

FLORIDA HOUSE OF REPRESENTATIVES

2020 SESSION SUMMARY



Jose R. Oliva, SPEAKER

APRIL 2020



2020 Legislative Session End of Session Summary

This report was compiled by the staff of the Florida House of Representatives upon completion of the 2020 Legislative Session. The 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. 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 at [MyFloridaHouse.gov](https://www.myfloridahouse.gov). Both the current version of a bill or analysis and all earlier versions are included. 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 this report was compiled with information provided prior to March 20, 2020, so some acts had not been presented to the Governor and the time allotted for the Governor to approve or veto an act had not expired. Therefore, some acts identified as passed by both chambers may not have become law at the time of publication. To verify the current status of acts passed by the Legislature, visit the [Legislature's website](https://www.flhouse.gov) or call the Office of the Clerk, Bill Information at 1-850-717-5400.

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HOUSE OF REPRESENTATIVES

Appropriations Committee

Representative W. Travis Cummings, Chair

Representative Dane Eagle, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



Agriculture & Natural Resources Appropriations Subcommittee

Representative Holly Raschein, Chair

Representative Rick Roth, Vice Chair

Government Operations & Technology Appropriations Subcommittee

Representative Jayer Williamson, Chair

Representative Erin Grall, Vice Chair

Health Care Appropriations Subcommittee

Representative MaryLynn Magar, Chair

Representative Cary Pigman, Vice Chair

Higher Education Appropriations Subcommittee
Representative Randy Fine, Chair
Representative James Grant, Vice Chair

Justice Appropriations Subcommittee
Representative Clay Yarborough, Chair
Representative Bobby Payne, Vice Chair

PreK-12 Appropriations Subcommittee
Representative Chris Latvala, Chair
Representative Stan McClain, Vice Chair

Transportation & Tourism Appropriations Subcommittee
Representative Jay Trumbull, Chair
Representative Brad Drake, Vice Chair

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HB 5001 - General Appropriations Act
By: Appropriations Committee; Cummings

Tied Bills: None

Companion Bills: SB 2500

Committee(s) of Reference: None

Category: Budget; Public Employees

The following is a summary of HB 5001 as it passed the Legislature prior to the vetoes of any specific appropriations. The abbreviation GR is used to mean funds from the General Revenue Fund, FTE is used to mean Full time equivalent positions, and TF is used to mean funds from a trust fund. The abbreviation B means the associated number is shown in billions of dollars, the abbreviation M means the associated number is shown in millions of dollars and the abbreviation K means the associated number is shown in thousands of dollars.

Overview

The budget totals \$93.2 B (\$35.2 B GR, \$25 B State Trust Funds, and \$33 B Federal Trust Funds) and includes funding for 113,414 authorized positions or FTE.

There is an increase of \$2.2 B (2.4%) in total spending over the current fiscal year appropriation, including an increase of \$1.2 B (3.7%) in general revenue funds.

Summary

- **Reserves \$3.9 B = 10.6% of estimated general revenue**
 - General Revenue Unallocated / Working Capital = \$1.3 B
 - Budget Stabilization Fund = \$1.7 B
 - Lawton Chiles Endowment Fund = \$857.7 M
- **Trust Fund Transfers to General Revenue \$182.0 M**
 - No sweep to the Housing Trust Funds
 - Agriculture & Natural Resources \$86.5 M
 - Government Operations & Technology \$33.5 M
 - Health Care \$50.0 M
 - Justice \$1.0 M
 - Transportation & Tourism \$11.0 M
- **Coronavirus Response \$60.6 M Increase**
 - **COVID-19 Response \$52.4 M (\$25.1 M GR)** – Provides current year funding for the response to the Coronavirus outbreak to include additional epidemiology staff, enhanced surveillance systems, and medical protective equipment.
 - **Emerging Disease Response \$8.2 M GR** – Provides funds for other disease response to include the purchase of vaccines and early identification functions.
- **Hurricane Response \$1.7 B**
 - Revolving Loan Program \$40.0 M
 - Hurricane Housing Initiatives \$30.0 M
 - Local Community Initiatives \$12.1 M
 - Federal National Park Service Grant for Historic Properties Damaged by Hurricane Michael \$10.2 M

- Armory Replacement in Panama City \$6.3 M
- Rural Infrastructure Grants \$5.0 M
- Floodplain Risk Assessment \$2.0 M
- Real-Time Disaster Supply Tracking System \$0.1 M
- Federally Declared Disasters Grants \$1.6 B (\$225.2 M in state matching funds) - to repair damage and protect areas through FEMA (Federal Emergency Management Agency). This includes grant funding for Hurricanes Michael, Irma, Hermine, and Matthew.

Employee Benefit Issues

- **Total Benefit Issues \$192.7 M GR and \$142.5 M TF**
- **Total Salary Increase \$120.9 M GR and \$73.0 M TF**
 - Effective October 1, 2020, increase to the annual salary of all State Employees by 3%.
 - Effective October 1, 2020, increase to the annual salary of Correctional Officers and Agencies for Persons with Disabilities/Department of Children and Families Institutional Security Specialists by 3%, in addition to a supplemental increase based on years of service as follows:
 - 0-2 Years of Service - \$500 increase;
 - 2-5 Years of Service - \$1,500 increase; and,
 - 5+ Years of Service - \$2,500 increase
 - Effective October 1, 2020, Increase Correctional Teachers annual salary by 15%, in addition to the statewide increase.
 - Increase the annual salary of Child Protective Investigator and Senior Child Protective Investigators by 10%, to address the highest turnover; increase salaries for Child Protective Investigator Supervisors and Child Protective Field Support Consultants by 5%.
 - Provide additional Salaries and Benefits funding to make each appointed criminal conflict and civil regional counsel, district assistant regional counsel chiefs, administrative directors, and chief investigators part of the Senior Management Service Class.
 - Provide additional Salaries and Benefits funding to the Justice Administration Commission to grant Guardian ad Litem attorneys insurance benefits equivalent to Select Exempt employees.
- **Florida Retirement System Employer Contribution Increase – State \$17.4 M GR and \$35.9 M TF**
 - Fully funds the Unfunded Actuarial Liability and Normal Costs for State Entities.
- **State Health Insurance Employer Premium Increase \$54.5 M GR and \$33.7 M TF**
 - Fully funds the 6.5% increase in the employee health insurance premiums for current members of the State Group Health Insurance plans.

Education Fixed Capital Outlay

TOTAL BUDGET for FY 2020-21: \$1.6 B (\$14.0 M GR)

Highlights

- **Charter School Capital Outlay \$169.6 M TF** – Provides state funds for charter school capital outlay.
- **Higher Education Projects \$131.4 M (\$12.8 M GR)**
 - State Universities \$112.7 M

- University of Florida - \$43.3 M
- Florida Atlantic - \$26.1 M
- Florida State - \$20.0 M
- Florida Gulf Coast - \$15.0 M
- Florida International - \$8.3 M
- Florida Colleges \$18.6 M
 - Florida Gateway - \$6.1 M
 - State College, Manatee-Sarasota - \$5.0 M
 - Seminole - \$4.5 M
 - Gulf Coast - \$2.0 M
 - Indian River - \$1.0 M
- **Special Facilities Construction \$41.3 M TF** – Provides funding for projects in Gilchrist, Baker, Bradford, and Levy counties.
- **Other PECO Projects \$25.4 M TF** – Provides funding for the following projects:
 - Career and Technical Facilities \$8.0 M
 - Developmental Research (Laboratory) Schools Millage Equivalent \$7.0 M
 - Florida School for the Deaf and the Blind \$5.3 M
 - Public Broadcasting Stations \$4.9 M
 - Division of Blind Services \$100 K
- **State University Capital Improvement Fee Projects \$48 M TF** – Authorizes fixed capital outlay projects from student capital improvement fee revenues.
- **School and College Capital Outlay & Debt Service \$2.8 M TF** – Authorizes fixed capital outlay projects from motor vehicle license tax revenues per the Florida Constitution.

Agriculture & Natural Resources Appropriations Subcommittee

Overview

The Agriculture and Natural Resources Appropriation Subcommittee overall budget totals \$4.5 B (\$563.7 M General Revenue and \$3.916 B Trust Funds). Includes funding 8,799.25 authorized positions.

There is a 12.5% increase in the total spending and a 5.7% increase in general revenue funds over the current fiscal year appropriation.

Highlights

- **Everglades Restoration and Protection of Florida’s Water Resources \$690.0 M (\$290.5 M GR)**
 - **Everglades Restoration \$323.6 M (\$5.7 M GR)** – Provides \$192.7 M in new funding for Everglades restoration (including \$4.9 M TF and 8 FTE in the Department of Agriculture & Consumer Services for agricultural nutrient reduction and water retention projects in the Lake Okeechobee Watershed).
 - **Water Projects \$76.6 M GR** – Provides funds for storm water and wastewater treatment; water supply projects; and water quality improvement projects in local communities.
 - **Springs Restoration \$50.0 M TF** – Provides for springs restoration, protection, and preservation.

- **Aquifer Storage and Recharge Wells \$50.0 M GR** – Provides funds for the design, engineering, and construction of projects that reduce harmful discharges to the Caloosahatchee and St. Lucie Estuaries.
- **Alternative Water Supply Projects \$40.0 M (\$38.2 M GR)** – Provides funds for grants for alternative water supply and regional water supply initiatives.
- **Targeted Water Quality Improvements for Wastewater and Stormwater Grants \$25.0 M GR** – Provides funds for water quality improvement projects, including septic to sewer grants, wastewater improvements, and storm water system upgrades.
- **Targeted Water Quality Improvements for Total Maximum Daily Loads (TMDLs) \$25.0 M TF** – Provides funds for grants to local governments for storm water quality restoration projects and nonpoint source best management practices.
- **Targeted Water Quality Improvements for the St. Johns River, Suwannee River, and Apalachicola River Watersheds \$25.0 M GR** – Provides funds for water quality improvement projects in the St. Johns River, Suwannee River, and Apalachicola River watersheds.
- **Targeted Water Quality Improvements for the Indian River Lagoon \$25.0 M GR** – Provides funds for water quality improvement projects that impact the Indian River Lagoon.
- **Florida Resilient Coastline Initiative \$12.5 M (\$10.0 M GR)** – Provides \$9.9 M in new funds to help coastal communities prepare for the effects of rising sea levels and coral reef protection.
- **Water Quality Improvements \$10.8 M GR** – Provides funds for water quality improvements, increased water quality monitoring, creation of a water quality public information portal, and support for the Blue-Green Algae Task Force.
- **Innovative Technologies for Harmful Algal Blooms \$10 M GR** – Provides funds for innovative technologies and short-term solutions to address harmful algal blooms and nutrient pollution of Florida waters.
- **Coral Reef Protection and Restoration \$10 M GR** – Provides funds to protect and restore coral reefs from the impacts of disease.
- **Red Tide Research \$6.6 M (\$4.2 M GR)** – Provides \$4.2 M in new funds to establish a Center for Red Tide Research and support the Harmful Algal Bloom Task Force in an effort to better predict future red tide outbreaks and support research activities with a focus on red tide in the Fish and Wildlife Conservation Commission (FWCC).
- **Drinking Water and Wastewater Revolving Loan programs \$537.0 M (\$47.6 M GR)** – Low-interest loans for the construction of drinking water systems, wastewater treatment, and storm water management systems.
- **Hazardous Waste Cleanup \$155.5 M TF** – Provides \$125 M for the cleanup of contaminated petroleum sites, \$8.5 M for dry cleaning site cleanup, \$10.0 M for cleanup of state-owned lands, \$0.5 M for waste tire abatement, \$2.0 M for landfill closures, \$6.5 M for hazardous waste site cleanup, and \$3.0 M for the Small County Solid Waste Grant Program.
- **Beach Restoration Projects \$50.0 M TF** – Provides \$9.8 M in new funding for financial assistance to local governments and special taxing authorities for beach and dune restoration, nourishment, and inlet management.
- **State Park Improvements \$45.4 M TF** – Provides \$37.0 M for state park projects, \$4.0 M for ADA projects in state parks, \$2.0 M for park projects funded from grants and donations, and \$2.4 M for projects for Coastal and Aquatic Managed Areas.

- **Citrus Greening Response \$23.1 M (\$1.0 M GR)** – \$8.0 M TF to fund citrus greening research projects, \$7.4 M TF to continue funding for the Citrus Health Response Program, \$4.9 M TF to fund Citrus Research and Field Trials, and \$1.0 M GR for citrus crop decline supplemental funding.
- **Florida Forever Program \$100.0 M (\$15.0 M GR)** – Provides \$8.6 M for the Rural and Family Lands Protection Program in DACS, \$12.3 M for FRDAP, \$67.0 M for state lands, \$2.0 M for the Stan Mayfield Working Waterfronts Program, and \$10.0 M for Florida Communities Trust.
- **Citrus Canker Eradication Claims \$19.2 M GR** – Provides funds for the payments in the final judgments for Citrus Canker Eradication Claims for Lee County.
- **Wildfire Suppression Equipment and Land Management Activities \$15.3 M TF** – Provides funds to replace equipment for fire suppression; and for repair and maintenance of forestry facilities.
- **Small County Wastewater Grants \$13.0 M TF** – Provides funding for grants for the construction of wastewater treatment facilities for disadvantaged small communities to assist with meeting their needs for adequate sewer facilities.
- **Florida Keys Area of Critical State Concern \$10.0 M (\$4.0 M GR)** – Provides funds for local governments in the Florida Keys Area of Critical State Concern or the City of Key West Area of Critical State Concern to finance or refinance the cost of wastewater, storm water, or water quality improvement projects, or for land acquisition.
- **Nonnative and Conflict Species Management \$2.4 M (\$1.0 M GR)** – Provides funds for lionfish research and removal, combatting pythons, and for programs that help reduce conflicts with alligators and crocodiles.

Government Operations & Technology Appropriations Subcommittee

Overview

The Government Operations & Technology Appropriation Subcommittee overall budget totals \$2.13 B (\$344.3 M General Revenue and \$1.79 B Trust Funds). Includes funding for 11,277.50 authorized positions.

There is a 1.77% increase in the total spending and a 2.66% increase in general revenue funds over the current fiscal year appropriation, including an increase of 59 FTE.

Highlights

- **Fixed Capital Outlay \$71.6 M GR** – Provides fixed capital outlay for building repairs in the Florida Facilities Pool. Funding is included for the repair of the Capitol’s Waller Park and for the construction of the Florida Holocaust Memorial and the Florida Slavery Memorial.
- **First Responders, Law Enforcement, Communications \$39.8 M (\$10.4 M GR)** – Provides funding for law enforcement and first responder equipment, vehicles, training and materials, local fire department initiatives, the State Law Enforcement Radio System, the Emergency 911 call routing system, Florida Mutual Aid, and the Florida Interoperability Network.
- **Fiscally Constrained Counties \$31.1 M GR** – Provides for distributions to fiscally constrained counties.
- **FLAIR Replacement/PALM \$26.4 M TF** – Replacement of the state’s accounting system.
- **Lottery Gaming Systems Contract \$3.1 M TF** – For anticipated expenditures of terminal games sales based on the December 2019 Revenue Estimating Conference and increased transfers to Education.
- **Private Prison Fixed Capital Outlay \$4.9 M (\$3.4 GR)** – Provides for critical repairs at the Lake City and Gadsden Private Prison facilities.

- **Department of Revenue (DOR) – Enhanced Technology \$6.7 M TF** – Provides for the replacement of DOR’s Image Management System and for the upgrade and consolidation of DOR’s E-Services Taxpayer Portal.
- **Restaurant and Lodging Inspectors \$1.3 M TF** – Provides \$1.3 M TF and 21.00 FTE to assist the Department of Business and Professional Regulation (DBPR) in meetings’ its statutory responsibility to inspect all restaurants annually.
- **Division of Retirement \$1.1 M TF** – Provides 13.00 FTE and additional resources to reduce the call wait time of the Retirement Customer Contact Center. Currently one-third of all calls go unanswered and wait times often exceed 30 minutes.
- **Human Trafficking Prevention \$0.3 M TF** – Provides 4.00 FTE to implement new law requiring DBPR to oversee training of hotel employees statewide to detect human trafficking and notify law enforcement.

Health Care Appropriations Subcommittee

Overview

The Health Care Appropriation Subcommittee overall budget totals \$39.4 B (\$10.6 B General Revenue and \$28.7 B Trust Funds). Includes funding for 30,870 authorized positions.

There is a 4.49% increase in the total spending and a 4.33% increase in general revenue funds over the current fiscal year appropriation including a net reduction of 60 FTE.

Highlights

- **Medicaid Price Level and Workload Adjustment \$900.7 M (\$144.5 M GR)** – Funding for Medicaid caseloads and price level adjustments for the 2020-2021 fiscal year as agreed upon by the January 2020 Social Service Estimating Conference (SSEC) for an anticipated 3,812,308 Medicaid beneficiaries.
- **Florida Kid Care Enrollment \$31.5 M (\$74.7 M GR)** – Funding for the KidCare program for the 2020-2021 fiscal year as agreed upon at the January 2020 Social Services Estimating Conference to serve approximately 296,185 children.
- **Nursing Home Reimbursement Rate Adjustment \$74.8 M (\$28.6 M GR)** – Funding to increase the Medicaid reimbursement rate for all Medicaid Nursing Home providers.
- **Florida Health Care Connection (FX) \$47.1 M TF** – Funding to continue payments to vendors and consultants related to the development of new Florida Medicaid Management Information System (FMMIS) and procurement of new fiscal agent.
- **Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) Reimbursement Rates \$38.4 M (\$14.6 M GR)** – Funding to establish a new level of reimbursement for Medicaid-eligible individuals residing in or seeking admission to an ICF/IID who have severe behavioral needs.
- **Combined Risk Pools for the Medikids Program 31.1 M (\$2.6 M GR)** – Provides authority for Medikids Full Pay and Subsidized premiums to be combined into the same pool to mitigate medical premium increases to Full Pay participants.
- **Canadian Prescription Drug Importation Program \$10.3M TF** – Program to facilitate the wholesale importation of safe and effective prescription drugs to Florida from approved Canadian suppliers. Provides 3.0 FTEs to manage contract and program oversight and \$10M for the agency to enter into a contract with a vendor to assist with the administration of the program.
- **Alzheimer’s Disease, Community Care, and Home Care for the Elderly Initiatives \$7.6 M GR** – Funding to reduce the waitlist by 243 individuals for Alzheimer’s respite services, by 500 individuals

for the Community Care for the Elderly program, and by 145 individuals for the Home Care for the Elderly program.

- **Public Guardianship Program \$8.7 M GR** – Additional funding (\$7.8 M) for public guardianship services to 1,531 additional incapacitated and indigent persons from the public guardian program. Includes funding (\$0.5 M) to monitor more than 550 professional guardians' compliance with established standards of practice and funding (\$0.5M) to cover the growing demand for professional guardian investigative services.
- **Local Community Initiatives and Alzheimer's Disease Community Projects \$8.7 M GR** – Funding for elder meal programs, local community initiatives, and Alzheimer's Disease projects that provide needed services to vulnerable seniors in a home and community based setting.
- **Program of All Inclusive Care (PACE) Expansion \$6.3 M (\$2.4 M GR)** – Funding for 50 PACE slots in Martin County; 50 PACE slots in Palm Beach County; 50 PACE slots in Baker, Clay, Duval, Nassau, and St. Johns counties; and 53 PACE slots in Miami-Dade County.
- **Waiver Deficits \$241.1 M (\$92 M GR)** – Provides funding for Fiscal Year 2018-2019 deficit and estimated Fiscal Year 2019-2020 deficit in the iBudget Home and Community Based Services waiver.
- **Waiver Resources \$97.3 M (\$37.1 M GR)** – Provides funds to serve the greatest number of individuals from the waiver waitlist (\$30.2 M) and for growth within the iBudget Home and Community Based Services waiver (\$67.1 M).
- **Waiver Provider Rate Increases \$60.2 M (\$23 M GR)** – Provides funds for rate increases for Adult Day Training, Personal Supports, Residential Habilitation, and Respite services to increase the average hourly wage to \$11.
- **Supported Employment \$1 M GR** – Provides funds for Supported Employment and Internships to assist approximately 650 clients on the Waiver waitlist to gain employment or paid internships.
- **Fixed Capital Outlay \$3.3 M TF** – Provides funds for Fixed Capital Outlay needs at the Sunland Center in Marianna.
- **HIV/AIDS \$9.1 M TF** – Provides funding for Housing Opportunity for Persons Living with AIDS.
- **New Veterans' Homes Staffing \$8.9 M TF** – Provides funds and 68 FTE for final staffing operations at the Ardie R. Copas and Lake Baldwin State Veterans' Nursing Homes (both opening summer 2020).
- **Veteran Training \$1.4 M GR** – Provides funds for Florida is for Veterans for the Entrepreneur Training Grant and the Workforce Training Grant Program.
- **Community-based Care Lead Agencies \$36.7 M (\$17.7 M GR)** – Funding for the Community-based Care (CBC) Risk Pool to provide resources to CBCs that experience operational deficits (\$5 M), and provides additional resources to reduce the case manager to caseload ratio (\$11.9 M). Included also is \$19.8 M to CBCs experiencing current year deficits.
- **State Opioid Response and Overdose Grants \$88.3 M TF**– Provides budget authority for the State Opioid Response grant (\$81.8 M) that provides targeted substance abuse services (mostly medication-assisted treatment). Provides budget authority (\$6.5 M) to reduce opioid deaths through the Overdose Data to Action grant from the federal CDC. The purpose of this grant is to continue fatal and non-fatal drug overdose surveillance.
- **Mental Health Forensic Community Transitional Placements \$2.1 M GR** – Provides funding for an additional 24 forensic Residential Level 1 community transition beds in the Northeast, Central, and Southern regions.
- **Accessibility of Telehealth \$4.0 M GR** – Provides funding for a pilot program that provides telehealth services in 350 public schools, with emphasized availability in rural counties.
- **Guardianship Assistance Program \$16.8 M (\$9.2 M GR)**– Realigns \$9.2 M GR from the relative caregiver component of TANF Cash Assistance to the Guardianship Assistance Program (GAP) to

account for the anticipated growth of GAP subsidy recipients. Also, provides \$7.6 M of Title IV-E funds to account for the federal earnings associated with the increase of eligible caregivers.

- **Child Welfare Evidence-based Practices and Services \$18.0 M TF** – Funding to implement evidence-based programs in child welfare, behavioral health and in-home parenting programs that comply with requirements in the Family First Prevention Services Act (FFPSA) and will enhance federal claiming of Title IV-E.
- **Adoption Subsidies \$20.0 M (\$9.4 M GR)** – Increase in Maintenance Adoption Subsidies for an additional 4,200 new adoption finalizations.

Higher Education Appropriations Subcommittee

Overview

The Higher Education Appropriations Subcommittee overall budget totals \$8.5 B (\$4.8 B General Revenue; \$1.4 B Lottery; \$2.3 B Trust Funds). Includes funding for 1,239 authorized positions.

There is a 3.0% increase in the total spending and a 2.2% increase in general revenue funds over the current fiscal year appropriation.

Highlights

- **Bright Futures Workload Adjustment \$56.6 M TF** – Funding for the Bright Futures Scholarship Program as agreed upon by the December 2019 Education Estimating Conference on Student Financial Assistance. This fully funds Bright Futures Scholarships at an anticipated 126,541 students. Awards are continued at 100% of tuition and fees with an additional stipend of \$600 provided each fall and spring term for Florida Academic Scholars (FAS); and 75% of tuition and fees for Florida Medallion Scholars (FMS). Additionally, funding is continued for the summer term for FAS and FMS.
- **Benacquisto Scholarship Program \$5.2 M GR** – Funding for the Benacquisto Scholarship Program as agreed upon by the December 2019 Education Estimating Conference on Student Financial Assistance. Fully funds scholarship program an anticipated 1,623 students.
- **Children and Spouses of Deceased or Disabled Veterans (CSDDV) \$0.8 M GR** – Funding for the CSDDV Scholarship Program as agreed upon by the December 2019 Education Estimating Conference on Student Financial Assistance to fully fund the scholarship program at an anticipated 2,032 students.
- **Private Tuition Assistance Grants Workload Adjustment \$2.8 M GR** – Funding for the Effective Access to Student Education Grant (EASE) and Access to Better Learning in Education Grant (ABLE) as agreed upon by the December 2019 Education Estimating Conference on Student Financial Assistance. Fully funds scholarship program an anticipated 42,832 students at \$2,841 per student.
- **Workload Funding for District Technical Centers \$2.0 M GR** – Provides an increase to address workload needs based on current enrollment.
- **Increased funding for Florida College System Institutions \$22.9 M GR** – Provides \$22.9 M for Florida Colleges to be distributed by the Department of Education using a new allocation model.
- **National Ranking \$30 M GR** – Provides \$30 M for National Ranking, which is equally divided between the University of Florida and Florida State University. Funding is provided to elevate the national competitiveness of Florida’s public universities.
- **Universities of Distinction \$15 M GR** – Provides funding to be allocated by the Board of Governors for non-preeminent universities to create a path towards excellence in areas focused

on achieving excellence at the national or state level with focus on a core competency unique to the State University System.

- **Operational Support for Colleges and Universities \$60.8 M GR** – Provides operational support for various State University System (\$53.5 M) and Florida College System institutions (\$7.3 M).
- **Institute of Food and Agricultural Sciences (IFAS) Workload \$3.8 M GR** – Funding to support the increasing demands of research and extension workload efforts at UF-IFAS.
- **Increased Funding for Historically Black Colleges \$20.7 M GR** – Provides operational support for Bethune Cookman University, Florida Memorial University, and Edward Waters College.
- **Florida Institute for Child Welfare (FSU) \$5.0 M GR** – Provides funding for expanded functions of the Florida Institute for Child Welfare at Florida State University (FSU) to redesign the social work curriculum; design and implement a program of career-long training, certification and professional support for child welfare workers; and establish programs which improve retention and overall staff wellbeing for child welfare workers.
- **Institute of Politics (FSU) and Institute of Economic Freedom (Florida International University)** – Provides \$1 M GR each for two institutes at State University System institutions.

Current Year Funding Issues

- Provides \$31.3 M in nonrecurring funds from the Educational Enhancement Trust Fund to the Department of Education for the projected Fiscal Year 2019-2020 deficit in the Bright Futures Scholarship Program.
- Provides \$688,723 in nonrecurring funds from the General Revenue Fund to the Department of Education for the projected Fiscal Year 2019-2020 deficit in the Benacquisto Scholarship Program.

Justice Appropriations Subcommittee

Overview

The Justice Appropriations Subcommittee overall budget totals \$5.6 B (\$4.7 B general revenue funds and \$838.4 M trust funds). Includes funding for 46,886 authorized positions.

