amendment No. 2

92
93
94
95
96
97

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

Between lines 24 and 25, insert:
amending ss. 1012.56 and 1012.59, F.S.; eliminating certain
application, examination, and renewal fees for a professional
teaching certificate, subject to appropriation;

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COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill:

2 Representative Rodrigues offered the following:

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

5 Remove lines 76-200 and insert:

6 property. In the 2016 primary election, the voters of this state
7 approved a constitutional amendment authorizing the Legislature,
8 by general law, to prohibit consideration of the installation of
9 a solar or renewable energy source device on any property in the
10 determination of the assessed value of the underlying real
11 property.

12 (4) (a) Subject to local government ordinance or
13 resolution, a property owner may apply to the local government
14 for funding to finance a qualifying improvement and enter into a
15 financing agreement with the local government. Costs incurred by
16 the local government for such purpose may be collected as a non-

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17 ad valorem assessment. Any financing agreement entered into
18 between a local government and a property owner for the
19 financing of a qualifying improvement must comply with the
20 disclosure requirements in s. 520.23 that apply to distributed
21 energy generation systems.

22 (b) A non-ad valorem assessment shall be collected
23 pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a),
24 shall not be subject to discount for early payment. However, the
25 notice and adoption requirements of s. 197.3632(4) do not apply
26 if this section is used and complied with, and the intent
27 resolution, publication of notice, and mailed notices to the
28 property appraiser, tax collector, and Department of Revenue
29 required by s. 197.3632(3)(a) may be provided on or before
30 August 15 in conjunction with any non-ad valorem assessment
31 authorized by this section, if the property appraiser, tax
32 collector, and local government agree.

33 Section 3. Section 193.624, Florida Statutes, is amended
34 to read:

35 193.624 Assessment of renewable energy source devices
36 ~~residential property.~~—

37 (1) As used in this section, the term "renewable energy
38 source device" means any of the following equipment that
39 collects, transmits, stores, or uses solar energy, wind energy,
40 or energy derived from geothermal deposits:

Amendment No. 1

- 41 (a) Solar energy collectors, photovoltaic modules, and
42 inverters.
- 43 (b) Storage tanks and other storage systems, excluding
44 swimming pools used as storage tanks.
- 45 (c) Rockbeds.
- 46 (d) Thermostats and other control devices.
- 47 (e) Heat exchange devices.
- 48 (f) Pumps and fans.
- 49 (g) Roof ponds.
- 50 (h) Freestanding thermal containers.
- 51 (i) Pipes, ducts, wiring, structural supports, refrigerant
52 handling systems, and other components ~~equipment~~ used as
53 integral parts of ~~to interconnect~~ such systems; however, such
54 equipment does not include conventional backup systems of any
55 type or any equipment or structure that would be required in the
56 absence of the renewable energy source device.
- 57 (j) Windmills and wind turbines.
- 58 (k) Wind-driven generators.
- 59 (l) Power conditioning and storage devices that store or
60 use solar energy, wind energy, or energy derived from geothermal
61 deposits to generate electricity or mechanical forms of energy.
- 62 (m) Pipes and other equipment used to transmit hot
63 geothermal water to a dwelling or structure from a geothermal
64 deposit.
- 65

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66 The term does not include any equipment that is on the
67 distribution or transmission side of the point of
68 interconnection where a renewable energy source device is
69 interconnected to an electric utility's distribution grid or
70 transmission lines.

71 (2) As used in this section, the term "utility scale
72 renewable energy project" means an electrical generating
73 facility that incorporates one or more renewable energy devices
74 and:

75 (a) Is certified pursuant to ss. 403.501 - 403.518, or

76 (b) When the devices are used together, are designed to
77 achieve a total AC electric generating capacity of greater than
78 20 megawatts.

79 (3) For purposes of subsection (2) a "facility" includes,
80 but is not limited to, renewable energy devices located on the
81 same parcel, any contiguous parcels, and any parcels otherwise
82 in close proximity to each other, regardless of the ownership of
83 the parcels or the renewable energy devices located on the
84 parcels. The combined AC electric generating capacity of all
85 renewable energy devices on such parcels is used to determine
86 the AC electric generating capacity of the facility.

87 ~~(2)~~ (4) In determining the assessed value of real property
88 used for residential purposes, an increase in the just value of
89 the property attributable to the installation of a renewable
90 energy source device may not be considered.

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91 ~~(3)~~(5) This section applies to the installation of a
92 renewable energy source device installed on or after January 1,
93 2013, to new and existing residential real property. This
94 section applies to a renewable energy source device installed on
95 or after January 1, 2018, to all other real property, except
96 when installed as part of a utility scale renewable energy
97 project planned for a location in a fiscally constrained county,
98 as defined in s. 218.67(1), and for which an application for
99 comprehensive plan amendment or planned unit development zoning
100 has been filed with the county on or before December 31, 2017.

101 Section 4. Section 196.182, Florida Statutes, is created
102 to read:

103 196.182 Exemption of renewable energy source devices.-

104 (1) A renewable energy source device, as defined in s.
105 193.624, which is considered tangible personal property, and
106 which is installed on real property on or after January 1, 2018
107 is exempt from ad valorem taxation.

108 (2) The exemption provided in this section does not apply
109 to any renewable energy source device which is installed as part
110 of a utility scale renewable energy project, as defined in s.
111 193.624(2), that is planned for a location in a fiscally
112 constrained county, as defined in s. 218.67(1), and for which an
113 application for comprehensive plan amendment or planned unit
114 development zoning has been filed with the county on or before
115 December 31, 2017.