This is an increase of 2.1% in total funding and a 3.2% increase in general revenue funds over the current fiscal year appropriation, including an increase of 520 full-time equivalent (FTE) positions.

Highlights

- **Inmate Health Care Services in the Florida Department of Corrections (FDC) \$47.8 M GR**
 - Provides \$28 M of nonrecurring GR funds to treat inmates infected with the Hepatitis C virus and to respond to a pandemic in the prison system, as needed;
 - Provides \$12.4 M of recurring GR funds to cover debt services payments associated with the construction of a mental health treatment facility at Lake Correctional Institution; and
 - Provides \$7.4 M of nonrecurring GR funds to complete architecture and engineering services for the new mental health treatment facility and to continue renovating and retrofitting existing facilities that provide mental health treatment services.
- **Second District Court of Appeal (DCA) Courthouse \$21.0 M GR** – Provides nonrecurring funding for land acquisition, planning and first year construction costs for a new 2nd District Court of Appeals courthouse located in Pinellas County.

- **Transition Correctional Officers to 8.5 Hour Shifts \$17.3 M GR** – Provides funds and 220 FTE positions to implement a pilot project that transitions correctional officers from 12 hour shifts to 8.5 hour shifts in state-operated correctional facilities.
- **Trust Fund Solvency \$17.2 M GR** – Provides recurring GR funds to lessen the impact of declining revenues, and maintain current levels of service delivery, in the following trust funds:
 - \$13.0 M GR is provided to the Department of Juvenile Justice (DJJ) for the Social Services Block Grant Trust Fund (\$10.0 M GR) and the Grants and Donations Trust Fund (\$3.0 M GR);
 - \$3.3 M GR is provided to the Florida Department of Law Enforcement (FDLE) for the Criminal Justice Standards and Training Trust Fund; and
 - \$900,000 nonrecurring GR is provided to the Department of Legal Affairs for the Crimes Compensation Trust Fund.
- **Information Technology Projects and Initiatives \$16.5 M GR & TF** – Provides recurring and nonrecurring funds for the following:
 - \$8.1 M is provided to FDLE for the Criminal Justice Data Transparency initiative (\$3.6 M GR), the transition to the incident based reporting system (\$2.6 M GR) and maintenance of the Computerized Criminal History Record System (\$1.9 M GR);
 - \$6.4 M is provided to the Department of Legal Affairs to complete the IT modernization project (\$3.4 M GR; \$3 M TF); and
 - \$2 M GR is provided to FDC to transition to electronic health records.
- **Workload Needs in the State Courts System \$13.5 M GR & TF** – Provides funding and 106.5 FTE positions to the Judicial Branch for the following:
 - \$5 M GR & TF and 37.5 FTE positions is provided for additional court interpreting resources;
 - \$3.4 M GR and 21 FTE positions is provided to establish six additional county court judges and four additional circuit court judges, in accordance with the Supreme Court's recent certification order;
 - \$2.8 M GR & TF and 27 positions is provided for additional resources in problem solving courts, family courts, and various circuit and county courts; and
 - \$2.3 M GR and 21 FTE positions is provided to implement the provisions of the child welfare bill (HB 1105) relating to early childhood court programs.
- **Infrastructure Maintenance and Repairs \$11.6 M GR & TF** – Provides nonrecurring funds for various critical fixed capital outlay projects in the Departments of Corrections (\$6 M GR), Juvenile Justice (\$3.4 M TF) and Law Enforcement (\$2.2 M TF).
- **Security and Program Enhancements in FDC \$10.1 M GR** – Provides funding and 78 FTE positions for the following:
 - \$5.2 M GR and 34 FTE positions is provided to place Correctional Officer Sergeants that are dedicated to security threat group research and analysis at one quarter of the state-operated correctional institutions (\$2.2 M recurring and nonrecurring GR) and \$3 M of recurring GR is provided to purchase critical security enhancement equipment statewide; and
 - \$4.9 M GR and 34 FTE positions is provided to establish inmate wellness programs (\$1.9 M GR) and to expand career and technical education programs (\$3 M GR).

PreK-12 Appropriations Subcommittee

Overview

The PreK-12 Appropriations Subcommittee overall budget totals \$17.0 B (\$13.2 B General Revenue and \$3.7 B Trust Funds). Includes funding for 1,028 authorized positions.

There is a 4.75% increase in the total spending and a 3.29% increase in general revenue funds over the current fiscal year appropriation.

Highlights

- **Florida Education Finance Program (FEFP) \$776.0 M (\$527.3 M State Funds and \$248.6 M Local Funds)** – Provides a 3.55% increase in total funds in the FEFP over current year. Provides an increase of \$183.62 (2.40%) for a total funds per student of \$7,839.58.
 - **Salary Enhancement Supplement \$500 M GR** – Establishes new Teacher Salary Increase Allocation categorical in the FEFP to assist school districts recruit and retain quality classroom teachers. Of the total amount, \$400 M is provided to increase the minimum base salary of full-time classroom teachers, to include certified prekindergarten teachers funded in the FEFP, to at least \$47,500 or the maximum amount achievable within the school district's portion of the allocation. The remaining amount of \$100 M is provided to allow school districts to provide salary increases to full-time classroom teachers, to include certified prekindergarten teachers funded in the FEFP, who did not receive or who received less than a 2 percent increase from the \$400 M and/or other instructional personnel.
 - **Mental Health Assistance Allocation \$25 M** – Increases the Mental Health Assistance Allocation in the FEFP which provides for a total amount of \$100 M for this categorical.
 - **Required Local Effort (RLE)** – Includes an increase of \$158.8 M by allowing the Required Local Effort to grow by new construction only, resulting in an ad valorem buy back of \$304.8 M.
 - **Best and Brightest Teachers and Principals Program** – Transfers the funds from this program within the FEFP to help fund the increase in the base student allocation and the new Teacher Salary Increase Allocation.
- **Voluntary Prekindergarten \$8.1 M GR** – Provides for an increase to the base student allocation (BSA) which results in a \$49 BSA increase for the regular school year VPK and a \$42 BSA increase for summer school VPK.
- **Gardiner Scholarship Program \$42.0 M GR** – Provides an increase to the scholarship program to fund the wait list.
- **School Hardening Grants \$42.0 M GR** – Provides funds for a third year of grant funding to assist school districts with improvements to the physical security of school buildings based on districts' security risk assessment.

Current Year Funding

- Provides \$5.2 M in nonrecurring funds from the Child Care and Development Block Grant Trust Fund to the Office of Early Learning for Fiscal Year 2019-2020 for the Supplemental Disaster Relief Funds for Child Care programs.

Transportation & Tourism Appropriations Subcommittee

Overview

The Transportation & Tourism Appropriations Subcommittee's budget totals \$13.8 B (\$231.5 M in general revenue funds and \$13.5 B in trust funds). This includes funding for 13,044 positions.

There is a 9.3% decrease in total spending under the current fiscal year appropriation.

Highlights

- **Transportation Work Program \$9.3 B TF** – Provides full funding for the department's 5-year Transportation Work Program.
- **Federally Declared Disaster Funding \$1.4 B TF** – Provides federal budget authority for the Division of Emergency Management to manage and continue public assistance and mitigation programs for the state and communities for disasters throughout the state.
- **Affordable Housing \$370 M TF** – Fully funds housing programs including \$340 M for the traditional SHIP (State Housing Initiatives Partnership) and SAIL (State Apartment Incentive Loan) programs. The budget provides additional hurricane recovery efforts by including \$20 M for the Hurricane Housing Recovery Program modeled after the existing SHIP, and \$10 M for down payment and closing cost assistance in conjunction with the Homebuyer Loan Program.
- **Economic Development \$181.9 M (\$57.8 M GR and \$124.1 M TF)**
 - Provides \$84.5 M for the economic development partnerships.
 - Provides \$50 M TF for Visit Florida tourism marketing campaigns.
 - Provides \$18.5 M TF for aerospace industry development and infrastructure funding through Space Florida.
 - Provides \$16 M TF for Enterprise Florida's operations to support its mission to expand the business community.
 - Provides \$30 M (\$2 M GR, \$28 M TF) for economic development activities (Quick Response Training, Defense Support Task Force, Hispanic Business Initiative Outreach Program, Black Business Loan Program, Military Base Protection, Defense/Rural Infrastructure, Sports Foundation).
 - Provides \$25.7 M (\$14.8 M GR, \$10.9 M TF) for audited performance payments under the economic incentive programs (Brownfield Redevelopment, Qualified Target Industry, High Impact Business Performance Incentives, e.g.). Payments are based on the state's contractual obligations under existing agreements.
 - Provides \$20 M GR for the Job Growth Grant Fund to continue efforts to support public infrastructure and workforce training around the state.
 - Provides an additional \$5 M for the Rural Revolving Loan Fund program within the Department of Economic Opportunity.
- **Revolving Loan Fund Program \$40 M TF**– Provides small businesses affected by Hurricane Michael with affordable loans they need to repair and replace capital outlay needs and improve operations that were adversely impacted by the storm.
- **Department of State Cultural and Historic Grant Lists \$27.4 M (\$25.9 GR)**– Provides \$20.3 M for cultural and museum grants. Historic preservation grants are fully funded at \$1.5M and restoration of historic properties is funded at \$5.6M.
- **Libraries \$20.3 M GR** – Provides \$17.3 M for state aid to libraries, \$1 M for Library Construction Grants, and \$2 M for library cooperatives.

- **Department of Military Affairs Armories \$10.9 M GR**
 - Provides \$6.25 M GR to replace the Panama City Armory, which suffered damage from Hurricane Michael.
 - Provides \$3.4 M GR for armory maintenance and repairs to meet building and safety codes in Bonifay, Leesburg, and Orlando Fern Creek.
- **Motorist Modernization Phase II \$9.9 M TF**– Provides continued authority for a multi-year information technology initiative to modernize the DHSMV motor vehicle issuance systems. Phase II will focus on consolidating driver license and motor vehicle information into a single database and enhancing on-line options for customers utilizing the MyDMV portal.
- **Elections Issues \$11.7 M**
 - **2020 HAVA Election Security Grant \$3.5 M** – Provides funding for the 2020 Help America Vote Act (HAVA) election security grant.
 - **Division of Elections Funding Restoration \$1.8 M TF** – Provides recurring General Revenue for the Division of Elections to support operations previously funded with federal funds.
 - **Special Elections \$1.5 M GR** – Provides reimbursements to counties for special elections costs as statutorily required.
 - **Electronic Registration Information Center (ERIC) \$1.4 M GR**– Provides funding for ERIC membership to improve voter registration maintenance.
 - **Advertising Constitutional Amendments \$1.3 M GR**– Provides funding for advertising constitutional amendments. The Florida Constitution requires the state to advertise in a newspaper of general circulation in each county in both English and Spanish.
 - **Cybersecurity Bureau \$1.3 M GR** – Provides funding and authorization for 10 new FTE to create a bureau of cybersecurity.
 - **Cyber Security for Counties \$1 M GR**– Provides funding to support the cyber security efforts of the Supervisors of Elections throughout the state.
- **Defense and Rural Infrastructure Grants \$10.2 M (\$2M GR)**– Provides \$1.6 M for Defense Infrastructure Grants and \$3.6 M for Rural infrastructure Grants. The budget directs an additional \$5 M to inland panhandle counties through rural infrastructure grants for planning and financing grants to rebuild these communities.
- **State Emergency Operations Center \$3.5 M GR** – Provides design funding for constructing a new State Emergency Operations Center.
- **Artifact Curation Facility \$2.5 M GR** – Provides funding for the design and initial construction of a new artifact curation facility for the Department of State.
- **Florida Highway Patrol \$1.3 M TF** – Provides authorization and funding for eight new troopers for patrolling the First Coast Expressway.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020 except as otherwise provided.

HB 5003 - Implementing the 2020-2021 General Appropriations Act

By: Appropriations Committee; Cummings

Tied Bills: None

Companion Bills: 2502

Committee(s) of Reference: None

Category: Agriculture; Budget; Corrections; Courts; Environmental Protection; Government Operations; Health; Health Care Facilities; Higher Education and Workforce; Juvenile Justice; Post-Secondary Education; Pre-K through 12 Education; Public Employees; Social Services; 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 2020-2021. The statutory changes are effective for only one year and either expire on July 1, 2021, 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, 2020.

HB 5005 - Collective Bargaining

By: Appropriations Committee; Cummings

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: None

Category: Public Employees

The bill resolves the collective bargaining issues remaining at impasse between the State of Florida and the bargaining representatives for state employees for the 2020-2021 fiscal year that were not resolved in the General Appropriations Act (GAA) or other legislation. Of the 37 articles that remained at impasse, 11 were economic in nature and were resolved in the GAA. Of the remaining 26 articles resolved in this bill, 9 were resolved by maintaining the status quo under the current collective bargaining agreement, 16 were resolved by adopting the state’s position and 1 was resolved by maintaining the status quo in part and by adopting the union’s position in part.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

HB 5007 - State-administered Retirement Systems

By: Appropriations Committee; Cummings

Tied Bills: None

Companion Bills: SB 7044

Committee(s) of Reference: Appropriations

Category: Public Employees; Retirement

The bill, relating to the Florida Retirement System, adjusts the employer-paid contribution rates for normal cost and unfunded actuarial liability for the Florida Retirement System, based on the 2019 Actuarial Valuation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Agriculture & Natural Resources Appropriations Subcommittee

The Agriculture & Natural Resources Appropriations Subcommittee was not first reference on any bill that passed both houses of the Legislature.

Government Operations & Technology Appropriations Subcommittee

CS/HB 1049 - Office of the Judges of Compensation Claims

By: Government Operations & Technology Appropriations Subcommittee; Stone

Tied Bills: None

Companion Bills: CS/SB 1298

**Committee(s) of Reference: Government Operations & Technology Appropriations Subcommittee;
State Affairs Committee**

Category: Budget; Courts; Government Operations

The bill provides that the salaries for judges of compensation claims will be equal to that of county court judges, with the exception of the Deputy Chief Judge of Compensation Claims, whose salary will be \$1,000 greater than the judges of compensation claims. The salaries of county court judges, which are currently \$151,822, are established in Section 8 of chapter 2019-115, L.O.F.

The bill provides a recurring appropriation of \$1,114,087 from the Operating Trust Fund of the Division of Administrative Hearings (DOAH), and associated salary rate of 870,392, to adjust the salaries of the Deputy Chief Judge and the judges of compensation claims. Funds expended from the DOAH Operating Trust Fund are from funds transferred from the Department of Financial Services' Workers' Compensation Administration Trust Fund pursuant to s. 440.50, F.S.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 1714 - Sale of Surplus State-owned Office Buildings and Associated Nonconservation Lands

By: Bradley

Tied Bills: None

Companion Bills: HB 1387

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

Subcommittee on Agriculture, Environment, and General Government; Appropriations

Category: Government Operations; Real Property

The bill removes the requirement that state-owned buildings or parcels of land must be offered to state universities or the Florida College System institutions prior to being offered for lease or sale. The bill also provides requirements for determining the value of surplus lands to be based on the highest and best use of the property considering all applicable developmental rights to ensure the highest value to the state.

The bill clarifies that only funds received from the sale of surplus state-owned office buildings and the nonconservation lands associated with such buildings, must be deposited into the Architects Incidental Trust Fund within the Department of Management Services (department), and that the funds may only be used for specific operational and facilities development activities of the department.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Health Care Appropriations Subcommittee

The Health Care Appropriations Subcommittee was not first reference on any bill that passed both houses of the Legislature.

Higher Education Appropriations Subcommittee

The Higher Education Appropriations Subcommittee was not first reference on any bill that passed both houses of the Legislature.

Justice Appropriations Subcommittee

CS/SB 1056 - PACE Center for Girls

By: Criminal Justice; Simpson

Tied Bills: None

Companion Bills: CS/HB 681

Committee(s) of Reference: Criminal Justice; Appropriations

Category: Juvenile Justice

The bill authorizes the Department of Juvenile Justice to contract with the PACE Center for Girls, a 501(c)(3) non-profit organization, to provide alternatives to institutionalization or commitment for girls and young women through services including, but not limited to, education, counseling, training, and advocacy. Such contracts must be authorized by and consistent with funding appropriated in the General Appropriations Act and be in accordance with s. 985.644, F.S.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

HB 5301 - Judges

By: Justice Appropriations Subcommittee; Yarborough; Beltran

Tied Bills: None

Companion Bills: SB 7050

Committee(s) of Reference: Appropriations Committee

Category: Court Administration; Courts

The bill establishes six new county court judgeships, four in Hillsborough County, one in Lee County and one in Orange County, and four new circuit court judgeships, one in the First Judicial Circuit, two in the Ninth Judicial Circuit and one in the Fourteenth Judicial Circuit.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

PreK-12 Appropriations Subcommittee

HB 641 - Funds for the Operation of Schools

By: Plasencia; Overdorf

Tied Bills: None

Companion Bills: None

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

Category: Pre-K through 12 Education

HB 641 removes a limitation on the number of semester credit hours that may be rewarded in the International Baccalaureate Program, the Advanced International Certificate of Education Program and the International General Certificate of Secondary Education Program.

The bill provides a 0.30 full-time equivalent (FTE) add-on bonus amount funded in the Florida Education Finance Program (FEFP) to be generated by students who graduate with the Advanced Placement (AP) Capstone Diploma and meet the requirements for a standard high school diploma. Students who graduate with the AP Capstone Diploma will generate the add-on bonus funding for their school districts in the subsequent fiscal year.

The bill creates the new Teacher Salary Increase Allocation in the FEFP and establishes the policy for the distribution of the new allocation. The allocation's amount is provided in Specific Appropriation 92 in the Fiscal Year 2020-21 General Appropriations Act (GAA). A portion of the allocation must be used to increase the minimum base salary for full-time classroom teachers to include certified Pre-K teachers funded in the FEFP, to at least \$47,500 or the maximum amount achievable within the district's allocation. The bill specifies that no full-time classroom teacher will receive a salary less than the minimum base salary. An additional portion of the allocation must be used to provide salary increases for: (1) full-time teachers, to include certified Pre-K teachers funded in the FEFP, who did not receive or received an increase of less than a 2 percent from the minimum base salary portion; and/or (2) other full-time instructional personnel. These allocations do not include substitute teachers.

Districts and charter schools must maintain the minimum base salary and not reduce the salary increases provided by this policy unless specifically authorized in the GAA.

Before the allocation is distributed, districts and charter schools must: (1) receive school district board or charter school governing board approval for its salary distribution plan, and (2) submit approved plans to the Department of Education (DOE) by October 1. The bill prescribes the following reporting requirements: (1) districts provide a preliminary allocation expenditure report to the DOE by December 1, (2) DOE submits a statewide planned expenditure report to the Legislature by February 1, and (3) districts submit their final reports to DOE by August 1. The bill specifies that while not precluding bargaining over wages, the Teacher Salary Increase Allocation must only be used as authorized in law; which includes the allocation being included in the calculation of the Virtual Education Contribution in the FEFP but is not included in the calculation of the scholarship award amounts authorized in chapter 1002.

The bill repeals the Best and Brightest Teacher and Principal Program.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Transportation & Tourism Appropriations Subcommittee

HB 7049 - International Affairs

By: Transportation & Tourism Appropriations Subcommittee; Trumbull

Tied Bills: None

Companion Bills: CS/SB 1212

Committee(s) of Reference: Appropriations Committee

Category: Government Operations

HB 7049 transfers the state protocol officer position from the Executive Office of the Governor to the Department of State, makes revisions to the duties of the state protocol officer, and provides for the establishment of citizen support organizations relating to international affairs.

The bill makes the following adjustments:

- Transfers the duties of the state protocol officer from the Executive Office of the Governor to the Department of State;
- Removes the duty of issuing certificates to foreign government officials;
- Removes the duty of verifying sales and use tax exemptions;
- Removes the duty requiring the state protocol officer to operate the sister city and sister state programs; and
- Provides for the establishment of Citizen Support Organizations relating to international affairs.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

HOUSE OF REPRESENTATIVES

Commerce Committee

Representative Mike La Rosa, Chair

Representative Jason Fischer, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



Business & Professions Subcommittee

Representative Heather Fitzenhagen, Chair

Representative Amber Mariano, Vice Chair

Energy & Utilities Subcommittee

Representative Charlie Stone, Chair

Representative Jason Fischer, Vice Chair

Gaming Control Subcommittee

Representative David Santiago, Chair

Representative Daniel Perez, Vice Chair

Insurance & Banking Subcommittee

Representative Byron Donalds, Chair

Representative Charles Wesley Clemons, Sr., Vice Chair

Workforce Development & Tourism Subcommittee

Representative Rene Plasencia, Chair

Representative Jayer Williamson, Vice Chair

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CS/CS/CS/SB 810 - Use of Tobacco Products and Nicotine Products

By: Appropriations; Innovation, Industry, and Technology; Health Policy; Simmons

Tied Bills: None

Companion Bills: CS/HB 7089

Committee(s) of Reference: Health Policy; Innovation, Industry, and Technology; Appropriations

Category: Business and Professional Regulation; Health; Public Safety

The bill

- increases the minimum age from 18 years of age to 21 years of age to lawfully purchase and possess tobacco products, nicotine products, and vapor-generating electronic devices,
- repeals exceptions to the minimum age requirements that allow persons in the military and emancipated minors to possess or purchase tobacco products,
- maintains the exception to the minimum age requirements that allows persons acting within the scope of their lawful employment to handle tobacco products,
- prohibits smoking and vaping by any person under 21 years of age on or near school property,
- increases the age from 18 years of age to 21 years of age to obtain a retail tobacco products dealer permit, a cigarette wholesaler permit, a cigarette distributor permit, or a cigarette manufacturer permit,
- amends the definition of “tobacco products” to include nicotine products, vapor-generating electronic devices, and substances for use in a vapor-generating electronic device, which will require businesses that sell such products to obtain a retail tobacco products dealer permit,
- creates a limited retail tobacco products dealer permit which allows a retailer to choose to sell only nicotine products and vapor-generating electronic devices, but not other tobacco products, without having to pay the annual fee for the full retail tobacco products dealer permit,
- limits the sale of tobacco products through a vending machine to a location that prohibits persons under 21 years of age on the premises,
- requires age verification before a sale or delivery of a tobacco product to a person under 30 years of age,
- requires a two-step age verification for sales and deliveries of vapor-generating electronic devices and liquid nicotine products that are not conducted under the direct control or line of sight of the retailer,
- prohibits the sale of flavored liquid nicotine products (other than tobacco or menthol flavors), and provides an exception for such products if the U.S. Food and Drug Administration issues a marketing order to permit the product to be sold, and
- adds anti-vaping education as an option for persons under 18 years of age that are charged with under-age violations relating to the purchase or possession of nicotine products.

Subject to the Governor’s veto powers, the effective date of this bill is January 1, 2021.

CS/CS/CS/HB 1339 - Community Affairs

By: Commerce Committee; Ways & Means Committee; Local, Federal & Veterans Affairs

Subcommittee; Yarborough and others

Tied Bills: None

Companion Bills: CS/CS/CS/SB 998

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; Commerce Committee

Category: Business and Professional Regulation; Economic Development; Local Government; Real Property; Social Services

The bill addresses community development zoning, impact fees, affordable housing, and mobile homes and parks. The bill

- authorizes local governments to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use,
- authorizes local governments to create a linkage fee for the purpose of funding affordable housing, and provides that certain developers are entitled to a full offset of the fee,
- allows “private entities,” in addition to counties and municipalities, to issue bonds under the Florida Interlocal Cooperation Act,
- requires reporting of impact fee data within the annual financial audit report submitted to the Department of Financial Services,
- requires the evaluation of local government contribution criteria when considering applications submitted for the State Apartment Incentive Loan (SAIL) Program funding,
- converts the Workforce Housing Innovation Pilot program into a permanent loan program for workforce housing, administered by the Florida Housing Finance Corporation (Florida Housing),
- establishes workshops for local elected officials serving on affordable housing committees,
- requires a State Housing Initiatives Partnership (SHIP) Program participant to include affordable housing applications data in its annual report to Florida Housing,
- provides that for purposes of the SHIP Program, affordable housing also includes housing, that is provided by certain not-for-profit corporations, for persons who have mental health issues, substance abuse problems, and survivors of domestic violence,
- permits Florida Housing to withhold specified distributions from the SAIL Program to fund the construction of transitional housing for persons aging out of foster care,
- provides that a building official may not audit a private inspector more than four times a month,
- requires a mobile home park owner to increase a park’s facilities and amenities and amend the prospectus when expanding the park,
- exempts park owners from the Public Service Commission’s water and wastewater regulations,
- provides that a mobile home owner may be required to install improvements as disclosed in the prospectus, and allows the purchaser of a mobile home to assume the seller’s prospectus,
- permits a park owner to issue a rental increase notice to multiple tenants,
- permits a mobile home park damaged or destroyed by natural forces to be rebuilt on the same site with the same density as was approved or built before being damaged or destroyed, and
- revises mobile home homeowner association rules related to notifications, bylaws, powers, and disputes.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

Business & Professions Subcommittee

CS/HB 101 - Public Construction

By: Commerce Committee, Andrade, and others

Tied Bills: None

Companion Bills: CS/SB 246

Committee(s) of Reference: Business & Professions Subcommittee; Oversight, Transparency & Public Management Subcommittee; Commerce Committee

Category: Economic Development; Government Operations; Local Government; Real Property

The bill amends current law related to the limits on how much retainage can be withheld on state and local government contracts. Retainage is a common construction practice that allows a portion of an agreed upon contract price to be withheld until the work is substantially complete to assure that a contractor or subcontractor will complete the construction project.

For contracts less than \$200,000, the bill reduces the maximum amount the state may retain from a payment to a contractor from ten percent to five percent.

For contracts more than \$200,000, the bill reduces the maximum amount that may be retained from a payment to a contractor:

- From ten percent before half of the project is complete, and five percent after half of the project is complete
 - To five percent for the entire project, and
- From ten percent for the entire project for projects with a municipality with a population of 25,000 or less or a county with a population of 100,000 or less
 - To five percent for the entire project.

The bill repeals

- the ability of a contractor to request the state or local government to release up to half of the retained amount after half of a project is complete, and
- the ability of a contractor to withhold more than five percent of each payment to his or her subcontractors after half of a project for a state or local government is complete.

The provisions of the bill do not apply to Florida Department of Transportation construction projects authorized by ch. 337, F.S., or any contract for construction services entered into, pending approval, or advertised by a state or local government, on or before October 1, 2020.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/CS/CS/HB 115 - Keep Our Graduates Working Act

**By: Commerce Committee; Health Quality Subcommittee; Business & Professions Subcommittee;
Duran**

Tied Bills: None

Companion Bills: CS/SB 356

**Committee(s) of Reference: Business & Professions Subcommittee; Health Quality Subcommittee;
Commerce Committee**

Category: Administrative Procedure; Business and Professional Regulation; Health Care Practitioners

The bill

- prohibits any state authority from denying the issuance of, refusing to renew, suspending, or revoking a professional license based solely on the licensee being delinquent on a payment of or defaulting on his or her student loans,
- repeals authorization for the Department of Health (DOH) to discipline a health care practitioner for failing to repay a student loan, and the associated mandatory discipline,
- repeals the requirement that DOH issue an emergency order suspending a health care practitioner's license for a student loan default, under certain circumstances, and
- repeals the requirement that DOH obtain a monthly list of health care practitioners who have defaulted on their student loans.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/CS/SB 140 - Fireworks

By: Rules; Banking and Insurance; Community Affairs; Hutson

Tied Bills: None

Companion Bills: CS/CS/CS HB 65

Committee(s) of Reference: Community Affairs; Banking and Insurance; Rules

Category: Law Enforcement; Local Government; Real Property

In Florida, the sale and use of fireworks are generally prohibited. The bill provides that fireworks may be used solely and exclusively for the following holidays:

- New Year's Eve, December 31st
- New Year's Day, January 1st
- Independence Day, July 4th

The bill indicates that the changes made to ch. 791, F.S., are not intended to provide for the comprehensive regulation of fireworks nor is it intended to supersede any local government regulation relating to the use of fireworks.

The bill also prohibits a board of directors for a homeowners' association from adopting rules prohibiting parcel owners from using fireworks during one of the designated holidays or in accordance with Florida law; however, it does not prohibit homeowners' associations from prohibiting the use of fireworks in properly recorded covenants.

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

CS/CS/HB 343 - Recreational Vehicle Industries

By: Commerce Committee; Business & Professions Subcommittee; Fetterhoff

Tied Bills: None

Companion Bills: CS/CS/SB 422

Committee(s) of Reference: Business & Professions Subcommittee; State Affairs Committee; Commerce Committee

Category: Administrative Procedure; Business and Professional Regulation; Government Operations

The bill

- specifies that the Department of Health (DOH) is the exclusive regulatory and permitting authority for sanitary and permitting standards and operational matters for RV parks, mobile home parks, lodging parks, and recreational camps,
- allows a RV park to be rebuilt after a natural disaster using the original density standards,
- creates a rebuttable presumption that a RV park guest is a transient guest, under certain circumstances,
- provides methods for the disposal of property left by certain guests of a RV park,
- modifies the duties of a law enforcement officer called to assist with a person illegally on a RV park's premises to allow removal of such a person in lieu of arrest and limits the officer's liability,
- requires the Department of Agriculture and Consumer Services (DACS) to establish by rule the requirements for agents qualified to administer LP gas examinations,
- requires DACS to establish by rule a specific examination for RV dealers/installers, and
- clarifies that in order to be eligible to apply for certification as a master qualifier for an LP gas business, "verifiable LP gas experience" or "professional certification" is required.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 476 (ch. 2020-5, L.O.F.) - Law Enforcement Vehicles

By: Innovation, Industry, and Technology; Hooper Tied Bills: None

Companion Bills: CS/HB 307

Committee(s) of Reference: Innovation, Industry, and Technology; Governmental Oversight and Accountability; Rules

Category: Business and Professional Regulation; Law Enforcement; Local Government; Public Employees; Public Safety; Real Property; Transportation

The bill prohibits condominium associations, homeowners' associations, and cooperatives from preventing a law enforcement officer who is an owner, or an owner's tenant, guest, or invitee, from parking his or her assigned law enforcement vehicle in an area where the owner, or the owner's tenant, guest, or invitee, has a right to park.

The bill became law on February 21, 2020, chapter 2020-05, Laws of Florida, and became effective on that date.

CS/HB 1193 - Deregulation of Professions and Occupations

By: Commerce Committee; Ingoglia and others

Tied Bills: None

Companion Bills: CS/CS/CS/SB 474

Committee(s) of Reference: Business & Professions Subcommittee; Government Operations & Technology Appropriations Subcommittee; Commerce Committee

Category: Administrative Procedure; Business and Professional Regulation; Government Operations; Local Government; Military

The bill:

- Deregulates hair braiders, hair wrappers, body wrappers, nail polishers, makeup artists, and boxing announcers and timekeepers
- Partially deregulates labor organizations, while maintaining civil and criminal causes of action
- Eliminates the additional business license required for architects, interior designers, landscape architects, and geologists
- Reduces the hours of training required to obtain a license for barbers, restricted barbers, nail specialists, facial specialists, and full specialists
- Adds new ways for out of state professionals to obtain a license in the state for veterinarians, construction and electrical contractors, landscape architects, geologists, engineers, certified public accountants, home inspectors, building code professionals, cosmetologists, and barbers
- Replaces the current licensing scheme for interior designers with a registration for certain activities
- Reduces the number of members on the Florida Building Commission
- Authorizes an unlicensed individual to provide compensated dietary and nutritional services if they do not use certain titles or provide services to people with certain medical needs
- Preempts food truck regulation to the state, with certain exceptions
- Waives certain requirements to obtain a commercial driver license for military veterans
- Prohibits state agencies from disciplining a licensee based solely on defaulting on a student loan

Subject to the Governor's veto powers, except as otherwise expressly provided in this act, the effective date of this bill is July 1, 2020.

CS/HB 1275 - Amusement Rides

By: Agriculture & Natural Resources Appropriations Subcommittee; Pritchett and others

Tied Bills: None

Companion Bills: CS/SB 1228

Committee(s) of Reference: Business & Professions Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Commerce Committee

Category: Business and Professional Regulation; Consumer Protection; Safety

The bill:

- Includes amusement ride managers as a responsible party for ensuring compliance with state regulations
- Exempts permanent rides from Department of Agriculture and Consumer Services (DACS) inspection when inspected by an accredited trade organization
- Separates the permitting process for permanent and temporary amusement rides, and streamlines the application process
- Authorizes DACS to revise the 6-month inspection interval at permanent facilities
- Requires ride documents to be submitted to DACS in electronic format
- Broadens DACS rulemaking authority related to establishing certain exemptions
- Removes an exemption for museums and other exhibition related institutions
- Conforms state standards for testing, materials, electric, and fire protection to national standards
- Requires signage containing DACS contact information to be displayed at ride events
- Requires certification to DACS before a modified ride is placed back in operation
- Grants subpoena powers to DACS
- Criminalizes the refusal or failure to testify pursuant to a DACS subpoena
- Increases the limit for administrative fines from “not to exceed \$2,500” to “not to exceed \$10,000” per violation
- Allows DACS to impose an additional \$10,000 fine for violations resulting in serious injury or death

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

Energy & Utilities Subcommittee

CS/HB 969 - Broadband Internet Service

By: Transportation & Tourism Appropriations Subcommittee; Drake; Ausley

Tied Bills: None

Companion Bills: CS/CS/SB 1166

Committee(s) of Reference: Energy & Utilities Subcommittee; Transportation & Tourism Appropriations Subcommittee; Commerce Committee

Category: Economic Development; Utilities and Communications

The bill designates the Department of Economic Opportunity (DEO) as the lead state agency to facilitate the expansion of broadband Internet service in the state and creates the Florida Office of Broadband (Office) within DEO's Division of Community Development. The Office must

- create a strategic plan for increasing the use of broadband Internet service in the state,
- build local technology planning teams,
- encourage the use of broadband Internet service, especially in rural, unserved, and underserved areas of the state through grant programs, and
- monitor, participate in, and provide input in federal agency proceedings related to the geographic availability and deployment of broadband Internet service in Florida.

To achieve these purposes, the bill authorizes DEO to apply for and accept federal grant funds, enter into necessary or useful contracts, and establish any administrative committee or workgroup.

The bill provides that up to \$5 million of the funds transferred to Florida's Turnpike Enterprise for the Multi-use Corridors of Regional Economic Significance program may be used for projects that assist in the development of broadband infrastructure within or adjacent to a multiuse corridor.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 1060 - Public Records and Meetings/911, E911, or Public Safety Radio Communication System

By: Rules; Innovation, Industry, and Technology; Thurston

Tied Bills: None

Companion Bills: CS/CS/HB 755

Committee(s) of Reference: Innovation, Industry, and Technology; Governmental Oversight and Accountability; Rules

Category: Government in the Sunshine; Public Safety; Utilities and Communications

The bill creates a public record exemption for specific records that identify the design, scope, and location of 911, E911, or public safety radio communication system infrastructure owned and operated by an agency before, on, or after the effective date of the bill. The bill also creates a public meeting exemption for any portion of a meeting that would reveal these records. Specifically, the bill creates a public record exemption for

- building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, or public safety radio communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911, E911, or public safety radio communication services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency; and
- geographical maps indicating the actual or proposed locations of 911, E911, or public safety radio communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911, E911, or public safety radio services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency.

The bill identifies specific circumstances in which these records may be disclosed. Further, the bill requires that all portions of a public meeting exempted by the bill be recorded and transcribed. The bill provides that these recordings and transcripts are confidential and exempt from disclosure as public records except to the extent that any portion of the recording or transcript is determined by a court to reveal nonexempt data. The bill defines “public safety radio” for purposes of each exemption.

The bill provides for repeal of the exemptions on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature. The bill 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 upon becoming a law.

CS/CS/HB 1095 - Infrastructure Regulation

By: Commerce Committee; Energy & Utilities Subcommittee; Fitzenhagen

Tied Bills: None

Companion Bills: CS/CS/CS/SB 1464

Committee(s) of Reference: Energy & Utilities Subcommittee; Government Operations & Technology Appropriations Subcommittee; Commerce Committee

Category: Public Safety; Utilities and Communications

Chapter 556, F.S., is the “Underground Facility Damage Prevention and Safety Act” (Act). The stated purpose of the Act is to identify and locate underground facilities prior to an excavation or demolition to prevent injury to persons or property or interruption of services resulting from damage to those facilities. To accomplish this, the Act creates a not-for-profit corporation (Sunshine 811) to administer a free-access notification system. The bill amends ch. 556, F.S., to

- expand the list of entities that may issue citations for violations of ch. 556, F.S., to include the State Fire Marshal, or its designated agent, and local fire chiefs,
- increase the maximum civil penalty (up to \$2,500 plus court costs) for certain violations of ch. 556, F.S., that involve an underground pipe or facility transporting hazardous materials regulated by the federal Pipeline and Hazardous Material Safety Administration, with 80 percent of the civil penalty distributed to the entity that issued the citation and the remainder distributed to the clerk of court,
- require each clerk of court to submit an annual report to the State Fire Marshal listing each citation issued for a violation of ch. 556, F.S., which was filed in that county during the preceding calendar year,
- define the term “permanent marker” and establish a criminal penalty for knowingly and willfully removing or damaging a permanent marker placed to identify the location of an underground facility,
- require excavators and underground facility operators to report incidents that involve “high-priority subsurface installations” for investigation by the State Fire Marshal, or its designated agent, who may issue a citation and impose a civil penalty for a violation of ch. 556, F.S., that is a proximate cause of the incident, with five percent of the civil penalty retained by the clerk of court and the remainder distributed equally between Sunshine 811 (to fund damage-prevention education) and the State Fire Marshal (to fund certain programs that provide financial assistance to fire departments to mitigate firefighter exposure to hazardous, cancer-causing chemicals), and
- require Sunshine 811 to review all reports made to the State Fire Marshal and all other complaints of alleged violations of ch. 556, F.S., to identify issues related to damage prevention and enforcement, and annually provide an analysis and recommendations to the Governor, President of the Senate, and Speaker of the House of Representatives.

The bill requires the Committee on Public Counsel Oversight, by a majority vote of the committee appointees of each house, to appoint a Public Counsel to a 4-year term beginning March 1, 2021, and every 4 years thereafter. A person appointed as the Public Counsel may not serve more than 12 years after July 1, 2020.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

HB 6055 - Telegraph Companies

By: Gregory

Tied Bills: None

Companion Bills: SB 1256

Committee(s) of Reference: Energy & Utilities Subcommittee; Commerce Committee

Category: Repeals of Existing Laws; Utilities and Communications

The bill repeals the entirety of chapter 363, F.S., which establishes penalties and liability provisions related to the intrastate transmission of messages by telegraph. The provisions of chapter 363, F.S., appear to be outdated and no longer applicable.

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

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Gaming Control Subcommittee

The Gaming Control Subcommittee was not first reference on any bill that passed both houses of the Legislature.

Insurance & Banking Subcommittee

CS/SB 292 - Insurance Claims Data

By: Banking and Insurance; Broxson

Tied Bills: None

Companion Bills: CS/CS/HB 269

Committee(s) of Reference: Banking and Insurance; Commerce and Tourism; Rules

Category: Consumer Protection; Insurance

The bill establishes a statutory framework for a practice that routinely occurs in the insurance industry. The bill defines “loss run statement” as a report that contains the policy number, the period of coverage, the number of claims, the paid losses on all claims, and the date of each loss. Loss run statement does not include supporting claim file documentation, such as copies of claim files, investigation reports, evaluation statements, insureds’ statements, and documents protected by common law or statutory privilege.

The bill provides that, within 15 calendar days of a insured’s request for a loss run statement, all Florida licensed and surplus lines insurers must provide to the insured either the loss run statement or, for personal lines of insurance, information on how to obtain a loss run statement from a consumer reporting agency at no charge. An insured may request a loss run statement from an insurer after receiving information from a consumer reporting agency. The loss run statement that the insurer provides must be a five-year loss run history for five continuous years before the year in which the insured makes the request, or the complete loss run history if it is less than five years. The bill requires that the insurer notify the insured’s agent of record that it provided the loss run statement to the insured at the time that the insurer provided it. The bill establishes that no insurer shall be required to provide loss reserve information as part of a loss run statement. The bill also prohibits an insurer from charging an insured for the first loss run statement that an insured requests annually.

Subject to the Governor’s veto powers, the effective date of this bill is January 1, 2021.

CS/HB 437 - Nurse Registries

By: Insurance & Banking Subcommittee; Stone

Tied Bills: None

Companion Bills: CS/SB 880

Committee(s) of Reference: Insurance & Banking Subcommittee; Health Market Reform Subcommittee; Commerce Committee

Category: Insurance

Among other services, workers' compensation covers attendant care provided to an injured worker because of their work-related injury. Attendant care includes a wide variety of services from skilled nursing care to unskilled tasks, such as bathing, dressing, personal hygiene, and administration of medications. Most attendant care is provided by licensed medical providers; however, family members may provide and receive carrier payment for non-professional attendant care services, excluding normal household duties.

A nurse registry is an agency licensed to secure temporary employment for registered nurses, licensed practical nurses, certified nursing assistants, home health aides, certified nursing assistants, homemakers, and companions in a patient's home or with health care facilities or other entities. The providers referred by the nurse registry are hired as independent contractors by the patient, health care facility, or another business entity. A workers' compensation carrier may use a nurse registry to place attendant care services to be rendered to an injured worker, but nurse registries are not expressly mentioned in the workers' compensation statute. Attendant care is care rendered by trained professional attendants that is beyond the scope of household duties.

The bill specifically authorizes a workers' compensation insurer to use a licensed nurse registry to place authorized compensable attendant care services for the benefit of an injured worker.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 529 - Insurance Guaranty Associations

By: Insurance & Banking Subcommittee; Webb; Donalds and others

Tied Bills: None

Companion Bills: CS/SB 898

Committee(s) of Reference: Insurance & Banking Subcommittee; Ways & Means Committee; Commerce Committee

Category: Consumer Protection; Insurance

The bill changes the amount of coverage that the Florida Insurance Guaranty Association (FIGA) must provide for each condominium unit within a condominium association, when a claim is made and the condominium association's property insurer is insolvent, from a maximum of \$100,000 multiplied by the number of units to \$200,000 multiplied by the number of units.

The bill also changes the amount of emergency assessments that FIGA is authorized to levy against any insurer required to participate in FIGA from a maximum of two percent of that insurer's net written premiums in Florida for the kinds of insurance within the accounts maintained by FIGA for payment of claims (automobile insurance account and all other insurance account) to a maximum of four percent of the same premiums.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 540 - Insurance Guaranty Associations

By: Rader

Tied Bills: None

Companion Bills: HB 329

Committee(s) of Reference: Banking and Insurance; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

Category: Consumer Protection; Insurance

The Florida Insurance Guaranty Association (FIGA) assumes the rights and duties of insolvent Florida insurers, including claims adjusting. FIGA handles claims involving insolvent Florida insurers and claims on Florida policies issued by liquidated foreign insurers who belong to another state's guaranty association. The bill allows those employees to adjust Florida claims without being licensed adjusters, if authorized by a contract between FIGA and another state's guaranty association. It also allows FIGA employees to adjust claims without being licensed adjusters.

If an insolvent insurer's assets are insufficient to pay all claims, FIGA can issue post-insolvency assessments against property and casualty insurers to obtain funds to pay the remaining claims. The bill clarifies that the assessment due from member insurers will be a uniform percentage of premium collected instead of based on a proportion of the total net direct written premium for the prior calendar year. The bill establishes that assessment installment payments made by FIGA members may be made quarterly rather than monthly.

The Florida Workers' Compensation Guaranty Association (FWCIGA) assumes the right and duties of the insolvent Florida workers' compensation insurers or self-insurance funds and pays the claims of its policyholders. FWCIGA is funded through the liquidation of insolvent insurers, potentially including a portion of the estates of insolvent insurers in other states. FWCIGA has the authority to levy assessments on workers' compensation insurers if insolvent insurers' estates are insufficient to pay claims. The bill clarifies the method by which assessments are levied against insurers and collected by FWCIGA related to policy deductibles and to retrospectively rated policies, which are dependent on losses during the current policy period. The bill provides the authority for FWCIGA to audit reports from insurers regarding the payments made to FWCIGA and the amounts collected from policyholders.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 813 - Protection of Vulnerable Investors

By: Commerce Committee; Insurance & Banking Subcommittee; McClure; Silvers

Tied Bills: None

Companion Bills: CS/SB 1672

Committee(s) of Reference: Insurance & Banking Subcommittee; Children, Families & Seniors Subcommittee; Commerce Committee

Category: Consumer Protection; Financial Services

The bill allows a securities dealer or investment adviser to delay a disbursement or transaction of funds or securities from the account of a specified adult or an account for which a specified adult is a beneficiary or beneficial owner if the securities dealer or investment adviser reasonably believes that financial exploitation of the specified adult has occurred, is occurring, has been attempted, or will be attempted in connection with the disbursement or transaction. A specified adult is an individual who is age 65 or older or who meets the definition of “vulnerable adult” under Florida’s Adult Protective Services Act (APS Act).

The suspected financial exploitation must be immediately reported to the Florida Abuse Hotline if so required by the APS Act. Not later than three business days after placing a delay, the securities dealer or investment adviser must notify all parties authorized to transact business on the account as well as any designated trusted contact, unless such person is believed to be engaged in the suspected financial exploitation. Not later than three business days after placing or extending a delay, the securities dealer or investment adviser must notify the Office of Financial Regulation of the delay or extension. A delay expires in 15 business days but may be terminated sooner. The securities dealer or investment adviser may extend the delay for up to an additional 10 business days. The length of the hold may be shortened or extended by a court of competent jurisdiction. The bill requires a securities dealer or investment adviser to annually conduct training that is reasonably designed to educate its associated persons on issues pertaining to financial exploitation. A securities dealer, an investment adviser, or an associated person who in good faith and exercising reasonable care complies with the bill is immune from any administrative or civil liability that might otherwise arise from a delay in a disbursement or transaction.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

SB 1092 - Fire Prevention and Control

By: Bean

Tied Bills: None

Companion Bills: CS/HB 487

Committee(s) of Reference: Banking and Insurance; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

Category: Government Operations; Health; Safety

The bill creates the Firefighter Cancer Decontamination Equipment Grant Program within the Division of State Fire Marshal (DSFM). The program provides financial assistance to fire departments, including volunteer departments, in an effort to help protect firefighters from acquiring cancer. Funds allocated through the program will assist fire departments in purchasing equipment, supplies, and education training related to mitigating exposure to hazardous fire contaminants. Grants will be awarded on a need-based basis and require recipients to contribute a minimum of 25 percent nonstate funding. DSFM is given rulemaking authority to adopt rules and procedures for the program.

The bill gives independent special fire control districts the ability to provide fire control and rescue services outside of established geographical boundaries, in cooperation with another governmental agency when such agency shares powers with the district.

The bill provides \$250,000 in recurring funds from the Insurance Regulatory Trust Fund to implement the program.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/CS/HB 1391 - Technology Innovation

By: State Affairs Committee; Government Operations & Technology Appropriations Subcommittee; Insurance & Banking Subcommittee; Grant, J.; Toledo

Tied Bills: CS/CS/HB 1393

Companion Bills: CS/CS/CS/SB 1870

Committee(s) of Reference: Insurance & Banking Subcommittee; Government Operations & Technology Appropriations Subcommittee; State Affairs Committee

Category: Financial Services; Government Operations

The bill abolishes the Division of State Technology within the Department of Management Services (DMS) and establishes the Florida Digital Service (FDS) in its place. It also creates the Division of Telecommunications within DMS. The bill establishes the duties and responsibilities of FDS, including the development and implementation of information technology (IT) standards for state agencies with a focus on interoperability and enforcement of the state's cloud-first policy. FDS must create and maintain a comprehensive data catalog that lists the data elements housed within each state agency, and FDS must create a data dictionary. FDS must conduct a market analysis at least every three years to determine whether IT resources within each state agency are used in the most cost-effective manner, whether agencies are complying with the state's cloud first policy, and whether agencies are using best practices with respect to IT. The bill allows cabinet agencies to adopt alternative IT standards than those developed by FDS.

The bill also creates the Financial Technology Sandbox (sandbox) within the Office of Financial Regulation (OFR) to allow a sandbox licensee to make an innovative financial product or service available to consumers as a money transmitter, payment instrument seller, or lender of consumer finance loans during a sandbox period that is initially 24 months but can be extended one time for an additional 12 months. Upon approval of an application, a sandbox licensee is exempt from specified provisions of general law and the corresponding rule requirements during the sandbox period. OFR may initially authorize a sandbox licensee to provide the financial product or service to a maximum of 15,000 consumers but may authorize up to 25,000 consumers if the sandbox licensee demonstrates adequate financial capitalization, risk management processes, and management oversight.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise expressly provided.

CS/CS/HB 1393 - Pub. Rec./Financial Technology Sandbox

By: State Affairs Committee; Insurance & Banking Subcommittee; Grant, J.; Sirois

Tied Bills: CS/CS/CS/HB 1391

Companion Bills: CS/CS/SB 1872

Committee(s) of Reference: Insurance & Banking Subcommittee; State Affairs Committee

Category: Financial Services; Government in the Sunshine

CS/CS/CS/HB 1391, with which this bill is linked, creates the Financial Technology Sandbox (sandbox) within the Office of Financial Regulation (OFR). The sandbox is intended to allow financial technology innovators to test new products and services in a supervised, flexible regulatory sandbox using exceptions to specified general law and waivers of the corresponding rule requirements under defined conditions. The bill creates a public record exemption for the following information provided to and held by OFR in a sandbox application:

- The reasons why a general law enumerated in the sandbox statute prevents the innovative financial product or service from being made available to consumers
- Specified applicant information that OFR must consider in deciding whether to approve or deny an application for the sandbox

The bill provides that this information may be released to appropriate state and federal agencies for the purposes of investigation. The bill also clarifies that nothing in this public record exemption shall be construed to prevent OFR from disclosing a summary of the innovative financial product or service.

The bill provides for repeal of the exemption on October 2, 2025, unless reviewed and saved from repeal by the Legislature, and 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/CS/HB 1391 or similar legislation takes effect.

CS/HB 1409 - Pub. Rec./Records of Insurers/Department of Financial Services

By: Oversight, Transparency & Public Management Subcommittee; Grant, M.

Tied Bills: None

Companion Bills: CS/CS/SB 1188

Committee(s) of Reference: Insurance & Banking Subcommittee; Oversight, Transparency & Public Management Subcommittee; Commerce Committee

Category: Government in the Sunshine; Insurance

The bill creates a public records exemption to protect insurers and insureds from the release of information if an insurance company goes insolvent.

The bill provides that the following records held by the Department of Financial Services (DFS) are confidential and exempt from public records requirements:

- All personal financial and health information of a consumer, including a family member or dependent
- Underwriting files of a type customarily maintained by an insurer transacting lines of insurance similar to lines transacted by the insurer
- Personnel and payroll records of the insurer
- Consumer claim files
- U.S. Own Risk and Solvency Assessment (ORSA) summary reports, a substantially similar ORSA report, and any supporting documents submitted to the Office of Insurance Regulation (OIR)
- A corporate governance annual disclosure and any supporting documents submitted to OIR
- Information received from the National Associations of Insurance Commissioners, a governmental entity of any state, the Federal Government, or a government of another nation which is confidential and is held by DFS for use relating to insurer solvency

Records or portions of records made confidential and exempt by this bill may be released under particular circumstances.

The bill provides that this public records exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment 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 July 1, 2020.

CS/CS/HB 1439 - Bank Property of Deceased Account Holders

By: Commerce Committee; Insurance & Banking Subcommittee; Yarborough

Tied Bills: None

Companion Bills: CS/CS/SB 380

Committee(s) of Reference: Insurance & Banking Subcommittee; Commerce Committee

Category: Civil Justice; Financial Services

The bill authorizes certain family members of a deceased person (decedent) to present a sworn affidavit and certified death certificate to a financial institution in Florida and receive up to \$1,000 from “qualified accounts” (depository accounts or certificates of deposit held in the sole name of the decedent without a pay-on-death or any other survivor designation) if the total amount of the combined funds in all qualified accounts at that financial institution is less than \$1,000 and if at least six months have passed since the decedent’s death. No court proceeding is needed. The affiant (a person who swears to an affidavit) must attest that a personal representative has not been appointed to administer the decedent’s estate, that no formal or summary probate proceedings has been commenced, and that the affiant has no knowledge of the existence of any will or other document relating to the distribution of the decedent’s estate. The financial institution is not required to determine whether the contents of the sworn affidavit are truthful, and the financial institution is fully released and discharged from further liability for the amount paid.