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116 (3) This section expires December 31, 2037.

117 Section 5. Subsection (13) of section 501.604, Florida
118 Statutes, is amended to read:

119 501.604 Exemptions.—The provisions of this part, except
120 ss. 501.608 and 501.616(6) and (7), do not apply to:

121 (13) A commercial telephone seller licensed pursuant to
122 chapter 516 or part III ~~part II~~ of chapter 520. For purposes of
123 this exemption, the seller must solicit to sell a consumer good
124 or service within the scope of his or her license and the
125 completed transaction must be subject to the provisions of
126 chapter 516 or part III ~~part II~~ of chapter 520.

127 Section 6. Parts II, III, IV, and V of chapter 520,
128 Florida Statutes, are renumbered as Parts III, IV, V, and VI,
129 respectively, and a new Part II, consisting of sections 520.20,
130 520.21, 520.22, 520.23, and 520.24, is created to read:

131 PART II

132 DISTRIBUTED ENERGY GENERATION SYSTEM SALES

133 520.20 Definitions.—As used in this part, the term:

134 (1) "Agreement" means a contract executed between a buyer
135 or lessee and a seller that leases, finances, or sells a
136 distributed energy generation system. For purposes of this part,
137 the term includes retail installment contracts.

138 (2) "Buyer" means a person that enters into an agreement
139 to buy, lease, or finance a distributed energy generation system
140 from a seller.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1351 (2017)

Amendment No. 1

141 (3) "Distributed energy generation system" means a
142 renewable energy source device, as defined in s. 193.624, that
143 has a capacity, alone or in connection with other similar
144 devices, of up to one kilowatt and that is primarily intended
145 for on-

146

147

148

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

149

Remove line 15 and insert:

150

property; creating s. 196.182, F.S.; exempting the

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
 2 Representative Rodrigues offered the following:

3

4 **Amendment**

5 Remove lines 396-397 and insert:

6 Section 8. The amendments made by this act to s.
 7 193.624(2), (3), (4) and (5), Florida Statutes, expire

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Miller, M. offered the following:

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

5 Between lines 1772 and 1773, insert:

6 Section 27. Effective October 1, 2017, Section 382.0235,
7 Florida Statutes, is created to read:

8 382.0235 Records; custody proceedings involving minor
9 children.-

10 (1) The clerk of each circuit court shall create a
11 statistical information sheet to be completed by the presiding
12 judge in each action involving custody of a minor child under
13 chapters 61 and 742. The statistical information sheet shall
14 contain the following information:

15 (a) Whether the action involves dissolution of marriage or
16 determination of parentage.

Amendment No. 1

17 (b) The number and age of each minor child.

18 (c) Whether the parties agreed to a parenting plan or a
19 parenting plan was established by the court, in which case:

20 1. Whether the plan provides for shared or sole parental
21 responsibility.

22 2. Whether ultimate parental responsibility was awarded
23 and, if so, to whom the responsibility was awarded and over
24 which aspects of decisionmaking.

25 3. Whether the court awarded equal time-sharing to each
26 parent, or if not, which parent received greater time-sharing.

27 4. The percentage of overnights per year, calculated from
28 January 1 through December 31, awarded to the mother and the
29 father, respectively.

30 (d) Whether any domestic violence proceeding, including an
31 injunction for protection against domestic violence, was filed
32 by either party against the other party or on behalf of a minor
33 child within 6 months before the custody action.

34 (2) The clerk of each circuit court shall provide the
35 information required in subsection (1) monthly to the Office of
36 Vital Statistics on a form prescribed by the department by rule.

37 (3) The office shall compile the information received from
38 the clerks of circuit court and shall prepare a chart, on a form
39 prescribed by the department by rule, with the following
40 information broken down by county:

Amendment No. 1

41 (a) Total number of reported cases involving custody of a
42 minor child under chapters 61 and 742.

43 (b) Total number of children under 2 years of age and
44 total number of children between 2 years of age and 6 years of
45 age involved in custody proceedings.

46 (c) Total number of cases in which the court established a
47 parenting plan.

48 (d) Total number of cases that involved a domestic
49 violence proceeding.

50 (e) Total number of cases in which shared, sole, or
51 ultimate parental responsibility was awarded, respectively.

52 (f) In cases involving ultimate parental responsibility,
53 total number of cases in which ultimate parental responsibility
54 was awarded to the mother or the father, respectively.

55 (g) Total number of cases in which the court ordered equal
56 time-sharing.

57 (h) Total number of cases in which the court ordered a
58 time-sharing plan in which one parent was awarded greater time-
59 sharing than the other.

60 (i) Total number of cases in which the court ordered
61 greater time-sharing to the mother than to the father.

62 (j) Total number of cases in which the court ordered
63 greater time-sharing to the father than to the mother.

64 -----
65 -----

Amendment No. 1

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

Remove line 137 and insert:

term "primary or attending physician"; creating s. 382.0235,
F.S.; requiring circuit courts to create, and presiding judges
to complete, statistical information sheets relating to custody
proceedings; requiring circuit courts to provide such
information sheets to the Office of Vital Statistics within the
Department of Health; requiring the office to compile specified
information relating to custody proceedings; amending s.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB WMC 17-06 (2017)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Ways & Means Committee

2 Representative Boyd offered the following:

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

5 Remove lines 1365-1370

6
7
8 -----

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

10 Remove lines 106-107 and insert:

11 registration fees;