The bill also creates a process by which a beneficiary of an intestate decedent (a person who died without a will) may file an affidavit with the court to request distribution of certain assets of the decedent. This process is available if the intestate decedent left only personal property that is exempt from probate proceedings, personal property that is constitutionally protected from creditors’ claims, and nonexempt personal property valued at less than the sum of \$10,000 and certain funeral and medical expenses. The decedent must have died more than one year prior, and no Florida probate proceeding may be pending.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 1606 - Insurance Administration

By: Infrastructure and Security; Banking and Insurance; Perry

Tied Bills: None

Companion Bills: CS/CS/HB 359

Committee(s) of Reference: Banking and Insurance; Infrastructure and Security; Appropriations

Category: Insurance

The bill makes the following changes regarding insurance:

- **Motor Vehicle Salvage** – effective upon becoming law, conforms electronic signature requirements governing motor vehicle odometer disclosure statements to the applicable federal requirements
- **Workers' Compensation Payments to Injured Workers** – allows insurers to make a payment to an injured worker, upon authorization of the injured worker, by sending money electronically via an account with a state licensed money transmitter
- **Civil Remedies Against Insurers** – requires the insurer to designate an email address for delivery of required pre-suit civil remedy notices; mandates that the Department of Financial Services (DFS) forward the notices DFS receives from claimants to the designated insurer email; starts the insurer's statutory 60 day cure period, which is triggered by the notice, from the day the insurer receives the forwarded notice; and extends the statute of limitation for lawsuits against an insurer for 60 days, if the statutorily allowed property appraisal process is invoked in the claim
- **Insurer Trade Secrets** – prohibits the publishing or dissemination of aggregate information containing protected insurer trade secret information when the information can be extrapolated from the aggregate information
- **Insurance Ratemaking and Form Filing Deadlines** – extends the closure of the Office of Insurance Regulation's review period for property and casualty rate and form filings to the close of the following business day if the deadline falls on a weekend or holiday
- **Residential Condominium Loss Assessments** – clarifies that a condominium unit owner's property loss assessment coverage in effect one day before the date of an event causing a loss is the applicable coverage for the loss
- **Motor Vehicle Insurance** – reduces the prohibition on cancellation of an initial motor vehicle insurance policy from 60 days to 30 days consistent with a related law change passed in 2019
- **Travel Insurance** – creates a new chapter of statute based on the Travel Insurance Model Act of the National Association of Insurance Commissioners to regulate the transaction of travel insurance in the state

Subject to the Governor's veto powers and except as expressly provided by the bill, the effective date of this bill is July 1, 2020.

Workforce Development & Tourism Subcommittee

SB 362 - Florida Tourism Marketing

By: Hooper

Tied Bills: None

Companion Bills: HB 213

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

Category: Tourism

The bill extends the scheduled repeal date for the Florida Tourism Industry Marketing Corporation (better known as Visit Florida) and the Division of Tourism Marketing within Enterprise Florida, Inc., from July 1, 2020, to October 1, 2023.

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

CS/SB 426 - Economic Development

By: Appropriations; Montford and others

Tied Bills: None

Companion Bills: CS/CS/HB 1139; CS/HB 1271

**Committee(s) of Reference: Commerce and Tourism; Innovation, Industry, and Technology;
Appropriations**

Category: Economic Development

Relating to the Regional Rural Development Grants Program, the bill clarifies certain terms, increases the total annual grant award available to the three regional economic development organizations recognized by the Department of Economic Opportunity (DEO) as serving an entire rural area of opportunity (RAO), decreases the annual grant award available to other organizations located in or contracted to serve a RAO, and eliminates grant eligibility for organizations representing rural counties or communities that are not located in a RAO. The bill reduces the percentage of grant funds that must be matched with non-state funds, from 100% to 25% of the state's contribution.

The bill amends the Rural Infrastructure Fund by increasing the percentage of total infrastructure costs that may be funded by a grant award, expanding eligible projects and uses to include broadband internet service, and requiring a review of the grant program and procedures by September 1, 2021.

The bill clarifies the powers, duties and responsibilities of CareerSource, the CareerSource board of directors, and DEO, and makes a number of conforming changes to reflect such clarifications.

The bill requires DEO to establish annual performance standards and develop a detailed report of the performance of Florida Development Finance Corporation (FDFC) each year. The bill increases the membership of the FDFC board from five to seven, adding the executive director of DEO (as chair) and the director of the Division of Bond Finance. The bill provides that s. 288.9604, F.S., the statute creating and authorizing the FDFC, stands repealed July 1, 2023, and every fourth year thereafter, unless reviewed and saved from repeal by the Legislature.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 646 - Intercollegiate Athlete Compensation and Rights

By: Innovation, Industry, and Technology; Education; Mayfield

Tied Bills: None

Companion Bills: CS/CS/HB 7051

Committee(s) of Reference: Education; Innovation, Industry, and Technology; Rules

Category: Civil Justice; Post-Secondary Education

The bill authorizes intercollegiate athletes to earn compensation for the use of their name, image, or likeness (NIL). The bill seeks to preserve the integrity, quality, character, and amateur nature of intercollegiate athletics while maintaining a clear distinction between amateur and professional sports by

- providing that compensation for athletic performance or attendance at a particular institution remains prohibited,
- specifying that compensation for the use of an athlete's NIL may only be provided by a third party unaffiliated with the athlete's postsecondary institution,
- prohibiting a postsecondary educational institution, an entity whose purpose includes supporting or benefitting the institution or its athletic programs, or an officer, director, or employee of such institution or entity from compensating or causing an intercollegiate athlete to be compensated for his or her NIL, and
- specifying that compensation for the use of the athlete's NIL must be commensurate with the market value of the authorized use of the athlete's NIL.

The bill prohibits postsecondary educational institutions receiving state aid (Florida College System institutions, State University System institutions, and private colleges and universities) from

- preventing or unduly restricting an intercollegiate athlete from earning NIL compensation,
- preventing or unduly restricting an intercollegiate athlete from obtaining professional representation for purposes of seeking NIL compensation, and
- revoking or reducing grant-in-aid awards for an intercollegiate athlete who earns compensation for his or her NIL.

The bill specifies that the terms of a contract for NIL compensation may not materially conflict with the terms of the intercollegiate athlete's team contract or extend beyond the time of the athlete's participation in an athletic program at a postsecondary educational institution.

The bill allows an athlete agent or attorney to represent an intercollegiate athlete in securing compensation for use of her or his name, image, or likeness, regardless of athletic conference or collegiate athletic association rules, bylaws, regulations, and policies to the contrary.

In addition, the bill requires each postsecondary educational institution receiving state aid to conduct a financial and life skills workshop at the beginning of the intercollegiate athlete's first and third academic years.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2021.

CS/CS/CS/SB 664 - Verification of Employment Eligibility

By: Rules; Commerce and Tourism; Judiciary; Lee and others

Tied Bills: None

Companion Bills: CS/HB 1265

Committee(s) of Reference: Judiciary; Commerce and Tourism; Rules

Category: Civil Justice; Federal Government; Government Operations

Beginning January 1, 2021, public employers, contractors, and subcontractors must register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.

Beginning January 1, 2021, a private employer must verify the employment eligibility of a person who has accepted an offer of employment or a contract employee upon the renewal or extension of his or her contract by either using the E-Verify system or requiring the person to provide the same documentation required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9).

If a private employer does not verify the employment eligibility of a current or future employee, the Department of Economic Opportunity (DEO) must require the private employer to provide an affidavit stating:

- The private employer will comply with the employee verification requirements
- The private employer has terminated the employment of all unauthorized aliens in this state
- The employer will not intentionally or knowingly employ an unauthorized alien in this state

If a private employer does not provide the required affidavit within 30 days, the bill requires DEO to order the appropriate agency to suspend all applicable licenses held by the private employer until the private employer provides DEO with the required affidavit. If a private employer violates the verification of employment eligibility requirements three times within a 36 month period, the bill requires permanent revocation of all licenses held by the private employer specific to the business location where the unauthorized alien performed work.

Beginning July 1, 2020, the bill specifies that the executive director of DEO may not approve an economic development incentive application unless the application includes proof that the applicant is registered with and uses the E-Verify system to verify the work authorization status of all newly hired employees.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 717 - Space Florida Financing

By: Commerce Committee; Sirois

Tied Bills: None

Companion Bills: CS/CS/SB 1070

Committee(s) of Reference: Workforce Development & Tourism Subcommittee; Ways & Means Committee; Commerce Committee

Category: Economic Development; Local Government; Transportation

The bill amends or repeals a number of financing provisions within the Space Florida Act (Part II, ch. 331, F.S.). Specifically, the bill clarifies certain definitions, specifies that revenue bonds issued by Space Florida are not pledges of the full faith and credit of Space Florida and may not be secured by state appropriations, reduces the maximum length to maturity for bonds, and allows Space Florida to validate its bonds pursuant to ch. 75, F.S.

The bill also removes both the requirement that Space Florida notify the presiding officers and appropriations chairs of both houses of the Legislature before presenting a bond proposal to the Governor and Cabinet and the requirement for the Governor and Cabinet to approve its issuance.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

HOUSE OF REPRESENTATIVES

Education Committee

Representative Jennifer Mae Sullivan, Chair

Representative Chris Latvala, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



Higher Education & Career Readiness Subcommittee

Representative Cord Byrd, Chair

Representative Amber Mariano, Vice Chair

PreK-12 Innovation Subcommittee

Representative Ralph E. Massullo, MD, Chair

Representative Sam H. Killebrew, Vice Chair

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CS/HB 7067 - K-12 Scholarship Programs

By: Appropriations Committee, Education Committee, Sullivan and others

Tied Bills: None

Companion Bills: CS/CS/SB 1220

Committee(s) of Reference: Appropriations Committee

Category: Pre-K through 12 Education

The bill expands access to the Family Empowerment Scholarship Program (FES), and revises the priority of awards under the FES and Florida Tax Credit Scholarship Program (FTC).

Specifically, the bill:

- increases the FES enrollment cap from 0.25 percent to 1 percent of the state's total public school enrollment,
- increases the FES income eligibility by 25 percent of the maximum federal poverty level after a year in which more than 5 percent of the annual increase in available scholarships are not awarded,
- allows a student who can no longer receive a FTC scholarship award due to lack of available scholarships to transfer to the FES and receive priority of award after FES renewal scholarships,
- requires scholarship-funding organizations (SFOs) to give priority to FTC renewal students and to exhaust all funds for renewal of scholarships before awarding initial scholarships,
- requires SFOs to refer FTC eligible students to another SFO if funds are not available to award a scholarship to the student, and
- requires the exhaustion of FTC funds before Hope Scholarship Program funds in excess of the 5 percent carry forward may be used to award initial FTC scholarships.

The bill also provides full-time equivalent (FTE) add-on bonus funding amounts in the Florida Education Finance Program to school districts for each student who completes a general education core course or associate degree, with a specified letter grade or grade point average, through dual enrollment. School districts must allocate at least 50 percent of the funds received from dual enrollment bonus FTE to schools that generated funds to support student academic and postsecondary readiness.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Higher Education & Career Readiness Subcommittee

CS/SB 72 - Higher Education

By: Appropriations; Stargel

Tied Bills: None

Companion Bills: None

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

Category: Higher Education and Workforce; Post-Secondary Education

The bill:

- Creates the Florida Institute of Politics at Florida State University to provide opportunities for civic engagement and public policy discussion and creates the Adam Smith Center for the Study of Economic Freedom at Florida International University to study and research the effect of political and economic systems on human prosperity.
- Revises the data for academic and research excellence standards of preeminent institutions and requires the standards to be reported annually in the Board of Governors (BOG) Accountability Plan.
- Creates State Universities of Distinction which identify universities who are achieving excellence, meeting state workforce needs, and fostering an innovation economy.
- Modifies state university performance funding metrics beginning in fiscal year 2021-2022 to include metrics that focus on the success rate of “2+2” Associate in Arts (AA) degree transfer students and Pell Grant students; and prohibits the adjustment of performance funding metrics once data has been received.
- Requires FCS institutions and state universities be given the choice to provide either an opt-in or an opt-out provision to students regarding textbook and instructional materials affordability.
- Aligns the requirements of the Benacquisto Scholarship Program to other state scholarship programs and aligns requirements for the financial aid programs in the Florida Student Assistance Grant program, providing for prioritized awards during the summer, if funds are available.
- Creates another option for Bright Futures Florida Medallion Scholar Award recipients by allowing students initially eligible in the fall 2021 semester to receive 100 percent of tuition and fees for an associate degree at a FCS institution.
- Requires the BOG to define faculty and administrator classifications and provide 5-year trend information on the number of faculty and administrators at each university along with the proportion of full-time equivalent (FTE) dedicated to instruction and research compared to administration.
- Requires employees of state universities or entities engaged in research to disclose outside activities or financial interests, and authorizes for termination of employment for failure to comply with disclosure requirements.
- Authorizes a state agency to contract with certain nonprofit universities and modifies criteria for Florida College System (FCS) Public Education Capital Outlay (PECO) priority.
- Revises dates for state university and FCS institution reporting of end-of-year fund balances and authorizes a spending plan to include funds in a contingency reserve for expenses incurred as a result of a state emergency declared by the Governor.
- Removes the limitation that prohibits a Phosphate Research and Activities Board member from serving more than 180 days after the expiration of his or her term, until a successor is appointed.

Subject to the Governor's veto powers, the effective date of this bill is except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

CS/HB 171 - Postsecondary Education for Certain Military Personnel

By: Higher Education & Career Readiness Subcommittee; Ponder; Hattersley

Tied Bills: None

Companion Bills: CS/SB 372

Committee(s) of Reference: Higher Education & Career Readiness Subcommittee; Higher Education Appropriations Subcommittee; Education Committee

Category: Higher Education and Workforce; Military; Post-Secondary Education

The bill requires the Board of Governors (BOG) to adopt regulations and the State Board of Education (SBE) to adopt rules to create a process that enables servicemembers and veterans of the United States Armed Forces to earn uniform postsecondary credit or career education clock hours across all Florida public postsecondary educational institutions for college-level training and education acquired in the military. The regulations and rules must be developed in consultation with the Department of Veterans' Affairs and include procedures for credential evaluation and the uniform award of postsecondary credit or career education clock hours.

The Articulation Coordinating Committee must develop and approve a list of postsecondary course equivalencies and credit and clock hours awarded for military courses and occupations, which must be approved by the BOG and SBE in the statewide articulation agreement.

The bill also requires state universities, Florida College System institutions, and career centers to waive the transcript fee for active duty members and honorably discharged veterans of the United States Armed Forces, and their spouses and dependents.

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

SB 828 - Florida ABLE Program

By: Benacquisto

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: Children, Families, and Elder Affairs; Rules

Category: Health Financing; Higher Education and Workforce; Post-Secondary Education

The bill saves from repeal Florida ABLE, Inc., a direct-support organization for the Florida Prepaid College Board. Florida ABLE Inc. administers the Florida ABLE Program, a program that allows individuals to make tax exempt contributions to meet certain expenses associated with a disabled beneficiary.

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

SB 830 - OGSR/Certain Personal Financial and Health Information

By: Benacquisto

Tied Bills: None

Companion Bills: None

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

Category: Consumer Protection; Government in the Sunshine; Health Financing; Higher Education and Workforce; Post-Secondary Education

The bill saves from repeal the public records exemption relating to personal financial and health information of a consumer that is held by the Florida Prepaid College Board, the Florida ABLE, Inc., the Florida ABLE program, or an agent or service provider of one of these entities relating to an ABLE account, or a participation agreement or any information that would identify a consumer. This information will continue to be confidential and exempt from public disclosure beyond October 2, 2020.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/HB 901 - Vocational Rehabilitation Services

By: Higher Education & Career Readiness Subcommittee; Ponder

Tied Bills: None

Companion Bills: CS/SB 1784

Committee(s) of Reference: Higher Education & Career Readiness Subcommittee; Higher Education Appropriations Subcommittee; Education Committee

Category: Higher Education and Workforce; Pre-K through 12 Education

To provide job exploration and workplace readiness training opportunities to disabled youth in Florida, the bill:

- Requires the Division of Vocational Rehabilitation (division) within the Department of Education (DOE) to provide pre-employment transition services (Pre-ETS) as required by federal law, and to cooperate with other departments, agencies, public and private institutions, and providers to provide vocational rehabilitation (VR) and Pre-ETS to persons with disabilities;
- Defines who may be provided Pre-ETS, requiring the division to provide Pre-ETS within a timeframe not to exceed 90 days or the division must work with other qualified providers to provide services;
- Requires the division to enter into a formal interagency agreement with the DOE that provides for the transition of students with disabilities, including Pre-ETS and other VR services;
- Requires the division to work with all local education agencies to provide VR and Pre-ETS services and to arrange for the timely referral of students; and
- Adds Pre-ETS to the list of services that may be utilized for transitioning a student with a disability to postsecondary education and career opportunities.

The bill amends the membership of the Florida Rehabilitation Council to include applicants or recipients of Pre-ETS and expands the council's review to include Pre-ETS outcomes. For VR services, the bill removes extended evaluations and requires the division to prepare an individualized plan for employment within a reasonable time, unless certain circumstances are met.

To address federal monitoring findings and observations, the bill amends the division's annual performance report to include case load data and timeframes in which eligibility is determined, plans are developed, and services are provided, in addition to matching fund data and transition services outcomes data.

To respond to audit findings of The Able Trust, the bill clarifies that administrative costs are based on actual expenditures in any fiscal year and the components included in administrative costs. The bill also adds the DOE's Director of VR, or his or her designee, as an ex officio member of the board and revises board member terms.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

PreK-12 Innovation Subcommittee

CS/CS/SB 70 - Alert Systems in Public Schools

By: Appropriations; Infrastructure and Security; Book

Tied Bills: None

Companion Bills: CS/CS/HB 23

Committee(s) of Reference: Infrastructure and Security; Appropriations Subcommittee on Education; Appropriations

Category: Pre-K through 12 Education; Public Safety; Safety

CS/CS/SB 70 requires all public and charter schools to have a mobile panic alert system, named “Alyssa’s Alert,” to activate during school security emergencies. At a minimum, all mobile panic alert systems in schools must integrate with the local public safety answering point infrastructure to transmit 911 calls and mobile activations. Additionally, all mobile panic alert systems must be capable of connecting emergency service technologies to ensure coordination among first responder agencies.

Subject to an appropriation, the bill requires the Department of Education (DOE) to procure a mobile panic alert system that school districts may implement. The DOE must consult with the Marjory Stoneman Douglas High School Public Safety Commission, the Florida Department of Law Enforcement, and the Florida Division of Emergency Management to develop the procurement solicitation.

The bill is entitled “Alyssa’s Law” after Alyssa Alhadeff, a Marjory Stoneman Douglas High School student who was one of the 17 people killed during a shooting at the school on February 14, 2018.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 156 - Early Childhood Music Education Incentive Pilot Program

By: Appropriations; Education; Perry

Tied Bills: None

Companion Bills: CS/HB 1321

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

Category: Pre-K through 12 Education

The bill revises eligibility requirements for school districts seeking to participate in the Early Childhood Music Education Incentive Pilot Program by allowing specified elementary schools in the district, rather than all elementary schools, to implement a comprehensive music education program. The bill directs the University of Florida's College of Education to collaborate with Florida International University's School of Music in evaluating the effectiveness of the pilot program. Upon completion, the results of the evaluation must be shared with the Florida Center for Partnerships for Arts-Integrated Teaching. The bill extends the scheduled expiration of the Early Childhood Music Education Incentive Pilot Program to June 30, 2022.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 434 - Designation of School Grades

By: Education; Montford

Tied Bills: None

Companion Bills: HB 957

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

Category: Pre-K through 12 Education

Career dual enrollment is provided as an option for high school students to earn Career and Professional Education (CAPE) industry certifications, which are approved annually by the State Board of Education (SBE) through the adoption of the CAPE Industry Certification Funding List.

The bill incentivizes schools to enroll students in career clock hour dual enrollment courses by revising the school grades calculation for high schools. Specifically, a student who completes career dual enrollment courses leading to industry certifications on the funding list during high school, resulting in 300 or more clock hours, may be included in the college and career acceleration component of the school grades calculation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/CS/SB 662 - Education and the Military

By: Rules; Military and Veterans Affairs and Space; Education; Wright

Tied Bills: None

Companion Bills: CS/CS/HB 445

Committee(s) of Reference: Education; Military and Veterans Affairs and Space; Rules

Category: Military; Pre-K through 12 Education

The bill revises school grades calculation for high schools. Beginning with the 2022-2023 school year, a student may be counted toward the college and career acceleration component of the school grades calculation by earning a Category II Armed Forces Qualification Test score or higher on the Armed Services Vocational Aptitude Battery and at least two credits in the Junior Reserve Officers' Training Corps credits from the same branch of the United States Armed Forces.

The bill also allows a student whose parent is transferred to a military installation within the state to enroll in any school district through controlled open enrollment.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 1213 - Educational Instruction of Historical Events

By: Education Committee; PreK-12 Innovation Subcommittee; Fine; Caruso

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: PreK-12 Innovation Subcommittee; PreK-12 Appropriations Subcommittee; Education Committee

Category: Pre-K through 12 Education

CS/CS/1213 requires the Commissioner of Education's African American History Task Force to make recommendations on what will be included about the history of the 1920 Ocoee Election Day Riots in African-American history required classroom instruction. A report is due to the Commissioner of Education and the State Board of Education by March 1, 2021.

The bill requires the Secretary of State to provide direction to state museums on exhibits and educational programs about the history of the riots. The Department of Environmental Protection is required to determine which parks or facilities will be named after riot victims. The bill encourages district school boards to identify school facility naming opportunities in recognition of the victims of the riots.

The bill requires the Department of Education (DOE) to develop standards and curriculum for teaching the history of the Holocaust. As a part of required classroom instruction for public school students in grades K-12, Florida law requires Holocaust education to include encouraging tolerance of diversity and understanding the ramifications of prejudice and racism as well as the Holocaust's historical significance. The bill adds the state's definition of and policy against anti-Semitism, current and historical examples of anti-Semitism, and the prevention of anti-Semitism to required instruction.

The bill requires DOE to create a process for each school district to annually certify compliance with required Holocaust instruction.

The bill authorizes the DOE to seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organization when promulgating the standards and curriculum for Holocaust instruction. For the development of teacher training materials and grade-appropriate classroom resources, the bill authorizes the DOE to contract with any state or nationally recognized Holocaust educational organization.

The bill designates the second week in November as "Holocaust Education Week."

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 7011 - Student Athletes

By: Education Committee; PreK-12 Innovation Subcommittee; Massullo, MD

Tied Bills: None

Companion Bills: CS/CS/SB 1696

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

Category: Pre-K through 12 Education

The bill requires the Florida High School Athletic Association (FHSA) to revise its safety policies for preventing and responding to heat stroke in student athletes and specifies that these requirements apply year round. The changes include:

- Requiring schools to monitor heat stress and modify athletic activities based on heat stress guidelines
- Identifying heat stress levels at which a cooling zone must be made available for athletic activities
- Establishing requirements for implementing cooling zones, including the presence of individuals with training on rapid cooling at athletic activities
- Requiring student athletes to pass the annual medical evaluation each year before engaging in any athletic activities year round

Beginning June 1, 2021, the bill requires an employee or volunteer with current cardiopulmonary resuscitation and automated external defibrillator (AED) training to be present at any athletic activity. All employees or volunteers who are reasonably expected to use an AED must complete the training and be notified annually of the location of each AED on school grounds, which must be available in a clearly marked and publicized location for each athletic activity.

The bill is entitled the “Zachary Martin Act” after Zachary Martin, a Lee County high school football player who suffered fatal heat stroke after an outdoor practice the morning of June 29, 2017.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

HOUSE OF REPRESENTATIVES
Health & Human Services Committee
Representative Ray Wesley Rodrigues, Chair
Representative Cary Pigman, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



Children, Families & Seniors Subcommittee

Representative Mel Ponder, Chair
Representative Rick Roth, Vice Chair

Health Market Reform Subcommittee

Representative Cary Pigman, Chair
Representative Heather Fitzenhagen, Vice Chair

Health Quality Subcommittee

Representative Colleen Burton, Chair
Representative Rene Plasencia, Vice Chair

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CS/CS/SB 404 - Abortion

By: Rules; Health Policy; Stargel

Tied Bills: SB/SB/CS 406

Companion Bills: HB 265

Committee(s) of Reference: Health Policy; Judiciary; Rules

Category: Courts; Criminal Justice; Health; Health Care Practitioners; Health Services

CS/CS/SB 404 requires a physician to obtain written, notarized consent from a parent or legal guardian prior to performing or inducing an abortion on a minor. The bill provides exemptions for medical emergencies, parental waiver, removal of the disability of nonage, minors who are parents and when the minor has been granted a judicial waiver. The bill requires the court to have a record of the judicial waiver hearing and to appoint counsel for the minor.

Current law requires any health care practitioner present when an infant is born alive during an attempted abortion to preserve the health and life of the infant with care appropriate for the gestational age of the infant, including immediate transport to a hospital, and obligates certain health care practitioners to report violations to the Department of Health. The bill increases the penalty for violating these requirements from a first degree misdemeanor to a third degree felony.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 406 - Public Records/Minor's Petition to Waive Consent/Abortion

By: Rules; Health Policy; Stargel

Tied Bills: CS/CS/SB 404

Companion Bills: HB 267

Committee(s) of Reference: Health Policy; Governmental Oversight and Accountability; Rules

Category: Courts; Government in the Sunshine; Health; Health Services; Safety

CS/CS/SB 406 prohibits, with limited exceptions, a physician from performing an abortion on a minor unless the physician receives notarized, written parental consent or an order from a court waiving the parental consent requirement.

CS/CS/SB 406, which is linked to CS/CS/SB 404, expands an existing public record exemption for any information that can be used to identify a minor petitioning a circuit court for a judicial waiver of parental notification for an abortion to exempt the same information when a minor petitions a circuit court for judicial waiver of parental consent for an abortion.

The bill provides for repeal of the exemption for judicial waiver of parental consent on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature. It also provides that if the parental consent exemption is not saved from repeal, then the statute reverts to that in existence on June 30, 2020, thereby preserving the exemption for judicial waiver of parental notification.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that CS/CS/SB 404 or similar legislation takes effect if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

HB 1189 - Genetic Information for Insurance Purposes

By: Sprowls; Williamson

Tied Bills: None

Companion Bills: CS/CS/SB 1564

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

Category: Consumer Protection; Health; Health Financing; Insurance

HB 1189 expands existing prohibitions on the use of genetic information by insurers to include entities that issue policies for life insurance, long-term care insurance, and disability income insurance. It prohibits issuers of life insurance, long-term care insurance, and disability income insurance from canceling, limiting, or denying coverage, and from setting different premium rates, based on personal genetic information without a specific diagnosis related to the genetic information. The bill also prohibits insurers who issue these types of policies from requiring or soliciting genetic information, using genetic test results, or considering a person's decisions or actions relating to genetic testing for any insurance purpose.

The bill specifies that it may not be construed to prevent life insurers or long-term care insurers from accessing an individual's medical record as part of an application process. Likewise, the bill specifies that nothing in the bill prevents a life insurer or long-term care insurer from considering a medical diagnosis included in an applicant's medical record, even if a diagnosis resulted from the use of a genetic test.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Children, Families & Seniors Subcommittee

CS/HB 43 - Child Welfare

By: Health & Human Services Committee; Latvala; Valdés; and others

Tied Bills: None

Companion Bills: CS/CS/SB 122

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Appropriations Committee; Health & Human Services Committee

Category: Courts; Public Safety; Law Enforcement; Social Services

CS/HB 43 makes changes to the child welfare system administered by the Department of Children and Families (DCF). The bill makes information that a person is a parent or caregiver involved in the child welfare system available to law enforcement agencies, and requires an officer to contact the central abuse hotline if the officer interacts with such a person and has concerns for a child's health, safety, or well-being.

The bill also requires the Child Protection Teams to offer training on the recognition of and responses to head trauma and brain injury in a child under six years of age, and requires child welfare professionals, dependency court judges, and law enforcement officers to obtain training on the topic.

The bill requires third-party credentialing entities that administer certification for child welfare professionals to review the findings and all relevant documents involving the death of a child or other critical incident following the completion of reviews by DCF, the Inspector General, or the Office of the Attorney General. The review must assess personnel compliance with the third-party credentialing entity's published code of ethical and professional conduct and disciplinary procedures, and only occurs upon the filing of a complaint by an outside party.

The bill allows DCF and community-based care lead agencies to provide intensive family reunification services that combine child welfare and mental health services for families with dependent children under six years of age.

Further, the bill amends the definition of "Guardian ad Litem" to include the Statewide Guardian ad Litem Office to allow the statewide office access to necessary court records. The bill also allows the statewide office to have a representative of a domestic violence advocacy group on its training curriculum committee, rather than a representative from the Florida Coalition Against Domestic Violence.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 61 - Adoption Benefits

By: Health & Human Services Committee; Children, Families & Seniors Subcommittee; Roth; Daniels; and others

Tied Bills: None

Companion Bills: CS/SB 136

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Public Employees; Social Services

CS/CS/HB 61, administered by the Department of Children and Families, provides a one-time lump-sum monetary benefit for certain state employees adopting children from the foster care system. Eligible employees include full-time, permanent state agency employees, charter school employees, and Florida Virtual School employees. The bill extends this benefit to

- other-personal-services (temporary) employees who have been employed full- or part-time by a state agency for one year, and
- veterans or servicemembers domiciled within Florida.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 82 - Individuals with Disabilities

By: Appropriations; Bean

Tied Bills: None

Companion Bills: CS/CS/HB 1163; CS/SB 1344

Committee(s) of Reference: Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Health; Health Care Facilities; Health Services; Social Services

CS/SB 82 amends laws related to programs and service for persons with developmental disabilities. Currently, such persons eligible for Medicaid may choose to receive services in the community through the Home and Community-Based Services waiver (also known as “iBudget”) administered by the Agency for Persons with Disabilities (APD), or in an institutional setting known as an Intermediate Care Facility for the Developmentally Disabled (ICF/DD).

The bill makes operational changes to the iBudget program. Funding for iBudget services is set on an individual basis according to an algorithm, and clients may request additional funds. Waiver clients work with a waiver support coordinator to identify appropriate services and develop an individual care plan.

The bill

- eliminates the statutory criteria for authorizing supplemental funding for a client, and instead creates a standard definition of a “significant additional need” to judge supplemental funding requests,
- centralizes the significant additional needs process at APD headquarters,
- requires waiver support coordinators to be employed by qualified waiver support coordination agencies and establishes criteria for those agencies, and
- requires all service providers to bill for services and submit all required documentation through the agency’s electronic client data management system.

The bill authorizes a certificate of need (CON) exemption for up to three new ICF/DDs with 24 beds, comprising three eight-bed homes, for individuals exhibiting severe maladaptive behaviors and co-occurring psychiatric diagnoses. To obtain an exemption, an applicant must not have had a license denied, revoked, or suspended within the 36 months preceding the request and must have at least 10 years of experience serving individuals with severe maladaptive behaviors in Florida. The bill establishes certain continued licensure requirements for an ICF/DD with a CON exemption. The bill requires APD to offer choice counseling to iBudget clients regarding appropriate residential placement based on the needs of the individual.

The bill sunsets the choice counseling provision, the ICF/DD continued licensure requirements, and the authority for the ICF/DD CON exemption on July 1, 2022, unless reviewed and saved from repeal by the Legislature.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2021.

HB 163 - Homelessness

By: Altman

Tied Bills: None

Companion Bills: CS/SB 68

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Federal Government; Social Services

HB 163 revises the state's approach to preventing and ending homelessness by aligning state requirements with requirements of the federal Department of Housing and Urban Development (HUD) for awarding grants to Continuum of Care (COC) lead agencies.

The bill requires each COC lead agency to create a continuum of care plan which implements an effective and efficient housing crisis response system to prevent and end homelessness in the COC catchment area. The bill also requires the State Office on Homelessness (State Office) within the Department of Children and Families to align its catchment areas for COC lead agencies with HUD's catchment areas.

The bill adds a representative each from the Florida Housing Coalition and the Department of Elder Affairs to the Council on Homelessness, which develops recommendations on how to reduce homelessness statewide and advises the State Office.

HB 163 also increases the amount of Challenge Grant funds each COC lead agency may receive annually from \$500,000 to \$750,000, and reduces the amount of matching funds or in-kind support required for a Challenge Grant recipient from 100 percent to 25 percent. In addition, the bill increases the maximum percentage of grant funds that a COC lead agency may spend on its administrative costs from 8 percent to 10 percent and changes the preference for funding to be to COC lead agencies with demonstrated ability to move households out of homelessness.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 197 - Servicemembers Civil Relief Act

By: Local, Federal & Veterans Affairs Subcommittee; Payne; and others

Tied Bills: None

Companion Bills: CS/SB 604

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Local, Federal & Veterans Affairs Subcommittee; Health & Human Services Committee

Category: Federal Government; Military; Social Services

CS/HB 197 makes changes to the child welfare system administered by the Department of Children and Families (DCF). The bill prohibits DCF from considering a military service-related absence when determining whether a child has been abandoned.

The federal Servicemembers Civil Relief Act (SCRA) governs civil proceedings and protects active duty servicemembers by allowing temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of servicemembers during their military service. The bill requires DCF to ensure the SCRA is observed in cases where a parent, legal custodian, or caregiver is unable to take custody of a child or appear at a court proceeding in person because of military service, and provides that Florida's child welfare laws do not supersede the SCRA.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 400 - Elder Abuse Fatality Review Teams

By: Gibson

Tied Bills: None

Companion Bills: CS/CS/HB 253

Committee(s) of Reference: Children, Families, and Elder Affairs; Judiciary; Appropriations

Category: Civil Justice; Courts; Health; Health Services; Public Safety; Social Services

SB 400 authorizes each state attorney to create an elder abuse fatality review team to review closed cases where the death of an elderly person was caused by, or related to, abuse or neglect. The bill includes procedures for organizing a review team, appointing members, and obtaining relevant records for review. A review team must consider the surrounding circumstances and events leading up to a fatal incident, identify any gaps in support and service delivery, and make recommendations for systematic improvements to prevent elder abuse and deaths.

The bill grants review team members immunity from monetary liability and prohibits a cause of action relating to their participation in a review team in certain circumstances, with exceptions.

The bill requires each review team to submit an annual report of findings to the Department of Elder Affairs, which must submit an annual report with the compiled information to the Governor, Legislature, and the Department of Children and Families.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 835 - Alzheimer's Disease

By: Children, Families & Seniors Subcommittee; Willhite; Plakon

Tied Bills: None

Companion Bills: SB 1542

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Health & Human Services Committee

Category: Health Care Facilities; Health Services; Mental Health; Social Services

CS/HB 835 creates the position of Dementia Director within the Department of Elder Affairs, appointed by the secretary. The director will collaborate with other state and local entities to facilitate programs supporting those living with Alzheimer's disease or other forms of dementia and their caregivers.

The bill also requires the department to revise the funding allocation formula for respite care to consider a county's population of individuals age 70 and older; directs all state agencies to provide assistance to the Alzheimer's Disease Advisory Committee, upon request; and updates the name of AdventHealth Memory Disorder Clinic.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 945 - Children's Mental Health

By: Health & Human Services Committee; Children, Families & Seniors Subcommittee; Silvers; Webb
Tied Bills: None

Companion Bills: CS/CS/SB 1440

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Services; Mental Health; Pre-K through 12 Education; Social Services

CS/CS/HB 945 addresses the availability and coordination of children's behavioral health services. It requires managing entities to facilitate the creation of plans that promote the development and effective implementation in local areas of a coordinated behavioral health system of care. These systems must integrate services provided through the state's various child-serving systems and other systems for which children and adolescents would qualify. Plans must be completed by January 1, 2022, and implemented by January 1, 2023.

The bill includes crisis response services provided through mobile response teams in the array of services available to children and adolescents who are members of certain target populations and specifies the elements of these services. The Louis de la Parte Florida Mental Health Institute must develop, in consultation with specified entities, a model response protocol for schools to use mobile response teams.

The bill requires the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA) to identify children and adolescents who are the highest utilizers of crisis stabilization services, collaboratively take action to meet the behavioral needs of such children, and jointly submit a quarterly report to the Legislature during the next two fiscal years. The bill also requires DCF and AHCA to assess the quality of care provided in crisis stabilization units to children and adolescents who are high utilizers of such services. Additionally, AHCA must continually test the Medicaid managed care plan provider network databases to ensure that behavioral health providers are accepting enrollees and confirm that enrollees have access to behavioral health services.

The bill requires school principals (or designees) to verify that de-escalation strategies have been used and outreach to a mobile response team has been initiated before contacting a law enforcement officer to initiate an involuntary examination of a student unless delay will increase the likelihood of harm to the student or others.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 994 - Guardianship

By: Rules; Judiciary; Passidomo; and others

Tied Bills: None

Companion Bills: CS/HB 709

Committee(s) of Reference: Children, Families, and Elder Affairs; Judiciary; Rules

Category: Courts; Health; Health Services; Social Services

CS/CS/SB 994 amends laws governing guardianship.

The bill requires the court to inquire into and consider potential disqualifications and potential conflicts of interest prior to appointing of a guardian. It prohibits professional guardians from petitioning for their own appointments, but allows public guardians to petition for their own appointments to certain persons. The bill requires the petition for appointment of a guardian to contain certain information related to the guardian, alternatives to guardianship, and reasons why alternatives to guardianship are insufficient to meet the needs of the alleged incapacitated person.

The bill prohibits a guardian from receiving kickbacks for services provided to a ward and having specified conflicts of interests, unless court approval is obtained or such relationships existed prior to appointment and are disclosed to the court in the guardianship petition.

The bill requires a guardian to first obtain specific approval from the court before consenting to or signing on behalf of the ward an order not to resuscitate. In exigent circumstances, a judge must hold a preliminary hearing on the guardian's petition for such approval within 72 hours.

The bill requires guardians to include certain information about preexisting advance directives and do-not-resuscitate orders in initial and annual guardianship plans, and to declare all remuneration they receive in the annual guardianship report.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1087 (ch. 2020-6, L.O.F.) - Domestic Violence Services

By: Children, Families & Seniors Subcommittee; Fernandez-Barquin

Tied Bills: None

Companion Bills: CS/SB 1482

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Public Integrity & Ethics Committee; Health & Human Services Committee

Category: Government Operations; Social Services

Current law requires the Department of Children and Families (DCF) to contract with the Florida Coalition Against Domestic Violence (FCADV) to manage Florida's domestic violence program, including

implementing, administering, and evaluating services provided by certified domestic violence centers and approving or denying applications for funding certified domestic violence centers.

CS/HB 1087 removes this express requirement for DCF to contract with FCADV. Further, the bill removes a FCADV representative from the Statewide Guardian ad Litem training curriculum committee and the State Child Abuse Death Review Committee, and requires DCF, rather than FCADV, to provide training to local child abuse death review committee members on the impact of domestic violence.

The bill became law on February 27, 2020, chapter 2020-6, Laws of Florida, and became effective on that date.

CS/CS/HB 1105 - Child Welfare

By: Health & Human Services Committee; Children, Families & Seniors Subcommittee; Tomkow

Tied Bills: None

Companion Bills: CS/CS/SB 1324

Committee(s) of Reference: Children, Families & Seniors Subcommittee; Appropriations Committee; Health & Human Services Committee

Category: Courts; Social Services

CS/CS/HB 1105 makes changes to the child welfare system administered by the Department of Children and Families (DCF). The bill requires training for dependency court judges on the benefits of stable placements and related issues, and requires judges to consider certain factors related to placement stability when determining whether to change a child's placement. It also requires DCF to notify judges of all central abuse hotline reports accepted for a child abuse investigation involving a child over whom the court has jurisdiction.

The bill authorizes DCF to file a petition to initiate court oversight when a family is receiving services from a community-based care lead agency (CBC) without court involvement, if the parent has been receiving voluntary services for a period of time. It also prohibits the court from ending jurisdiction if a child needs a safety plan to reside in his or her home.

The bill requires the court and case managers to monitor interactions between foster parents and biological parents to encourage a productive working relationship.

The bill creates a process with set timeframes with which DCF and its subcontractors must comply when a person seeks to adopt a child from the child welfare system. It also requires DCF or its subcontractors to complete criminal history checks, preliminary home studies for adoptive minors and licensing studies for family foster homes within specific timeframes.

The bill makes current law requirements for quality parenting applicable to all out-of-home caregivers, instead of only to foster parents.

The bill authorizes circuit courts to create early childhood court programs, specifying factors to consider when doing so. It requires the Office of the State Courts Administrator to contract for an evaluation of the programs to ensure quality, accountability, and fidelity to evidence-based treatment.

The bill also allows a CBC to demonstrate a justification of need to provide more than 35 percent of direct care services to children and families in its geographic service area.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 1120 - Substance Abuse Services

By: Appropriations; Children, Families, and Elder Affairs; Harrell

Tied Bills: None

Companion Bills: CS/CS/CS/HB 649

Committee(s) of Reference: Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Controlled Substances; Criminal Justice; Federal Government; Mental Health; Social Services

Current law disqualifies people with certain criminal backgrounds from employment by substance abuse treatment providers or from certification as recovery residence administrators. The Department of Children and Families (DCF) has discretionary authority to exempt people from disqualification.

CS/CS/SB 1120 requires DCF to exempt substance abuse treatment personnel from disqualification when the personnel committed certain nonviolent crimes common among substance users. The bill mandates a minimum waiting period, during which the individual cannot have been arrested for any offense. The bill also adds additional disqualifying offenses for recovery residence administrators.

The bill makes it a first-degree misdemeanor for any person to knowingly and willfully refer to, or accept referrals, from a non-certified recovery residence not managed by a certified recovery residence administrator.

Florida's patient brokering statute makes it unlawful for a person to receive or provide a kickback for the referral of a patient to or from a substance abuse provider or health care facility excepting any arrangement expressly authorized under the federal anti-kickback statute, which prohibits inducements for patient referrals for services payable by a federal health care program. The bill expands the number of payment structures allowed under Florida's patient-brokering statute by exempting discounts, waivers of payment, or payments that are not prohibited by the federal anti-kickback statute.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 1326 - Child Welfare

By: Appropriations; Simpson

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Government Operations; Higher Education and Workforce; Post-Secondary Education; Public Employees; Social Services

CS/SB 1326 makes changes to the child welfare system administered by the Department of Children and Families (DCF). The bill addresses performance deficiencies among child welfare providers and workforce issues among child welfare professionals.

The bill creates a new accountability system by

- establishing a DCF Office of Quality to identify performance standards and metrics, and requiring DCF to ensure community-based care lead agencies (CBCs) deliver services in accordance with established performance standards,
- specifying tiered interventions DCF may use if CBCs fail to comply with contract terms or if performance is deficient,
- requiring DCF to grade the overall health of the child welfare system and measure performance of child protective investigators (CPIs), CBCs, and children's legal services, and
- creating a pilot project to establish performance standards to assess outcomes for children served in the 6th and 13th judicial circuits.

The bill expands the functions of the Florida Institute of Child Welfare (FICW) by requiring FICW to work with the Florida State University College of Social Work to redesign the social work curriculum, design and implement a program for career-long professional support for child welfare professionals at all levels and from all disciplines, and establish workforce excellence sites in Florida based on a national model of child welfare workforce reform. The bill also directs DCF to develop an expanded CPI career ladder, in collaboration with FICW, and implement programs to prevent and mitigate secondary traumatic stress and burnout among CPIs.

The bill requires all sheriffs that provide child protective services to operate in accord with the same federal performance standards imposed on DCF staff. Additionally, it requires sheriffs not specified in statute, and contracted attorneys, to adopt DCF's child welfare practice model and operate in accord with the same standards as DCF staff. The bill also directs sheriffs and contracted attorneys to collaborate with DCF on federal and state quality assurance and quality improvement initiatives. The bill requires DCF to conduct an annual evaluation of the performance of all sheriffs and contract attorneys. For sheriffs specified in statute, the evaluation will be based on the same performance standards that are not specific to or based on the child welfare practice model that are imposed on DCF staff.

Finally, the bill requires the local community alliances to include an individual representing faith-based organizations, and requires CBCs to have a liaison to community- and faith-based organizations so CBCs are aware of services offered by these organizations.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 7012 - Substance Abuse and Mental Health

By: Appropriations; Children, Families, and Elder Affairs

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Civil Justice; Health; Health Services; Law Enforcement; Mental Health

CS/SB 7012 amends laws governing substance abuse and mental health services.

The bill codifies coordinated specialty care programs for individuals with early-stage psychosis, and authorizes recipients of Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grants to use that funding for those programs.

The bill also broadens the duties of the Statewide Office of Suicide Prevention (Office) in the Department of Children and Families (DCF), requiring the Office to act as a clearinghouse for information and resources on suicide prevention. It requires the Office, DCF, and the Department of Transportation to collaborate on suicide deterrents for new infrastructure projects. It expands the scope of the Suicide Prevention Coordinating Council (Council) within DCF by requiring the Council to make recommendations on the implementation of evidence-based mental health programs and suicide risk identification training in the Council's annual report on suicide prevention. The bill creates the First Responders Suicide Deterrent Task Force, requiring it to make recommendations on how to reduce the incidence of suicide and suicide attempts among current and retired first responders.

Additionally, the bill requires the notice of release for involuntary examination of minors to include information on local mobile response teams and other resources; revises the method by which forensic facilities and jails provide medication to defendants and share their medical records; and allows certain licensed health care professionals and facilities to contract with DCF and managing entities to provide substance abuse services without a separate license from DCF.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Health Market Reform Subcommittee

CS/HB 81 – Health Care for Children

By: Health & Human Services Committee; Andrade

Tied Bills: None

Companion Bills: CS/CS/SB 190

Committee(s) of Reference: Health Market Reform Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Federal Government; Health; Health Care Facilities; Health Care Practitioners; Health Financing; Health Services; Pre-K through 12 Education; Social Services

CS/HB 81 aligns the Florida Medicaid Certified School Match program for public school districts with federal student eligibility standards provided by the federal Centers for Medicare and Medicaid Services (CMS) in 2014.

Until 2014, CMS prohibited reimbursement for Medicaid services provided to recipients who did not qualify for Part B or H of the Individuals with Disabilities Education Act or for exceptional student services, or have an individualized education plan (IEP) or individualized family service plan (IFSP). In 2014, CMS issued guidance permitting reimbursement of services provided for recipients without an IEP or IFSP. The bill allows public school districts participating in the program to provide Medicaid services under the expanded federal guidelines.

The bill requires the Department of Health to create and make available electronically an informational pamphlet on screening for, and treating, preventable infant and childhood eye and vision disorders. Hospitals, birth centers, and health care practitioners attending out-of-hospital births must provide the pamphlet to parents of newborn children.

The bill also requires an auditory-oral education program for children to use faculty and supervisors certified as listening and spoken language specialists each day a child is in attendance. Public and private schools offer such programs to children who are deaf or hard of hearing. The bill specifies that a listening and spoken language specialist must be involved in the determining the level of services provided to a child under an auditory-oral education program.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 559 - Institutional Formularies Established by Nursing Home Facilities

By: Health & Human Services Committee; Byrd

Tied Bills: None

Companion Bills: SB 1020

Committee(s) of Reference: Health Market Reform Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Care Practitioners; Health Services

Therapeutic substitution is the practice of dispensing a drug that is chemically distinct from the prescribed drug, but therapeutically similar in terms of efficacy, safety, and tolerability profile. Currently, a pharmacist must dispense a prescription for a nursing home resident as written, unless substituting a generic or biosimilar drug. Otherwise, a pharmacist must contact the prescribing physician and request a new prescription.

CS/HB 559 authorizes a nursing home to establish an institutional formulary by which a pharmacist may use therapeutic substitution without a new prescription to replace a resident's prescribed drug with a chemically different drug listed in the institutional formulary.

The bill requires a nursing home to obtain a prescriber's authorization to use an institutional formulary for each of the prescriber's patients in the nursing home and allows a prescriber to opt out of the institutional formulary for a specific drug or class of drugs. The nursing home must notify the prescriber prior to each therapeutic substitution and document the resident's medical record when a substitution occurs. The bill requires a nursing home to obtain informed consent from a resident or a resident's representative to use the institutional formulary for the resident.

The bill prohibits a nursing home from taking adverse action against a prescriber or resident who refuses to use the institutional formulary.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 731 - Agency for Health Care Administration

By: Health & Human Services Committee; Health Market Reform Subcommittee; Perez

Tied Bills: None

Companion Bills: CS/CS/SB 1726

Committee(s) of Reference: Health Market Reform Subcommittee; Appropriations Committee; Health & Human Services Committee

Category: Emergency Management; Federal Government; Health; Health Care Facilities; Health Financing; Health Services; Insurance; Mental Health; Public Safety; Repeals of Existing Laws

CS/CS/HB 731 amends various authorizing and licensing statutes for entities regulated by the Agency for Health Care Administration (AHCA). The bill also amends laws governing the Medicaid program, administered by AHCA. Specifically, the bill

- updates requirements for approval of comprehensive emergency management plans for newly licensed facilities,
- allows a health care facility employee, who has previously qualified with background screening requirements, to apply for an exemption if the law is changed to add a disqualifying offense for which the employee committed prior to being screened,
- allows AHCA to issue provisional licenses to all regulated providers/facilities,
- authorizes risk-based, less frequent, licensure inspections for nurse registries, home medical equipment providers, and health care clinics,
- allows AHCA to use extended inspection periods for high performing hospices and adult day care centers, which are currently inspected biennially,
- revises a requirement for AHCA to inspect nursing homes with records of poor performance every six months for a two-year period, to instead require two surveys every year until the facility has two consecutive surveys without a citation for a class I or a class II deficiency,
- reinstates authority for AHCA to adopt rules to require hospitals with adult cardiovascular service programs to report data on clinical outcomes to national data registries operated by the American College of Cardiology or the American Heart Association,
- increases the period of time to obtain designation as a Tier 3 Cancer Center under the Florida Consortium of National Cancer Institute Centers Program from 6 years to 10 years,
- exempts from health care clinic licensure federally certified providers, community mental health center-partial hospitalization programs, portable x-ray providers, and rural health clinics,
- exempts from health care clinic licensure all Medicaid providers,
- repeals licensure of multiphasic health testing centers,
- repeals several statutorily mandated annual reports, and instead directs AHCA to publish the information online,
- repeals an unenforceable annual assessment on diagnostic imaging centers and ASCs,
- amends the definition of home health agency to clarify that an agency that provides only home health services, but not staffing services, must be licensed as a home health agency,
- increases the range of services defined as “shoppable” for purposes of earning shared saving incentives offered by insurers,
- extends the rural hospital designation from 2021 to 2025 for a hospital licensed as a rural hospital during Fiscal Year (FY) 2010-2011 or FY 2011-12,

- removes AHCA authority to establish an alternative methodology to the diagnosis related group-based prospective payment system for class III psychiatric hospitals,
- allows AHCA to collect legal fees for Medicaid cases in which AHCA prevails,
- requires AHCA to re-procure contracts with Medicaid managed care plans every 6 years instead of every 5 years, beginning with the contract procurement process initiated in 2023,
- requires AHCA to extend the term of existing plan contracts for the prepaid dental health program until December 31, 2024,
- aligns the state Medicaid anti-kickback law with the federal anti-kickback law by specifying that the Medicaid anti-kickback prohibitions in Medicaid statute do not apply to any discount, payment, waiver of payment, or payment practice not prohibited under the federal anti-kickback law,
- requires background screening for Medicaid providers, applicable to individuals who will have direct access to Medicaid recipients, recipient living areas, or the financial, medical, or service records of a Medicaid recipient, or who supervise the delivery of goods or services to a Medicaid recipient,
- provides that drivers providing transportation to Medicaid recipients through a transportation broker or a transportation network company are required to undergo only level I background screening, consistent with current law, and
- allows AHCA to conduct retrospective review of Medicaid hospital payments to allow AHCA to recover all overpayments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020 except at otherwise provided.

CS/CS/HB 747 - Coverage for Air Ambulance Services

By: Health & Human Services Committee; Health Market Reform Subcommittee; Williamson

Tied Bills: None

Companion Bills: CS/CS/CS/SB 736

Committee(s) of Reference: Health Market Reform Subcommittee; Appropriations Committee; Health & Human Services Committee

Category: Consumer Protection; Health; Health Financing; Health Services; Insurance

CS/CS/HB 747 requires a commercial health insurer or HMO to provide reasonable reimbursement to an air ambulance service for emergency and nonemergency transport services provided to a covered individual in accordance with the terms of the insurance policy or HMO contract. The bill defines “reasonable reimbursement” as payment that considers the direct cost of services provided, costs incurred by the operation of an air ambulance service by a county, which operates entirely within a designated area of critical state concern as determined by the Department of Economic Opportunity, and in-network reimbursement for comparable services.

The bill specifies that payment in full of applicable copayments, coinsurance, and deductibles by an insured patient who receives air ambulance services shall constitute the full financial obligation of the patient for those services. Accordingly, the bill prohibits air ambulance service providers from balance billing insured patients.

Subject to the Governor’s veto powers, the bill takes effect upon becoming a law.

CS/CS/HB 763 - Patient Safety Culture Surveys

By: Health & Human Services Committee; Health Market Reform Subcommittee; Grant, M. and others

Tied Bills: None

Companion Bills: CS/CS/SB 1370

Committee(s) of Reference: Health Market Reform Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Consumer Protection; Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/CS/HB 763 requires hospitals and ambulatory surgical centers (ASCs) to use the federal hospital or ASC Survey on Patient Safety Culture, as applicable, to conduct patient safety culture surveys of facility staff. The facilities must conduct the survey biennially, and submit the data to the Agency for Health Care Administration (AHCA) in a format specified by rule. The bill requires the facility to conduct the survey anonymously to encourage staff employed by or working in the facility to complete the survey. The bill authorizes a hospital or ASC to contract to administer the survey, and to develop an internal action plan to identify survey measures to improve upon between surveys, which may be submitted to AHCA.

The bill requires AHCA to publish the survey results for each hospital and ASC, in the aggregate and by composite measure. For hospitals, AHCA must also publish the survey results by unit work areas. AHCA must designate the use of updated versions of the surveys as they occur.

The bill requires AHCA to customize the surveys to include questions that will generate data on the likelihood of a respondent to seek care at the surveying facility, both in general, and, for hospitals, within the respondent's specific unit or department. The bill also requires AHCA to customize the hospital survey to allow a respondent to identify themselves as working in certain areas of a hospital that are not currently identifiable in the survey, including a pediatric cardiology patient care unit and a pediatric cardiology surgical services unit.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 767 - Assisted Living Facilities

By: Health & Human Services Committee; Health Market Reform Subcommittee; Grant, M., and others

Tied Bills: None

Companion Bills: CS/CS/SB 402

Committee(s) of Reference: Health Market Reform Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Emergency Management; Health; Health Care Facilities; Health Services

CS/CS/HB 767 amends various provisions in ch. 429, F.S., regulating assisted living facilities (ALFs). Specifically, the bill

- requires AHCA to conduct a full inspection instead of an abbreviated biennial inspection to review key quality-of-care standards for a facility with a history of certain violations,
- codifies current rule requirements relating to facility staff training and education,
- allows ALFs to admit or retain residents that need assistive devices, which are defined as any device designed or adapted to help a resident perform an action, task, an activity of daily living, a transfer, prevention of a fall, or recovery from a fall,
- allows ALFs to admit residents that require 24-hour nursing care, or residents that are receiving hospice services, if the arrangement is agreed to by the facility and the resident, additional care is provided by a licensed hospice, and the resident is under the care of a physician who agrees that the physical needs of the resident can be met at the facility,
- allows ALFs to admit residents who are bedridden if they are bedridden for no more than 7 days, or no more than 14 days for an ALF licensed as extended congregate care,
- allows the use of certain physical restraints in ALFs, including, full-bed rails and geriatric chairs,
- allows the State Long-Term Care Ombudsman Program to assist a resident who needs to be relocated due to a facility closure,
- removes the requirement for ALF staff assisting with the self-administration of medication to read the label of the medication to the resident, instead requiring staff to, in the presence of the resident, confirm the medication is correct and advise the resident of the medication name and purpose, and
- authorizes rules to address technological advances in the provision of care, safety, and security, including the use of devices, equipment and other security measures for wander management, emergency response, staff risk management, and for the general safety and security of residents, staff, and the facility.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1179 - Nondiscrimination in Organ Transplants

By: Health Market Reform Subcommittee; Fischer; and others

Tied Bills: None

Companion Bills: CS/CS/SB 1556

Committee(s) of Reference: Health Market Reform Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Care Practitioners; Health Financing; Health Services; Insurance

CS/HB 1179 prohibits discrimination in access to anatomical gifts and organ transplants for individuals with developmental or intellectual disabilities by insurers and covered entities.

The bill prohibits health insurance policies and health maintenance organization contracts from denying coverage for an organ transplant solely on the basis of an insured's or subscriber's developmental or intellectual disability. It prohibits covered entities from taking specific actions against an individual with a developmental or intellectual disability who is eligible to receive an anatomical gift (human body parts donated after death for use in transplants, therapy, research, or education) based solely on the fact that they have a developmental or intellectual disability. Covered entities include health care practitioners, health care facilities, and any other entity responsible for potential recipients of anatomical gifts.

The bill requires covered entities to make reasonable accommodations in their policies, practices, or procedures, when necessary, to allow a patient with a disability access to services unless making the modification would fundamentally alter the nature of the services.

The bill provides injunctive relief for a qualified individual affected by violations of these provisions.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 1344 - Intermediate Care Facilities

By: Appropriations; Harrell

Tied Bills: None

Companion Bills: CS/CS/HB 1163

Committee(s) of Reference: Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Health; Health Care Facilities; Health Services; Social Services

CS/SB 1344 authorizes a certificate of need (CON) exemption for a new intermediate care facility for the developmentally disabled (ICF/DD) that has a total of 24 beds, comprising three eight-bed homes, for use by individuals exhibiting severe maladaptive behaviors and co-occurring psychiatric diagnoses requiring increased levels of behavioral, medical, and therapeutic oversight. To obtain an exemption, an applicant must not have had a license denied, revoked, or suspended within the 36 months preceding the request for exemption and must have at least 10 years of experience serving individuals with severe maladaptive behaviors in Florida. The bill limits the number of CON exemptions authorized under the bill three.

The bill also establishes certain continued licensure requirements for an ICF/DD that has been granted the CON exemption created by the bill.

The bill requires the Agency for Persons with Disabilities to offer choice counseling to clients regarding appropriate residential placement based on the needs of the individual.

The bill sunsets the continued licensure requirements and the statutory authority for the Agency for Health Care Administration to grant the CON exemption created by the bill on July 1, 2022, unless reviewed and saved from repeal by the Legislature.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1373 - Long-term Care

By: Health Market Reform Subcommittee; Webb

Tied Bills: None

Companion Bills: CS/SB 1544

Committee(s) of Reference: Health Market Reform Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Financing; Health Services; Insurance; Social Services

CS/HB 1373 provides flexibility to the Department of Elderly Affairs (DOEA) regarding the composition of the Medicaid long-term managed care waitlist. The Long-Term Care Managed Care (LTC) program provides services to frail elderly or disabled Medicaid recipients in nursing facilities and in community settings, including an individual's home, an assisted living facility, or an adult family care home. Program enrollment is capped, so the DOEA prioritizes applicants based on frailty, and maintains a waitlist.

The bill requires DOEA to place individuals with high priority scores on the waitlist, consistent with current practice, and allows, but does not require, DOEA to add individuals with low priority scores. The bill requires annual rescreening of individuals with high priority scores, in keeping with current practice, but makes annual rescreening optional for individuals with low priority scores. The bill directs screening staff to inform individuals with low priority scores of alternative community resources that may be available and that the individual may request rescreening at any time if their circumstances change.

The bill also modifies service prioritization procedures under the Community Care for the Elderly (CCE) program, which provides community-based services to help elders with functional impairments live in the least restrictive and most cost-effective environment suitable. The program prioritizes individuals referred for services by Adult Protective Services (APS), which investigates elder abuse, neglect, and exploitation. The bill authorizes a CCE services provider to dispute an APS referral by requesting that APS negotiate or modify the referral of a vulnerable adult or victim.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 1742 - Home Medical Equipment Providers

By: Appropriations; Mayfield and others

Tied Bills: None

Companion Bills: HB 1183

Committee(s) of Reference: Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Health; Health Care Practitioners; Health Services

CS/SB 1742 exempts physicians and chiropractors who sell or rent electrostimulation medical equipment to their patients in the course of their practice from licensure as a home medical equipment provider under ch. 400, F.S.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Health Quality Subcommittee

CS/CS/HB 59 - Automated Pharmacy Systems

By: Health & Human Services Committee; Health Quality Subcommittee; Willhite

Tied Bills: None

Companion Bills: CS/CS/SB 708

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/HB 59 authorizes a community pharmacy to use automated pharmacy systems to dispense certain drugs. An automated pharmacy system may be used in such locations as a medical facility, place of business where essential goods and commodities are sold, large employer workplace, or location where access to a community pharmacy is limited. The bill establishes criteria for such systems and a community pharmacy's responsibilities when employing them.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 89 - Adoption Records

By: Health & Human Services Committee; Stark

Tied Bills: None

Companion Bills: CS/SB 302

Committee(s) of Reference: Health Quality Subcommittee; Civil Justice Subcommittee; Health & Human Services Committee

Category: Court Administration; Courts; Health; Social Services

All adoption records, including copies of an original birth certificate, are confidential and may not be released except by court order or authorization of all parties involved. CS/HB 89 authorizes each party to an adoption to authorize the release of his or her own records. However, a minor must obtain written consent of his or her adoptive parent to obtain a birth parent's name or identity. Adoption records may still be released upon order of the court.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 172 - Florida Drug and Cosmetic Act

By: Bradley

Tied Bills: None

Companion Bills: HB 113

Committee(s) of Reference: Community Affairs; Innovation, Industry, and Technology; Rules

Category: Business and Professional Regulation; Federal Government; Health; Health Services; Local Government

The federal Food Drug and Cosmetic Act and the Fair Packaging and Labeling Act regulate drugs and cosmetics in the U.S., including sunscreen, which is an over-the-counter (OTC) drug not requiring a prescription. The Florida Drug and Cosmetic Act, implemented by the Department of Business and Professional Regulation (DBPR), regulates drugs and cosmetics in Florida, including sunscreen.

Florida law does not currently preempt the regulation of OTC drugs or cosmetics to the state. Thus, local governments may pass ordinances regulating OTC drugs and cosmetics if they do not conflict with state or federal law.

SB 172 expressly preempts the regulation of OTC drugs and cosmetics to the state, including sunscreen.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 177 - Prescription Drug Donation Repository Program

By: Health Care Appropriations Subcommittee; Yarborough; Duran

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Civil Justice; Courts; Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/HB 177 creates a Prescription Drug Donation Repository Program (program) in the Department of Health (DOH) to facilitate donation and distribution of prescription drugs and supplies to indigent, underinsured, and uninsured patients in the state. The program uses a system of repositories to distribute donated prescription drugs throughout the state to eligible patients.

The bill establishes eligibility criteria for repositories, donors, donations, and donation recipients, and requires program participants to follow program procedures for donating, inspecting, storing, and dispensing prescription drugs and supplies. Repositories must report on their program activities each month to DOH and DOH must publish registries on its website of participating repositories and available donations under the program. The bill also allows the Governor to waive the patient eligibility requirements of the program during a declared state of emergency.

The bill grants civil, criminal and administrative immunity for participating persons and entities that exercise reasonable care in donating, accepting, transferring, distributing, or dispensing prescription drugs under the program.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 218 - Licensure Requirements for Osteopathic Physicians

By: Health Policy; Harrell

Tied Bills: None

Companion Bills: HB 221

Committee(s) of Reference: Health Policy; Appropriations; Rules

Category: Health; Health Care Practitioners; Post-Secondary Education

Currently, an applicant for licensure as an osteopathic physician must complete a resident internship approved by the American Osteopathic Association (AOA) or another internship program approved by the Board of Osteopathic Medicine (Board). The AOA and the Accreditation Council for Graduate Medical Education (ACGME) are transitioning to a single graduate medical education accreditation system, and the AOA will cease accrediting programs on June 30, 2020.

CS/SB 218 allows an applicant to qualify for licensure as an osteopathic physician by completing an ACGME-accredited residency or internship and retains current law allowing AOA-accredited residencies or internships. The bill also repeals the Board's authority to approve any other internship programs if they are not AOA- or ACGME-accredited.

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

CS/SB 226 - Athletic Trainers

By: Health Policy; Harrell

Tied Bills: None

Companion Bills: HB 485

Committee(s) of Reference: Health Policy; Appropriations; Rules

Category: Health; Health Care Practitioners; Health Services

The Board of Athletic Training (Board), within the Department of Health, licenses and regulates athletic trainers. The Board of Certification, Inc., a private credentialing agency, certifies athletic trainers.

Current law does not allow applicants to qualify for licensure by completing an internship. Athletic trainers must show current certification from the Board of Certification for biennial licensure renewal, but there is no statutory requirement that a licensee maintain such certification without lapse and in good standing.

CS/SB 226 allows athletic trainers to qualify for licensure by completing an internship approved by the Board of Certification. It requires athletic trainers to maintain certification without lapse and in good standing for licensure renewal. The bill also requires an athletic trainer work within his or her scope of practice, as defined by Board rules, and requires the Board to adopt rules that govern the supervision of athletic training students.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 348 - Florida Kidcare Program

By: Bean

Tied Bills: None

Companion Bills: HB 6031

Committee(s) of Reference: Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

Category: Federal Government; Health; Health Financing; Health Services; Insurance; Social Services

The Florida Healthy Kids program administered by the Florida Healthy Kids Corporation provides health coverage to children from age five through age 18 who live in households meeting certain eligibility thresholds. Current law limits Healthy Kids program coverage to \$1 million in a child's lifetime. In 2018, the federal Centers for Medicare and Medicaid Services informed the Agency for Health Care Administration that the \$1 million lifetime coverage limit violates federal regulations.

The bill deletes the \$1 million lifetime coverage limit. With this change, no child will be removed from coverage eligibility by virtue of accumulating benefit claims that exceed a dollar amount threshold.

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

CS/HB 389 (ch. 2020-7, L.O.F.) - Practice of Pharmacy

By: Health & Human Services Committee; Sirois

Tied Bills: None

Companion Bills: CS/SB 714

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/HB 389 bill authorizes a pharmacist to enter into a collaborative pharmacy practice agreement (CPPA) with a physician to manage chronic health conditions if the pharmacist meets certain qualifications. A CPPA must contain certain terms and specify the health conditions, treatments, and tests governed by the CPPA. The bill prohibits a collaborating pharmacist from certain acts.

The bill authorizes a pharmacist, who meets certain criteria, to test or screen for and treat minor, non-chronic health conditions under a written protocol with a supervising physician. The conditions are limited to influenza, streptococcus, lice, skin conditions, and minor, uncomplicated infections. The protocol must identify the patients that may be seen, instructions for obtaining a medical history, instructions for treatment, and a process and schedule for the pharmacist to provide patient treatment information to the physician and the physician to review the pharmacist's actions under the protocol.

The bill requires the Board of Pharmacy to adopt, by rule, a formulary of medicinal drugs that an authorized pharmacist may prescribe to treat minor, non-chronic health conditions and prohibits certain drugs. The bill authorizes a pharmacist to use certain laboratory tests, as well as any established screening procedure for which no test is available.

A pharmacy in which a pharmacist provides services for minor, non-chronic health conditions must prominently display a sign advising a patient receiving such services to seek follow-up care from a physician. The Board of Pharmacy must adopt guidelines for advising patients to seek follow-up care from a physician.

The bill became law on March 11, 2000, chapter 2020-7, Laws of Florida, and becomes effective July 1, 2020.

CS/HB 467 - Physical Therapy Practice

By: Health & Human Services Committee; Stevenson

Tied Bills: None

Companion Bills: CS/CS/CS/SB 792

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Practitioners; Health Services

Current law prohibits physical therapists (PTs) from using acupuncture if it punctures the skin. In some states, PTs may use a technique called dry needling, which requires a PT to insert an acupuncture needle to penetrate the skin and stimulate underlying myofascial trigger points, and muscular and connective tissues to manage pain and movement impairments.

CS/HB 467 eliminates the prohibition on performing acupuncture that pierces the skin and authorizes the Board of Physical Therapy Practice to adopt rules related to the standards of practice for PTs to perform dry needling. The bill also establishes minimum experience, education, and training requirements for PTs who perform dry needling.

The bill also revises the scope of practice for PTs and terminology to more closely align with the model practice act for physical therapy.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 599 (ch. 2020-8, L.O.F.) - Consultant Pharmacists

By: Health & Human Services Committee; Health Quality Subcommittee; Rodriguez

Tied Bills: None

Companion Bills: CS/CS/SB 1094

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

Category: Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/CS/HB 599 amends laws regulating consultant pharmacists. It authorizes a consultant pharmacist to provide services to patients in an ambulatory surgical center, hospital, alcohol or chemical dependency treatment center, inpatient hospice, or ambulatory care center, in addition to those authorized in current law (nursing home and home health agency patients). The bill clarifies that a consultant pharmacist is not authorized to diagnose any disease or condition, and authorizes the Board of Pharmacy to establish additional education requirements for consultant pharmacists.

The bill also expands consultant pharmacist scope of practice by authorizing a consultant pharmacist to enter into a written collaborative practice agreement to provide medication management services with a health care facility medical director or Florida-licensed allopathic physician, osteopathic physician, podiatric physician, or dentist to

- order and evaluate laboratory and clinical testing,
- conduct patient assessments,
- administer medications, and
- modify or discontinue medicinal drugs pursuant to a patient-specific order or treatment protocol.

A consultant pharmacist may only provide services to the patients of the health care practitioner with whom the consultant pharmacist has a written collaborative practice agreement. The bill requires both the consultant pharmacist and health care practitioner to maintain a copy of the collaborative agreement and make it available upon request or during an inspection. The bill also requires the consultant pharmacist to maintain all drug, patient care, and quality assurance records.

The bill became law on March 11, 2020, chapter 2020-8, Laws of Florida, and becomes effective July 1, 2020.

CS/CS/HB 607 (ch. 2020-9, L.O.F.) - Direct Care Workers

By: Health & Human Services Committee; Health Quality Subcommittee; Pigman

Tied Bills: HB 7017

Companion Bills: Includes parts of CS/CS/SB 1676; CS/CS/HB 7053

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/CS/HB 607 establishes autonomous practice authority for advanced practice registered nurses (APRNs), and amends laws regulating certified nursing assistants (CNAs), home health aides (HHAs), and their licensed practice settings.

The bill authorizes APRNs who meet certain criteria to practice primary care or midwifery without physician supervision or a protocol. The bill also authorizes an advisory council comprised of physicians, APRNs, and the state Surgeon General to make recommendations to the Board of Nursing on the standards of practice for such APRNs. The bill subjects such APRNs to disciplinary action if they commit specified prohibited acts related to unethical and substandard business practices. An APRN engaging in autonomous practice must report adverse incidents to the Department of Health (DOH), which must review each report to determine whether the APRN is subject to disciplinary action.

The bill prohibits an insurer from requiring an insured to access care from an APRN engaging in autonomous practice rather than a physician.

The bill authorizes DOH to award up to \$15,000 per year under the Medical Education Reimbursement and Loan Repayment Program to APRNs engaging in autonomous practice and practicing primary care in a public health program or that serves Medicaid recipients and other low-income patients in a primary care shortage area.

The bill authorizes registered nurses to delegate certain tasks to a CNA or HHA, including medication administration. The bill authorizes CNAs and HHAs to assist with preventive skin care, applying bandages, and nebulizer treatments. The bill authorizes the Agency for Health Care Administration to adopt rules for the training of paid feeding assistants in nursing homes, and prohibits facilities from counting paid feeding assistants toward minimum staffing standards.

The bill requires licensed nursing homes, home health agencies, hospices, and homemaker and companion services providers to complete a workforce survey at each licensure renewal. The bill creates the Excellence in Home Health and Nurse Registry Excellence programs to award designations to home health agencies and nurse registries that meet certain criteria. The home health agency or nurse registry may use the designation in marketing materials.

The bill became law on March 11, 2020, chapter 2020-9, Laws of Florida and becomes effective July 1, 2020, except as otherwise provided.

CS/CS/SB 698 - Reproductive Health

By: Rules; Criminal Justice; Book

Tied Bills: None

Companion Bills: Includes parts of CS/HB 1287; CS/HB 1289; CS/SB 1470

Committee(s) of Reference: Judiciary; Criminal Justice; Rules

Category: Criminal Justice; Health; Health Care Facilities; Health Care Practitioners; Health Services; Post-Secondary Education

CS/CS/SB 698 prohibits a physician from implanting a patient or causing a patient to be implanted with a human embryo created with the physician's own reproductive material, or inseminating a patient or causing a patient to be inseminated with the physician's own reproductive material. The bill makes such action a ground for licensure discipline. The bill also prohibits a health care practitioner from intentionally implanting or causing to be implanted a human embryo without the recipient's consent to the use of that human embryo, or inseminating a patient or causing a patient to be inseminated with human reproductive material from a donor without the patient's consent to the use of that donor's reproductive material.

Effective October 1, 2020, the bill creates the crime of reproductive battery, which prohibits a healthcare practitioner from intentionally penetrating the vagina of a patient with the reproductive material of a donor or any object containing the reproductive material of a donor knowing the patient has not consented to the use of reproductive material from that donor. The bill tolls the statute of limitations for criminal prosecution of a reproductive battery until the date a violation is discovered and reported to law enforcement or another governmental agency. The bill requires the Department of Health to issue an emergency order suspending the license of a health care practitioner who pleads guilty to or is convicted of reproductive battery.

The bill also prohibits a health care practitioner, a medical student, or any other student receiving health care practitioner training, from performing a pelvic examination on a patient without express written consent. The prohibition does not apply if the pelvic examination is required by a court order or is immediately necessary to avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the patient.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise provided.

CS/CS/CS/HB 713 - Health Regulation

By: Health & Human Services Committee; Health Care Appropriations Subcommittee; Health Quality Subcommittee; Rodriguez, A.M.

Tied Bills: None

Companion Bills: CS/CS/CS/SB 230. The bill contains elements of other bills that were listed as companion measures. Please see MyFloridaHouse.gov or [Leagis/Bill Navigator](#) for an additional listing.

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Health; Health Care Facilities; Health Care Practitioners; Health Services

CS/CS/CS/HB 713 amends programs and health care professions regulated under the Department of Health (DOH). The bill

- establishes reporting requirements for certain Child Protection Team medical directors,
- establishes battery against a patient or resident of certain health care facilities a disqualifying offense for certain health care licenses and employment in certain health care facilities,
- authorizes DOH to establish patient care networks to plan for the care of individuals with HIV, rather than only those diagnosed with AIDS,
- authorizes DOH to adopt rules to implement the Conrad 30 Waiver program,
- extends the time for certain cancer centers to pursue a National Cancer Institute designation,
- revises DOH's rulemaking authority relating to the minimum standards for ground ambulances,
- establishes requirements for maintaining and operating radiation machines and the use of radiation machines on humans,
- authorizes DOH to request a date of birth on a licensure application,
- authorizes DOH to issue a temporary license that expires 60 days after issuance, rather than 30 days, to certain applicants without social security numbers,
- creates an exemption to the prohibition against physician self-referral for radiological services for entities that meet certain requirements,
- authorizes DOH to issue medical faculty certificates to certain faculty of Nova Southeastern University and Lake Erie College of Osteopathic Medicine,
- repeals a requirement that the Board of Medicine triennially review board certification organizations for dermatology,
- revises the composition of the Council on Physician Assistants,
- revises the requirements for osteopathic internships and residencies to include those accredited by the Accreditation Council for Graduate Medical Education,
- authorizes the Board of Nursing to extend the time by which a nursing education program must be accredited for up to two years if the program meets certain standards,
- extends the sunset date for Florida Center for Nursing annual reports on nursing education to January 30, 2025,
- repeals a requirement that Florida-licensed dental practitioners grade dental licensure examinations,
- requires dentists and dental hygienists to report adverse incidents to the Board of Dentistry,
- requires DOH to biennially inspect dental laboratories,
- revives and reenacts the health access dental license program, retroactive to January 1, 2020,

- repeals voluntary registration of registered chiropractic assistants,
- authorizes DOH to issue combined, rather than separate, registrations to prosthetist-orthotists,
- requires athletic trainers to work within the scope of practice and revises licensure requirements,
- limits massage therapy apprenticeships to those in colonic irrigation, and requires licensure applicants to pass a national examination designated by the Board of Massage Therapy,
- revises psychology licensure requirements,
- authorizes the Board of Clinical Social Work, Marriage and Family Therapists, and Mental Health Counseling to approve a one-time exception to the 60-month limit on an internship registration,
- revises licensure requirements for Marriage and Family Therapists and Licensed Mental Health Counselors,
- authorizes local governments, in consultation with DOH, to develop a special use permit process for surf pools, and exempts such pools from DOH permitting until DOH adopts rules to regulate them, and
- requires the Agency for Health Care Administration to develop a webpage to inform the public about direct care workers.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise provided.

HB 743 - Nonopioid Alternatives

By: Plakon

Tied Bills: None

Companion Bills: SB 1080

Committee(s) of Reference: Health Quality Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

Category: Controlled Substances; Health; Health Care Facilities; Health Care Practitioners; Health Services; Safety

The Department of Health (DOH) publishes a pamphlet regarding the use of non-opioid alternatives to treat pain on its website. Current law requires health care practitioners, except pharmacists, to discuss non-opioid alternatives with patients prior to prescribing, ordering, dispensing, or administering opioids, provide a copy of the DOH pamphlet, and document the discussion in the patient's medical record. The requirements do not apply to emergency care and services.

HB 743 revises these requirements by

- requiring that the pamphlet provided to the patient be printed,
- authorizing a health care practitioner to discuss non-opioid alternatives with, and provide the pamphlet to, the patient's representative rather than the patient,
- removing the requirement to address non-opioid alternatives when a drug is dispensed or administered, and
- exempting hospice services and care provided in a hospital critical care unit or emergency department from the requirement to discuss non-opioid alternatives with a patient.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1461 - Health Access Dental Licenses

By: Health Quality Subcommittee; Brown

Tied Bills: None

Companion Bills: CS/SB 1296

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

Committee Category: Fees; Health; Health Care Practitioners; Health Services

The health access dental license statute authorized the Board of Dentistry, within the Department of Health, to issue a license to a licensed out-of-state dentist to provide dental care in certain underserved areas and programs. The statute automatically sunset and was repealed on January 1, 2020.

CS/HB 1461 revives and reenacts the authority for health access dental licenses retroactively to January 1, 2020, including the authority to establish fees.

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

HOUSE OF REPRESENTATIVES
Judiciary Committee
Representative Paul Renner, Chair
Representative Bob Rommel, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



Civil Justice Subcommittee
Representative Bob Rommel, Chair
Representative Bobby Payne, Vice Chair

Criminal Justice Subcommittee
Representative James Grant, Chair
Representative Stan McClain, Vice Chair

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CS/CS/SB 1392 - Courts

By: Appropriations; Judiciary; Simmons

Tied Bills: None

Companion Bills: CS/HB 7057; CS/HB 7059

Committee(s) of Reference: Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

Category: Court Administration; Courts

The Florida Constitution establishes a four-level court system consisting of a Supreme Court, district courts of appeal (DCAs), circuit courts, and county courts. The circuit courts and county courts primarily serve as trial courts, but the circuit courts also hear appeals from county courts and administrative bodies. Circuit courts have appellate jurisdiction over cases appealed from county courts with certain exceptions.

The bill makes the following changes to the court system:

- Eliminates appellate jurisdiction of circuit courts for cases appealed from county courts, which, pursuant to the Florida Constitution, will cause the DCAs to have appellate jurisdiction over those appeals
- Allows circuit courts to continue to exercise jurisdiction over
 - appeals from final administrative orders of local code enforcement boards, and
 - reviews and appeals as otherwise provided by law
- Clarifies the duties of the public defender with respect to handling criminal appeals
- Provides that a DCA judge who lives more than 50 miles from his or her courthouse or branch location may have an alternate official headquarters within his or her county of residence
- Provides specifications for reimbursement for meals, lodging, and travel expenses for Supreme Court justices and DCA judges

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise expressly provided.

CS/CS/CS/SB 1794 - Constitutional Amendments

By: Rules; Judiciary; Ethics and Elections; Hutson

Tied Bills: None

Companion Bills: CS/CS/HB 7037

Committee(s) of Reference: Ethics and Elections; Judiciary; Rules

Category: Constitutional Amendments; Elections

The Florida Constitution may be amended only if the voters approve an amendment originating from the Legislature, the Constitution Revision Commission, the Taxation and Budget Reform Commission, a constitutional convention, or a citizen initiative. For the constitution to be amended by citizen initiative,

- a sponsor must register as a Florida political committee and gather the required number of signatures from Florida voters,
- the Florida Supreme Court must review the proposed amendment to ensure legal compliance,
- the Financial Impact Estimating Conference (FIEC) must analyze the proposal's financial and economic impacts, and
- at least 60 percent of the voters voting on the proposed amendment must vote yes.

The bill changes the citizen initiative process for amending the Florida Constitution by

- increasing the required number of signed petitions and the number of districts in which they must be gathered before the Secretary of State refers a proposal to the Attorney General and FIEC,
- requiring the Attorney General to ask the Supreme Court to determine whether the proposal violates the U.S. Constitution,
- recognizing a cause of action to challenge a paid petition circulator's failure to register,
- allowing the Division of Elections or a supervisor to provide a petition form in PDF format, with printing costs to be borne by the sponsor,
- providing that a petition signature is valid until the next February 1 of an even-numbered year, which prevents a signature from being held over for a subsequent election,
- allowing a supervisor of elections an extra 30 days to verify a petition form submitted at least 60 days before February 1 of an even-numbered year,
- providing that a petition signature obtained illegally is invalid,
- requiring a supervisor to charge the actual cost for verifying a petition signature,
- requiring the supervisors and the Division of Elections to
 - post the cost of signature verification and petition form statistics on their websites, and
 - review available technology to reduce signature verification costs,
- revising the role of FIEC to require it to estimate the proposal's financial impact on state and local governments and the state budget,
- requiring the ballot to include a statement as to the projected financial impact as determined by FIEC, or a statement indicating FIEC could not agree on the financial impact, and
- requiring the text of a proposed constitutional amendment in each polling place.

The bill does not affect the validity of a petition form gathered or a contract entered into before the bill's effective date. A petition form is governed by the laws existing at the time it was gathered.

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

Civil Justice Subcommittee

SB 28 - Relief of Clifford Williams by the State of Florida

By: Gibson and others

Tied Bills: None

Companion Bills: CS/HB 6507

Committee(s) of Reference: Special Master on Claim Bills; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

Category: Claim Bill

Clifford Williams was wrongfully incarcerated nearly 43 years for a murder and attempted murder that he did not commit. Because of two prior unrelated felonies, he was not eligible for compensation under the usual statutory process. The bill awards Mr. Williams \$2,150,000 as compensation for his wrongful incarceration.

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

CS/HB 103 - Subpoenas

By: Civil Justice Subcommittee; Gottlieb; Fernandez-Barquin

Tied Bills: None

Companion Bills: SB 1002

Committee(s) of Reference: Civil Justice Subcommittee; Business & Professions Subcommittee; Judiciary Committee

Category: Civil Justice; Criminal Justice; Law Enforcement

When investigating criminal activity involving electronic communications, law enforcement officers, including assistant state attorneys, are authorized to issue investigative subpoenas to Florida businesses or out-of-state corporations (OOSCs). However, there is no specific statutory consequence when a Florida Business or an OOSC fails to comply with such subpoenas.

The bill provides that subpoena service on an OOSC is proper when served

- on the OOSC's registered agent in this state,
- as authorized by the state where process is to be served on the OOSC, or
- at a location the OOSC routinely uses to accept service, if the corporation is doing business in Florida through the Internet.

The bill authorizes an applicant who issued a subpoena to a Florida business or an OOSC to petition a court to compel compliance through indirect criminal contempt and a daily fine of between \$100 and \$1,000, for up to 60 days.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 124 - Custody of Minor Children by Extended Family

By: Judiciary; Children, Families, and Elder Affairs; Bean

Tied Bills: None

Companion Bills: CS/CS/HB 185

Committee(s) of Reference: Children, Families, and Elder Affairs; Judiciary; Rules

Category: Civil Justice; Courts; Social Services

Florida provides several means by which a relative may receive some measure of legal authority over a minor child, such as consent to medical care or treatment of a minor, guardianship of a minor, permanent guardianship of a dependent child, or temporary or concurrent custody of a minor child by an extended family member (EFM).

The bill expands the definition of EFM to include “fictive kin” which is a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child. The bill requires an EFM seeking temporary or concurrent custody to provide, in his or her initial petition, any provision related to the child’s best interest, including, but not limited to, a reasonable plan for transitioning custody.

The bill lowers the requirements for an EFM seeking concurrent custody of a child by requiring the EFM to show only one of the following, rather than both

- that he or she has current physical custody of the child, or
- that he or she has had physical custody for at least 10 days during any 30-day period within the previous 12 months.

The bill authorizes the court to order and enforce any provision relating to the child’s best interest, including a reasonable plan for transitioning custody before terminating an order of temporary custody. The bill also authorizes the court to establish, on its own order, a reasonable custody transition plan, considering certain factors, if temporary custody was ordered after the child’s parent or parents were found to be unfit and the child has been with an EFM for a significant length of time.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

CS/HB 255 - Florida Commission on Human Relations

By: Civil Justice Subcommittee; Antone

Tied Bills: None

Companion Bills: SB 726

Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee

Category: Administrative Procedure; Civil Justice; Courts

The Florida Commission on Human Relations (Commission) administers the state's civil rights laws and serves as a resource for businesses, individuals, and groups to prevent discriminatory activities. The Commission is comprised of 12 individuals who are appointed by the Governor and confirmed by the Senate. The Commission is empowered to receive, initiate, investigate, conciliate, and hold hearings concerning complaints of discrimination related to employment, housing, certain public accommodations, and state employee whistle-blower retaliation.

The bill amends several statutes pertaining to the Commission. Specifically, the bill

- provides that six Commission members constitute a quorum for conducting business,
- authorizes the Commission to recommend up to 10 nominees for the Florida Civil Rights Hall of Fame,
- specifies the applicable statute of limitations for bringing a cause of action pursuant to the Florida Civil Rights Act,
- deletes the registration requirements for facilities and communities claiming the "Housing for Older Persons" exemption and eliminates related forms, fees, and fines,
- deletes an investigation requirement for certain public accommodation discrimination cases, allowing the Commission to immediately use methods of conference, conciliation, and persuasion, and
- aligns time periods in state employee whistle-blower cases with time periods in other cases investigated by the Commission.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 344 - Courts

By: Judiciary; Bradley

Tied Bills: None

Companion Bills: CS/HB 211

Committee(s) of Reference: Judiciary; Children, Families, and Elder Affairs; Rules

Category: Court Administration; Courts; Fees

The bill clarifies that public guardians are exempt from assessments of fees and charges by the clerks of court. The bill also provides that, under certain circumstances, a physician may delegate to a qualified physician assistant or advanced practice registered nurse the duty to conduct the medical examination of an adult ward, and prepare and sign the required report evaluating the ward's condition and stating the ward's current capacity.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 374 - Housing Discrimination

By: Rouson

Tied Bills: None

Companion Bills: HB 175; includes part of CS/CS/HB 733

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

Category: Administrative Procedure; Civil Justice; Courts

The Florida Commission on Human Relations (Commission) is charged with enforcing the state's civil rights laws, including the Florida Fair Housing Act (FFHA), which prohibits a person from refusing to sell or rent, or otherwise make available, a dwelling to any person because of race, color, national origin, sex, handicap, familial status, or religion.

The bill amends the FFHA to clarify that a person aggrieved by a discriminatory housing practice is not required to exhaust his or her administrative remedies prior to bringing a civil action under the FFHA. This change will make the FFHA substantially equivalent to the federal Fair Housing Act, which was called into question by recent state court decisions holding that a person must first exhaust his or her administrative remedies by filing a complaint with the Commission before pursuing a civil action under the FFHA. The bill also provides that a discriminatory restriction in a title transaction is unenforceable and extinguished under the Marketable Record Title Act.

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

HB 469 - Real Estate Conveyances

By: Duggan

Tied Bills: None

Companion Bills: SB 1224

**Committee(s) of Reference: Civil Justice Subcommittee; Business & Professions Subcommittee;
Judiciary Committee**

Category: Real Property

A lease is an estate interest in real property held under a rental agreement by which the owner gives another the right to occupy or use land for a period of time. A transfer or conveyance of real property, including a lease, for a term of more than one year must be

- in writing, and
- signed by the conveying party in the presence of two subscribing witnesses.

Subscribing witness requirements are designed to protect the person who gives away certain property or property rights, therefore only the landlord's signature must be witnessed. Currently, lease agreements are only required to be witnessed if they are executed in Connecticut, Florida, Georgia, Louisiana, or South Carolina.

The bill removes the subscribing witness requirement for instruments conveying a lease of real property. Instruments conveying a permanent, absolute interest in real property still require two subscribing signatures.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 505 - Estates and Trusts

By: Civil Justice Subcommittee; Driskell and others

Tied Bills: None

Companion Bills: CS/SB 358

Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee

Category: Civil Justice

Probate is a court-supervised process for identifying and gathering the assets of a deceased person (decedent), paying the decedent's debts, and distributing the decedent's assets to his or her beneficiaries. A will is a legal document that a person may use to determine who gets his or her property when he or she dies. A personal representative, a person designated by a will or the circuit court to serve in that role, must provide a notice of administration to various parties, including family members and beneficiaries, and other entities.

The bill revises probate laws relating to notice of administration, notice in probate proceedings, personal representative conflict of interest, and compensation of an attorney who serves as a personal representative. Specifically, the bill

- defines precious metals such as bullion or coins as tangible personal property,
- states that formal notice is sufficient for the court to acquire jurisdiction over a person for determining their rights to estate property; however, formal notice is insufficient to invoke the court's personal jurisdiction over the person receiving notice,
- requires that the notice of administration served on a surviving spouse inform the surviving spouse that he or she may petition the court for an extension of time to choose the elective share,
- requires additional notice of administration language to provide notice that a party may waive his or her right to contest a trust referenced in a will if he or she fails to timely contest the will,
- renders voidable any sale or encumbrance to a corporation, trust, or other entity in which a personal representative or his or her spouse, agent, or attorney has a substantial beneficial or ownership interest, and
- prohibits an attorney, or person related to the attorney, from receiving compensation for serving as a fiduciary (personal representative or trustee) if the attorney prepared or supervised the execution of the will or trust, unless the attorney
 - Is related to the client, or
 - Makes certain disclosures to the client in writing before the will or trust is signed.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020, except as otherwise provided.

CS/CS/HB 573 - First Responders and Correctional Officers

By: Judiciary Committee; Civil Justice Subcommittee; Casello; McClain and others

Tied Bills: None

Companion Bills: CS/CS/SB 160

Committee(s) of Reference: Civil Justice Subcommittee; Health & Human Services Committee; Judiciary Committee

Category: Civil Justice; Law Enforcement; Mental Health; Public Employees

The bill provides confidentiality for peer support communications between a first responder and a first responder peer. The bill defines “first responder” to include a law enforcement officer, firefighter, emergency medical technician, paramedic, or a 911 public safety telecommunicator. A “first responder peer” is a person who is not a health care practitioner but has training and experience working with a first responder regarding physical or emotional issues associated with the first responder’s employment.

The bill provides the following exceptions for such confidentiality:

- The first responder peer is a defendant in a proceeding arising from a complaint filed by the first responder
- The first responder agrees, in writing, to allow the first responder peer to testify about or divulge information related to the peer support
- The first responder peer suspects the first responder has committed, or intends to commit, a criminal act
- There are articulable facts or circumstances that would lead the first responder peer to fear for the safety of the first responder, another person, or society

The bill also amends provisions of the Law Enforcement Officers’ (LEO) Bill of Rights as follows:

- Revises the definitions of “law enforcement officer” and “correctional officer” in the LEO Bill of Rights to include officers employed on a part time basis
- Specifies that the 180-day disciplinary review period in the LEO Bill of Rights applies to both external and internal complaints
- Allows an agency that employs a law enforcement or correctional officer to request an investigator from a different agency to conduct the investigation of a complaint when a conflict of interest exists or the agency does not have an investigator with sufficient training to conduct the investigation

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 580 - Uniform Partition of Heirs Property Act

By: Community Affairs; Judiciary; Bracy and others

Tied Bills: None

Companion Bills: CS/HB 349

Committee(s) of Reference: Judiciary; Community Affairs; Rules

Category: Civil Justice; Courts; Real Property

Heirs property is a type of tenancy in common in which multiple owners obtain undivided, fractional interests in real property. It often occurs when a landowner dies without a will and can leave heirs with unclear titles and unstable property ownership. A partition action allows two or more people who jointly own property to petition a court to equitably divide property into separate portions. Partitions are often initiated by outside parties, such as a land developers, and have led to a significant loss of family land and property often sold for a fraction of its true value. Lack of clear title and fractional ownership also limits the ability of an individual cotenant to sell, improve, renovate, and repair the property or use it as collateral.

The bill adopts the Uniform Partition of Heirs Property Act by the Uniform Law Commission. Specifically, the bill authorizes heirs property cotenants to purchase the property interests of cotenants seeking partition before the property is divided or sold. The bill also requires a court to determine the fair market value of the property, either through court-ordered appraisal or based on the agreement of the parties, before the court proceeds to partition. The bill generally requires partitions by sale to be made in an open-market sale by a court appointed real estate broker, instead of an auction as the statutes currently require. Finally, the bill authorizes cotenants owning real property that is not heirs property to agree to partition such real property using the provisions provided in the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 625 - Public Nuisances

By: State Affairs Committee; Civil Justice Subcommittee; Newton and others

Tied Bills: None

Companion Bills: CS/CS/SB 888

Committee(s) of Reference: Civil Justice Subcommittee; State Affairs Committee; Judiciary Committee

Category: Civil Justice; Law Enforcement; Public Safety

A public nuisance violates public rights, subverts public order, decency, and morals, or generally inconveniences the public. The Legislature has broad discretion to designate a particular activity a public nuisance, and the state, through its police power, has the authority to abate and enjoin a public nuisance.

The bill

- allows a sheriff to sue in the name of the state to enjoin a public nuisance,

- reduces the number of occasions a location must be used by a criminal gang, criminal gang members, or criminal gang associates for criminal gang-related activity before the location is declared a public nuisance from two or more occasions to one or more occasions,
- provides that any place or premises used on two or more occasions within a six-month period as the site of any specified felony is a public nuisance that may be abated or enjoined,
- increases a defendant's notice period when public nuisance abatement and enjoinderment is sought, requiring a written notice demanding nuisance abatement within 10 days,
- requires, if a public nuisance is not abated after a first written notice, a second written notice demanding nuisance abatement within 15 days, or a longer period if the defendant sends a written response making specified allegations, after which an injunction application may be made,
- expands incidents for which a place or premises may be declared a nuisance and enjoined by a local government's administrative board to include two or more specified violent felony offenses in a six-month period, and
- creates a rental property exception when a property is declared a nuisance for specified activity but the nuisance was committed by someone other than the property owner and the property owner takes specified remediation measures.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 738 - Jury Service

By: Rules; Harrell

Tied Bills: None

Companion Bills: CS/HB 393

Committee(s) of Reference: Judiciary; Education; Rules

Category: Civil Justice; Court Administration; Courts

The bill allows students between the ages of 18 to 21, inclusive, to be excused from jury service, upon request, if they are a full-time student attending a high school, state university, private postsecondary educational institution, Florida College System institution, or career center. A student's request to be excused only applies to that specific summons for jury service and does not permanently excuse a student between the ages of 18 to 21 from receiving a jury summons.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 783 - Uniform Commercial Real Estate Receivership Act

By: Judiciary Committee; Beltran

Tied Bills: None

Companion Bills: CS/SB 660

Committee(s) of Reference: Civil Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Category: Civil Justice; Courts; Real Property

A receiver is a person appointed by a court to take possession of another's property and to "receive, collect, care for, and dispose of the property or [its] fruits." Under current law, a receiver for commercial real estate is appointed under the court's equity powers without statutory guidance.

The bill adopts the Uniform Commercial Real Estate Receivership Act, drafted and approved by the National Conference of Commissioners on Uniform State Laws and adopted by seven states since 2017, to provide statutory guidance for the appointment of a receiver for commercial real estate. Specifically, the bill

- specifies when and how a court may appoint a receiver, but leaves such appointment in the court's discretion,
- states factors disqualifying a person from appointment as a receiver,
- authorizes the court to require a receiver or a person requesting a receiver's appointment to post a bond for specified purposes,
- establishes the general powers and duties of a receiver, and the duties of the owner of receivership property, subject to modification by a court,
- provides the circumstances, with court approval, under which a receiver can sell or transfer receivership property other than in the ordinary course of business and allows a court to declare such transfer free and clear of all liens, which liens then attach to the proceeds of the transfer,
- requires court authorization for a lawsuit against a receiver connected to the performance of the receiver's duties,
- allows a court to remove a receiver for cause and replace a receiver that dies, resigns, or is removed,
- authorizes a court to order the payment of a receiver's fees and expenses from specified sources,
- provides that a mortgagee's request for appointment of a receiver or application of receivership property to a secured obligation does not make the mortgagee a "mortgagee in possession," constitute a foreclosure action, or have other specified effects on the secured obligation, and
- applies to receiverships for which a receiver was appointed on or after July 1, 2020.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 838 - Business Organizations

By: Commerce and Tourism; Simmons

Tied Bills: None

Companion Bills: CS/CS/HB 495

Committee(s) of Reference: Commerce and Tourism; Judiciary; Rules

Category: Business and Professional Regulation; Civil Justice

The bill primarily corrects technical and conforming errors in the 2019 revision to the Florida Business Corporation Act (FBCA) and related business entity statutes. However, the bill also

- authorizes a not-for-profit corporation to appoint
 - a non-director to serve on a board committee if the majority of the other committee members are directors, or
 - fewer directors than non-directors to serve on a board committee if the committee is created under specified circumstances and relates to director elections, nominations, or credentials,
- authorizes a not-for-profit corporation to create an advisory committee comprised of any number of non-directors if the committee
 - is not a board committee, and
 - may not act on behalf of the board, exercise any board powers or authority, or bind the corporation to any action, and
- authorizes the Florida Department of State to direct interrogatories to a corporation under specified conditions to determine the corporation's compliance with the FBCA.

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

SB 886 - Errors in Deeds

By: Powell

Tied Bills: None

Companion Bills: CS/HB 567

Committee(s) of Reference: Judiciary; Commerce and Tourism; Rules

Category: Civil Justice; Real Property

A deed is a written instrument conveying real property from one party to another recorded in the official records of the county in which the property is located. Deed errors are common, and while some deed errors are harmless, a legal description error is a fatal error that could prevent sale of the property.

The bill provides that, under specified conditions, a deed containing a scrivener's error in its legal description may be corrected by the filing of a curative notice in the form specified in the bill. Such notice must be filed with the clerk of the circuit court, where the intended real property is located, by the person who obtained possession of the property under the erroneous deed. The bill defines "scrivener's error" as a single error or omission in a property's legal description relating to

- a lot or block identification in a recorded platted lot,
- one unit, building, or phase identification of a condominium or cooperative, or
- one directional designation or numerical fraction of a tract of land described as a fractional portion of a section, township, or range.

Further, the bill provides that a curative notice corrects all subsequent deeds for the same property containing the same scrivener's error as in the original erroneous deed, releasing any cloud or encumbrance that an erroneous deed may have created as to other properties.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 1084 - Emotional Support Animals

By: Diaz

Tied Bills: None

Companion Bills: CS/CS/CS/HB 209

Committee(s) of Reference: Agriculture; Innovation, Industry, and Technology; Rules

Category: Civil Justice; Criminal Justice; Health Care Practitioners; Mental Health

The federal Americans with Disability Act (ADA) prohibits disability discrimination and requires public accommodations to make modifications for a person with a disability, including accommodating a service animal. The ADA narrowly defines service animal as a dog or miniature horse trained to do work or perform tasks for a person with a disability. An Emotional Support Animal (ESA) is not a service animal. Federal law also requires a housing provider to make reasonable accommodations for service animals and ESAs. Florida law mirrors federal requirements for service animals in public accommodations and housing, but does not provide guidelines for ESAs.

The bill amends Florida's Fair Housing Act by prohibiting discrimination in housing to an individual needing an ESA. The bill defines ESA, requires a housing provider to offer equal access to a person with an ESA, and prohibits additional fees for an ESA. The bill permits a landlord to

- prohibit an ESA under certain circumstances, and
- request reliable supporting information regarding a tenant's disability or disability-related need for an ESA from specified health care practitioners, telehealth providers, or out of state providers.

The bill creates a new cause for disciplinary action against a health care practitioner's license for providing supporting information for an ESA, without personal knowledge of the patient's disability or disability-related need. The bill creates the misdemeanor crime of providing false or fraudulent proof or documentation or otherwise misrepresenting information relating to using or being qualified to use an ESA.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1089 - Trusts

By: Civil Justice Subcommittee; Caruso

Tied Bills: None

Companion Bills: CS/SB 1366

Committee(s) of Reference: Civil Justice Subcommittee; Ways & Means Committee; Judiciary Committee

Category: Civil Justice; Taxes

A trust is a relationship in which one person (settlor) holds title to property under an obligation to keep or use the property for the benefit of another (beneficiary). In certain situations, the settlor of a grantor trust (grantor) may be treated as the trust's owner for federal income tax purposes. Florida law currently allows a trustee of a grantor trust to reimburse the grantor for income taxes attributable to grantor trust income if the trust instrument specifically provides for such reimbursement.

The bill allows, but does not require, an independent trustee of a grantor trust to reimburse the grantor for all or part of the income tax paid by the grantor and attributable to trust income or to pay such taxes directly on the grantor's behalf, provided the trust instrument does not explicitly prohibit such tax reimbursements or payments, unless

- the trustee provides written notice to the grantor and any person who can remove and replace the trustee that he or she elects out of the tax reimbursement and payment provisions at least 60 days before the election takes effect, or
- applying such provisions would prevent a contribution to a trust from qualifying for, or would reduce, a federal tax benefit under specified circumstances.

Further, the bill

- provides that if a trust's terms require the trustee to act at the direction or with the consent of another, or that tax reimbursements or payments be made directly by another, the trustee's powers granted by the bill must instead or also be granted to such person, and
- specifies that a person may not be considered a grantor trust beneficiary due solely to implementation of the tax reimbursement or payment provision.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 1362 - Rental Agreements**By: Rodriguez****Tied Bills: None****Companion Bills: 6033****Committee(s) of Reference: Judiciary; Commerce and Tourism; Rules****Category: Civil Justice; Consumer Protection; Repeals of Existing Laws**

In 2009, during the peak of the financial crisis, Congress enacted the federal Protecting Tenants at Foreclosure Act (FPTFA), giving tenants certain protections when a party takes title to a rented property at a foreclosure sale. The FPTFA expired on December 31, 2014. In response, the Legislature enacted s. 83.561, F.S., which became law on June 2, 2015. This statute mirrors the FPTFA but provides lesser protections for tenants at foreclosure than the expired FPTFA. However, on May 24, 2018, President Trump signed into law a permanent extension of the FPTFA. Because the restored FPTFA provides greater protections for tenants at foreclosure than, and therefore conflicts with, s. 83.561, F.S., the FPTFA preempts Florida's law.

The bill repeals s. 83.561, F.S., as it is preempted by the FPTFA, but contains a savings clause creating s. 83.5615, F.S., effective upon the repeal of the FPTFA, which is substantively identical to the FPTFA. The repeal should remove any confusion between Florida and federal law, making clear that tenants' rights are as provided by the FPTFA, which requires a successor in interest to

- honor a tenant's lease until the end of the lease term, unless the successor in interest intends to occupy the unit as a primary residence, in which case the lease can be terminated as of the date of foreclosure if the tenant receives at least 90 days' notice to vacate,
- give a tenant without a lease, or a lease terminable at will, at least 90 days' notice to vacate, and
- assume the housing assistance payments contract associated with an existing Section 8 lease.

Subject to the Governor's veto powers, the effective date of this bill is, except as otherwise expressly provided in this act, July 1, 2020.

CS/CS/HB 6501 - Relief/Dontrell Stephens/Palm Beach County Sheriff's Office

By: Judiciary Committee; Civil Justice Subcommittee; Fernandez-Barquin; Joseph

Tied Bills: None

Companion Bills: CS/SB 4

Committee(s) of Reference: Civil Justice Subcommittee; Judiciary Committee

Category: Claim Bill; Local Government

Dontrell Stephens suffered severe lower body paralysis as a result of being shot by a Palm Beach County deputy sheriff. A federal jury found the deputy sheriff's use of force to be excessive or unreasonable and awarded damages in excess of \$22 million. The bill directs the sheriff's office to pay a total of \$4.5 million for the relief of Mr. Stephens, of which \$3.375 million is payable at the direction of the guardian of Mr. Stephens's property. The bill limits the amount that may be paid for attorney fees, lobbying fees, and costs, and states that it is the intent of the Legislature that certain lien interests relating to Mr. Stephens's treatment and care are waived and extinguished. The bill provides that any lien interests which are not extinguished must be satisfied by the sheriff's office, up to \$1.5 million.

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

Criminal Justice Subcommittee

CS/HB 131 - Security in Trial Court Facilities

By: Judiciary Committee; McClain

Tied Bills: None

Companion Bills: SB 118

Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Category: Court Administration; Courts; Law Enforcement; Local Government

The bill requires each county sheriff to coordinate with the board of county commissioners and the chief judge of the judicial circuit to develop a comprehensive security plan for trial court facilities. The sheriff retains authority over the implementation of security, and the chief judge retains decision-making authority to protect due process rights.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 199 - Sexual Battery Prosecution Time Limitation

By: Criminal Justice Subcommittee; Davis; Plakon and others

Tied Bills: None

Companion Bills: CS/SB 170

Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Category: Criminal Justice; Public Safety

The statute of limitations (SOL) determines the timeframe in which a criminal prosecution must be initiated. For certain sexual battery offenses, the date on which the SOL begins to run or how long it runs and whether the SOL is removed, is based on the victim's age and how quickly the offense is reported.

The bill removes the SOL and permits prosecution to be commenced at any time for a sexual battery offense involving a victim younger than 18 at the time the offense is committed. The bill creates consistency for commencing prosecution of sexual battery offenses committed on a minor victim, regardless of the degree of felony or time frame in which the victim reports the offense to law enforcement. The bill applies only to sexual battery offenses committed on a minor victim after the bill's effective date.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 294 - Crimes Against Veterans

By: Wright and others

Tied Bills: None

Companion Bills: HB 167

Committee(s) of Reference: Military and Veterans Affairs and Space; Criminal Justice; Rules

Category: Criminal Justice; Military; Sentencing

Research shows that a veteran is twice as likely as a non-veteran to be the target of a scam, which may include a "white collar crime," defined by The Florida White Collar Crime Victim Protection Act (Act) as the commission of, or conspiracy to commit, specified offenses involving theft and fraudulent practices. The bill gives veterans additional protection under the Act, authorizing a separate first degree felony offense to be charged against and additional penalties to be imposed upon an offender who

- victimizes 10 or more veterans, and
- thereby obtains, or attempts to obtain, \$50,000 or more.

Penalties, which apply even if an offender did not know that his or her victims were veterans or did not specifically intend to target veterans, include

- ranking the first degree felony at a level 9 on the offense severity ranking chart of the Criminal Punishment Code,

- a \$500,000 fine or double the value of the financial gain or loss, whichever is greater, and
- victim restitution as a term of court-ordered probation.

The bill also provides that the Act may be cited as the “Florida Veterans Protection Act.”

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2020.

CS/HB 333 - Bail Pending Appellate Review

By: Judiciary Committee; Leek and others

Tied Bills: None

Companion Bills: SB 510

Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Category: Courts; Criminal Justice

Following a criminal conviction, a defendant is not entitled to release or bail. In certain circumstances, a court may release a convicted defendant on bail pending the outcome of his or her good faith appeal, but current law prohibits a court from doing so when the conviction is for a capital offense, or for a specified life felony or first degree felony.

The bill expands the list of offenses for which a conviction prohibits a court from granting a defendant bail pending an appeal to include any offense requiring registration as a sexual offender or sexual predator, if at the time of the offense

- the defendant was 18 or older, and
- the victim was a minor.

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2020.

CS/HB 675 - Exposure of Sexual Organs

By: Judiciary Committee; Mercado and others

Tied Bills: None

Companion Bills: CS/SB 1018

Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Category: Criminal Justice; Law Enforcement; Public Safety

A law enforcement officer may arrest a person for a felony offense without a warrant, but must obtain a warrant to make an arrest for a misdemeanor offense unless the misdemeanor offense occurs in the officer's presence or a warrantless arrest exception for the particular offense applies. As such, under current law, an officer must seek a warrant to arrest a person who commits misdemeanor exposure of sexual organs, unless the officer is present at the time the offense occurs.

The bill expedites the arrest process for exposure of sexual organs by allowing an officer to conduct a warrantless arrest of a person the officer reasonably believes has unlawfully exposed his or her sexual organs. The bill increases the penalty for a second or subsequent unlawful exposure of sexual organs to a third degree felony. The bill clarifies that public nudity is unlawful only when it is vulgar or indecent and that nudity at any place provided or set apart for that purpose is lawful.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/SB 1082 - Domestic Violence Injunctions

By: Agriculture; Albritton

Tied Bills: None

Companion Bills: CS/CS/HB 241

Committee(s) of Reference: Agriculture; Judiciary; Rules

Category: Civil Justice; Courts; Public Safety

In Florida, a domestic violence victim may petition the court for a protective injunction and allege that the domestic violence perpetrator (respondent) injured or killed a family pet as a basis for the injunction. However, Florida does not expressly authorize a court to award the petitioner relief pertaining to a pet in a protective injunction.

The bill authorizes a court issuing a domestic violence injunction to

- award to the petitioner the exclusive care, possession, or control of an animal that the petitioner, the respondent, or a minor child residing in the home of either party owns, possesses, harbors, keeps, or holds, except for an animal owned primarily for a bona fide agricultural purpose or a service animal, if the respondent is the service animal's handler,
- order the respondent to have no contact with the animal, and

- prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 1116 - Trust Funds/State-Operated Institutions Inmate Welfare Trust Fund/Department of Corrections

By: Brandes and others

Tied Bills: CS/CS/SB 1118

Companion Bills: HB 869

Committee(s) of Reference: Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

Category: Corrections; Public Safety

The bill creates the State-Operated Institutions Inmate Welfare Trust Fund (Trust Fund) within the Department of Corrections. The Trust Fund will be used for the benefit and welfare of inmates in state-operated correctional institutions.

As required by article III, section 19(f) of the Florida Constitution, the Trust Fund will terminate on July 1, 2024, unless terminated sooner by the Legislature.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 1118 - Inmate Welfare Trust Funds

By: Appropriations; Criminal Justice; Brandes and others

Tied Bills: SB 1116

Companion Bills: CS/HB 871

Committee(s) of Reference: Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

Category: Corrections; Public Safety

The bill requires up to \$2.5 million of the proceeds generated from certain inmate purchases, commissions, and donations to be deposited into the State-Operated Institutions Inmate Welfare Trust Fund (Trust Fund) within the Department of Corrections (DOC), which is created by linked bill SB 1116. The Trust Fund will be used for the benefit and welfare of inmates and provide funding for educational, vocational, and substance abuse programs, contingent on legislative appropriation. Any funds generated over \$2.5 million will be deposited into General Revenue.

The bill provides a \$2.5 million appropriation to DOC for Fiscal Year 2020-2021 from the Trust Fund to provide for the welfare of inmates incarcerated in state-operated correctional institutions operated by DOC.

Subject to the Governor's veto powers, the effective date of this bill is on the same date that SB 1116 or similar legislation takes effect.

CS/CS/HB 1259 - Incarcerated Pregnant Women

By: Justice Appropriations Subcommittee; Criminal Justice Subcommittee; Jones; Mercado

Tied Bills: None

Companion Bills: CS/CS/SB 852

Committee(s) of Reference: Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Category: Corrections; Criminal Justice; Juvenile Justice; Law Enforcement

The bill prohibits the Department of Corrections (DOC), the Department of Juvenile Justice (DJJ), and any detention facility from involuntarily placing a pregnant prisoner in restrictive housing unless the corrections official

- makes an individualized determination that such placement is necessary
 - to protect the health and safety of the pregnant prisoner or others, or
 - to preserve the correctional institution's security and order when there are no less restrictive means available,
- writes a report stating the reason the restrictive housing placement was necessary, the reason less restrictive means were not available, and whether a qualified healthcare professional objected to the placement, and
- gives a copy of such report to the pregnant prisoner within 12 hours of her placement.

The bill also requires a pregnant prisoner needing medical care or who has passed her due date to be

- placed in a designated medical housing unit or admitted to the infirmary, and
- given the same access to privileges as prisoners in the general population unless
 - the corrections official determines that such access poses a danger to the correctional institution's safety and security, or
 - a qualified healthcare professional determines that such access poses a danger of adverse clinical consequences for the pregnant prisoner or others.

Further, the bill requires that a pregnant prisoner placed in restrictive housing be

- seen by a qualified healthcare professional at least once every 24 hours,
- observed by a correctional officer at least once every hour,
- housed in the least restrictive setting consistent with her health and safety,
- given a medical treatment plan if she does not already have one in place.

The bill also requires DOC and DJJ to adopt rules and each detention facility to adopt written policies or procedures relating to restraining or performing invasive body searches on pregnant prisoners.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 1286 - Contraband in Specified Facilities

By: Judiciary; Criminal Justice; Simmons

Tied Bills: None

Companion Bills: CS/CS/HB 745

Committee(s) of Reference: Criminal Justice; Judiciary; Rules

Category: Corrections; Criminal Justice; Law Enforcement; Public Safety

The bill prohibits introducing the following into a Department of Children and Families (DCF) forensic facility, state prison, county jail, or juvenile detention facility:

- Medical marijuana, hemp, and industrial hemp, punishable as a second or third degree felony
- Any vapor-generating electronic device, if introduced inside a secure perimeter, punishable as a first degree misdemeanor

The bill adds cellular phones and other portable communication devices to the list of contraband items in DCF forensic facilities and juvenile detention facilities, if introduced inside the secure perimeter of a facility, punishable as a first degree misdemeanor. The bill provides that a cellular phone or other portable communication device is considered contraband in a county detention facility only if the phone or device is introduced inside the secure perimeter of a facility.

The bill clarifies that introducing an intoxicating beverage or an item designated as contraband by DCF into a DCF facility is a first degree misdemeanor. The criminal penalty for these offenses is not currently specified.

The bill ranks the previously unranked third degree felony offenses of introducing a firearm or deadly weapon or a controlled substance under ch. 893, F.S., into a DCF facility as a level four offense on the offense severity ranking chart of the Criminal Punishment Code.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HOUSE OF REPRESENTATIVES
Public Integrity & Ethics Committee
Representative Thomas J. Leek, Chair
Representative Cord Byrd, Vice Chair

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HB 7009 - Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position

By: Public Integrity & Ethics Committee; Byrd

Tied Bills: None

Companion Bills: SB 7006

Committee(s) of Reference: State Affairs Committee

Category: Constitutional Amendments; Ethics

HB 7009 reenacts s. 112.317, F.S., providing penalties for violations of the Code of Ethics and any violation of s. 8, Art. II, Fl. Const., entitled "Ethics in government".

Amendment 12, approved in 2018, amended the Constitution to, among other things, create s. 8(h)(2), Art. II, providing a constitutional prohibition on public officers and public employees abusing their positions in order to obtain a 'disproportionate benefit' for themselves or other specified persons or entities. The amendment provided an implementation schedule at s. 38, Art. XII, Fl. Const. The abuse of position provision becomes effective December 31, 2020.

As required by s. 38(a), Art. XII, Fl. Const., the Florida Commission on Ethics adopted Rule 34-18.001, F.A.C., defining the term, 'disproportionate benefit' and prescribing the requisite intent for finding a violation of the provision. Section 8(h)(2), Art. II, Fl. Const. also mandates that "appropriate penalties shall be provided by law", and s. 38(b), Art. XII, Fl. Const. requires the Legislature to enact penalty legislation "following the adoption of rules" by the Commission.

Under the bill, the penalties applicable to the new constitutional provision will be the same penalties applicable to other violations of s. 8, Art. II, Fl. Const.

Subject to the Governor's veto powers, the effective date of this bill is December 31, 2020.

The Public Integrity & Ethics Committee has no subcommittees under it.

HOUSE OF REPRESENTATIVES

Rules Committee

Representative Chris Sprowls, Chair

Representative Colleen Burton, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



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SB 594 (Ch. 2020-1, L.O.F.) - Florida Statutes

By: Benacquisto

Tied Bills: None

Companion Bills: HB 7029

Committee(s) of Reference: Rules

Category: Government Operations

This bill prospectively adopts all statutes of a general and permanent nature passed through the 2019 Regular Session together with corrections, changes, and amendments to and repeals of the provisions of the 2019 Florida Statutes enacted in additional Reviser's bill(s) by the 2020 Legislature. The bill adopts as official statutory law of the state those portions of the statutes that are carried forward from the regular edition published in 2019, which thus serve as the best evidence of the law.

The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and has the effect of curing any title or single subject defects that may have existed in an act as originally passed. Legislation passed in the 2020 Regular Session, which will have occurred since the publication of the 2019 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 2021.

The bill became law on February 12, 2020, chapter 2020-1, Laws of Florida, and becomes effective on the 60th day after adjournment sine die.

SB 596 (Ch. 2020-2, L.O.F.) - Florida Statutes

By: Benacquisto

Tied Bills: None

Companion Bills: HB 7031

Committee(s) of Reference: Rules

Category: Government Operations

This bill 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 the 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 February 12, 2020, chapter 2020-2, Laws of Florida, and becomes effective on the 60th day after adjournment sine die.

SB 598 (Ch. 2020-3, L.O.F.) - Florida Statutes

By: Benacquisto

Tied Bills: None

Companion Bills: HB 7033

Committee(s) of Reference: Rules

Category: Government Operations

This bill is a general reviser's bill 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 2020 Florida Statutes only through a reviser's bill duly enacted by the Legislature.

The bill became law on February 12, 2020, chapter 2020-3, Laws of Florida, and becomes effective on the 60th day after adjournment sine die.

SB 600 (Ch. 2020-4, L.O.F.) - Florida Statutes

By: Benacquisto

Tied Bills: None

Companion Bills: HB 7035

Committee(s) of Reference: Rules

Category: Government Operations

This reviser's bill conforms to the directive of Section 11.242(5)(j), F.S., to omit statutes which grant duplicative, redundant, or unused statutory rulemaking authority.

The bill became law on February 12, 2020, chapter 2020-4, Laws of Florida, and becomes effective on the 60th day after adjournment sine die.

The Rules Committee has no subcommittees under it.

HOUSE OF REPRESENTATIVES

State Affairs Committee

Representative Blaise Ingoglia, Chair

Representative Bobby Payne, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



Agriculture & Natural Resources Subcommittee

Representative Charles Wesley Clemons, Sr., Chair

Representative Holly Raschein, Vice Chair

Local Administration Subcommittee

Representative Scott Plakon, Chair

Representative Jackie Toledo, Vice Chair

Local, Federal & Veterans Affairs Subcommittee

Representative Bobby Payne, Chair

Representative Bob Rommel, Vice Chair

***Oversight, Transparency & Public
Management Subcommittee***

Representative Cyndi Stevenson, Chair
Representative Clay Yarborough, Vice Chair

Transportation & Infrastructure Subcommittee

Representative Brad Drake, Chair
Representative Thad Altman, Vice Chair

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CS/SB 7018 - Essential State Infrastructure

By: Appropriations; Infrastructure and Security

Tied Bills: None

Companion Bills: HB 7099; includes parts of CS/CS/CS/HB 203, CS/CS/CS/HB 395, CS/CS/SB 410, SB 452, HB 943, HB 1239, and SB 7020

Committee(s) of Reference: Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

Category: Agriculture; Emergency Management; Environmental Protection; Natural Resources; Public Safety; Transportation; Utilities and Communications

The bill requires counties and municipalities to issue or deny permit applications for utilities in a public right-of-way in accordance with specified timeframes.

The bill authorizes the Department of Transportation (DOT) to plan, design, and construct staging areas for emergency response on the turnpike system to facilitate the prompt provision of emergency assistance to the public in response to a declared state of emergency.

The bill requires DOT to coordinate, develop, and recommend a master plan for the development of electric vehicle charging station infrastructure on the State Highway System by July 1, 2021. The bill requires the plan to include recommendations for legislation and directs DOT to consult with certain entities, including the Public Service Commission and the Office of Energy within the Department of Agriculture and Consumer Services, to develop the plan.

The bill specifies that, for any land used for agriculture and subject to a conservation easement, the owner of the land is not limited from voluntarily negotiating the use of the land for any public or private linear facility, right of access, and related accessories.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 7039 - Repeal of Advisory Bodies and Programs

By: Health & Human Services Committee; State Affairs Committee; Rodriguez, A.

Tied Bills: None

Companion Bills: CS/SB 1636; includes SB 388 and HB 6027

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

Category: Government Operations; Repeals of Existing Laws

The bill repeals advisory bodies and programs that have been deemed inactive or unnecessary and are therefore no longer necessary and beneficial to the furtherance of a public purpose.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Agriculture & Natural Resources Subcommittee

CS/HB 73 - Environmental Regulation

By: State Affairs Committee; Overdorf and others

Tied Bills: None

Companion Bills: CS/SB 326

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Category: Environmental Protection; Local Government; Natural Resources

The bill requires counties and municipalities to address the contamination of recyclable materials in contracts with residential recycling collectors and recovered materials processing facilities.

The bill prohibits local governments from requiring further verification from the Department of Environmental Protection that certain construction activities meet environmental resource permitting exceptions. In addition, the bill revises the environmental resource permit exception for the replacement or repair of existing docks and piers to allow for the replacement or repair if it is within five feet of the same location, it is no larger than the existing dock or pier, and no additional aquatic resources will be adversely and permanently impacted.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 178 - Public Financing of Construction Projects

By: Appropriations; Infrastructure and Security; Rodriguez and others

Tied Bills: None

Companion Bills: CS/HB 579

Committee(s) of Reference: Environment and Natural Resources; Infrastructure and Security; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations Category: Environmental Protection; Government Operations; Local Government; Natural Resources

The bill requires the Department of Environmental Protection (DEP) to adopt rules to develop a standard by which a governmental entity must conduct a sea level impact projection (SLIP) study under certain circumstances. Beginning one year after the date the rules are finalized and are otherwise in effect, the bill prohibits a governmental entity from commencing construction of a state-funded coastal structure unless the entity has conducted a SLIP study, submitted the SLIP study to DEP, and received notification from DEP that the SLIP study was received and has been published on DEP's website for at least 30 days.

The bill specifies requirements for the SLIP study rule and authorizes DEP to institute a civil action if a governmental entity commences construction of a state-funded coastal structure but has not conducted the SLIP study.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise provided.

CS/HB 327 - Illegal Taking, Possession, and Sale of Bears

By: Agriculture & Natural Resources Subcommittee; Smith, D. and others

Tied Bills: None

Companion Bills: CS/CS/SB 688

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Category: Environmental Protection; Natural Resources

The bill increases the penalties for taking a bear or possessing a freshly killed bear during the closed season by specifying that a person who commits such offenses commits a Level Three violation and forfeits any Fish and Wildlife Conservation Commission (FWC) license or permit issued for three years after the date of the violation. A person who commits a subsequent offense of such taking or possession is permanently ineligible for issuance of any FWC license or permit. The bill also specifies that a person who possesses for sale or sells a bear taken during the closed season commits a Level Four violation, which is a third degree felony.

The penalties associated with the taking and possession of bears do not apply to a person who is authorized by FWC to take or possess a bear.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 384 - Harris Chain of Lakes

By: Baxley

Tied Bills: None

Companion Bills: HB 6025

Committee(s) of Reference: Environment and Natural Resources; Community Affairs; Rules

Category: Natural Resources; Repeals of Existing Laws

The bill repeals the Harris Chain of Lakes Restoration Council and makes conforming changes.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 549 - Pub. Rec./Site-specific Location Information of Endangered and Threatened Species

By: Agriculture & Natural Resources Subcommittee; Overdorf

Tied Bills: None

Companion Bills: CS/CS/SB 812

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; State Affairs Committee

Category: Environmental Protection; Government in the Sunshine; Natural Resources

The bill provides a public record exemption for site-specific location information concerning a federally designated endangered or threatened species or a state-designated threatened species held by an agency. The public record exemption does not apply to animals in captivity. The bill provides for future review and repeal of the exemption and provides a public necessity statement as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 659 - Drones

By: Agriculture & Natural Resources Appropriations Subcommittee; Fischer

Tied Bills: None

Companion Bills: CS/SB 822

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Category: Environmental Protection; Natural Resources

The bill allows the use of a drone by a non-law enforcement employee of the Fish and Wildlife Conservation Commission or the Florida Forest Service for the purposes of managing and eradicating invasive exotic plants or animals on public lands and suppressing and mitigating wildfire threats.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/CS/SB 680 - Shark Fins

By: Rules; Commerce and Tourism; Environment and Natural Resources; Hutson and others

Tied Bills: None

Companion Bills: CS/HB 401

Committee(s) of Reference: Environment and Natural Resources; Commerce and Tourism; Rules

Category: Environmental Protection; Natural Resources

The bill prohibits the import, export, and sale of shark fins. However, the prohibitions do not apply to the sale of shark fins by any commercial fishermen who harvested sharks from a vessel holding a valid federal shark fishing permit on January 1, 2020; the export and sale of shark fins by any wholesale dealer holding a valid federal Atlantic shark dealer permit on January 1, 2020; or the export and sale of domestically sourced shark fins by any shark fin processor that obtains fins from a wholesale dealer holding a valid Atlantic shark dealer permit on January 1, 2020. The bill requires the Fish and Wildlife Conservation Commission to evaluate the potential economic impact to the commercial shark fishing industry associated with the prohibition of the import, export, and sale of shark fins in the state and report its findings to the Governor and the Legislature by December 31, 2021.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/SB 702 - Petroleum Cleanup

By: Environment and Natural Resources; Albritton

Tied Bills: None

Companion Bills: CS/HB 609

Committee(s) of Reference: Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

Category: Environmental Protection; Natural Resources

The bill allows an applicant for the Petroleum Cleanup Participation Program to provide a 25 percent cost savings by using a co-payment by the owner, operator, or responsible party or by demonstrating a cost savings to the Department of Environmental Protection (DEP) through reduced rates by the proposed agency term contractor or the difference in cost associated with the site closure. The bill also removes the provision that allows applicants to reduce or eliminate costs associated with the limited contamination assessment report and the copayment costs if the applicant demonstrates an inability to pay.

The bill requires an applicant for the Advanced Cleanup Program to submit an agreement to continue to participate in the program upon the completion of the limited contamination assessment and finalization of the proposed course of action. The bill requires DEP to pay for the limited contamination assessment up to a certain amount.

The bill also requires DEP to pay up to \$10 million each fiscal year for the costs of labor and equipment to repair or replace petroleum storage systems that may have been damaged due to the storage of fuels blended with ethanol or biodiesel, or for preventive measures to reduce the potential for such damage.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 712 - Environmental Resource Management

By: Appropriations; Community Affairs; Mayfield and others

Tied Bills: None

Companion Bills: CS/HB 1343; includes HB 1199; includes parts of HB 405, SB 686, CS/CS/HB 715, CS/CS/HB 1091, CS/HB 1363, CS/SB 1382, CS/CS/SB 1450, and CS/CS/SB 1656

Committee(s) of Reference: Community Affairs; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

Category: Agriculture; Environmental Protection; Government Operations; Natural Resources

The bill addresses various impacts to the water quality of the state by

- transferring the Onsite Sewage Program from the Department of Health to the Department of Environmental Protection (DEP),
- repealing certain onsite sewage treatment and disposal system (OSTDS) advisory committees,

- creating an OSTDS technical advisory committee to make recommendations that increase the availability of nutrient-reducing OSTDSs and assist DEP in the development of setback distances,
- requiring OSTDS remediation plans,
- requiring DEP staff training to include field inspections of stormwater structural controls,
- requiring DEP and the water management districts to update the stormwater regulations using the most recent science,
- requiring the model stormwater management program to contain model ordinances targeting nutrient reduction,
- requiring local governments to create wastewater treatment plans,
- requiring sanitary sewage facilities to take steps to prevent sanitary sewer overflows,
- requiring DEP to establish real-time water quality monitoring,
- requiring advanced wastewater treatment for domestic wastewater discharges to the Indian River Lagoon,
- prohibiting the land application of biosolids on certain sites, unless an exception applies,
- requiring the Department of Agriculture and Consumer Services to conduct inspections of producers enrolled in best management practices (BMPs),
- requiring the University of Florida to develop research plans for developing new BMPs, and
- creating grant programs for the funding of water quality projects.

To address water quantity in the state, the bill requires DEP to conduct a study on the bottled water industry in the state and adopt rules relating to potable water reuse based on the Potable Reuse Commission's 2020 report.

The bill prohibits a local government regulation from recognizing or granting any legal right to a plant, animal, body of water, or any other part of the natural environment that is not a person or political subdivision, or from granting a person or political subdivision any specific rights relating to the natural environment.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise provided.

CS/CS/HB 921 - Department of Agriculture and Consumer Services

By: State Affairs Committee; Agriculture & Natural Resources Subcommittee; Brannan

Tied Bills: None

Companion Bills: CS/CS/SB 1514; includes parts of CS/CS/HB 343, CS/CS/SB 422, CS/CS/HB 1063, and CS/CS/SB 1876

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; State Affairs Committee

Category: Agriculture; Natural Resources; Public Employees

The bill removes the 20-mile maximum distance that a vehicle carrying agricultural products may travel on roads where the posted speed limit is 65 miles per hour or less without covering and securing a load.

The bill requires the Department of Agriculture and Consumer Services (DACS) to establish by rule the requirements for agents qualified to administer written competency examinations required for liquefied petroleum (LP) gas licensure and the requirements for a competency examination for a person applying for a license to service and repair recreational vehicles. In order to be eligible to apply for certification as a master qualifier for a LP gas business, verifiable LP gas experience or professional certification is required.

The bill extends the expiration date of DACS's authority to use funds from the Pest Control Trust Fund to carry out the duties of the Division of Agricultural Environmental Services from June 30, 2020, to June 30, 2024. The bill authorizes DACS to revoke an entity's aquaculture certificate of registration if DACS determines that aquaculture is not the primary purpose of the certified entity's operation.

The bill revises the definition of the term "hemp extract" and revises labeling requirements. The bill provides that hemp extract that does not meet certain requirements is considered adulterated or misbranded. It also prohibits the sale of hemp extract products intended for inhalation to individuals under 21 years of age.

The bill requires the Florida Forest Service training curriculum for firefighters to include a minimum of 40 hours each of structural firefighter training and emergency medical training and to increase the minimum number of hours of wildfire training required from 250 hours to 376 hours.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1047 - Construction Materials Mining Activities

By: Government Operations & Technology Appropriations Subcommittee; Avila; Jones and others

Tied Bills: None

Companion Bills: SB 1618

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Government Operations & Technology Appropriations Subcommittee; State Affairs Committee

Category: Environmental Protection; Natural Resources; Public Safety

The bill creates a monitoring and reporting pilot program for the use of explosives within the Division of the State Fire Marshal to monitor and report each blast resulting from the use of explosives for construction materials mining activities in Miami-Dade County. The bill also requires the State Fire Marshal to hire or contract with seismologists to monitor and report each blast and provides restrictions on who may be hired.

For Fiscal Year 2020-2021, the bill appropriates the recurring sum of \$600,000 and the nonrecurring sum of \$440,000 from the General Revenue Fund, and the nonrecurring sum of \$1 million from the Insurance Regulatory Trust Fund, to the Division of State Fire Marshal to implement and monitor the pilot program.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/CS/HB 1061 - Aquatic Preserves

By: State Affairs Committee; Agriculture & Natural Resources Appropriations Subcommittee; Massullo

Tied Bills: None

Companion Bills: SB 1042

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Category: Environmental Protection; Natural Resources

The bill creates the Nature Coast Aquatic Preserve and specifies the boundaries of the preserve.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 1091 - Environmental Accountability

By: State Affairs Committee; Agriculture & Natural Resources Subcommittee; Fine and others

Tied Bills: None

Companion Bills: CS/CS/SB 1450; includes parts of SB 150, CS/CS/SB 712, and CS/HB 1343

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Category: Environmental Protection; Local Government; Real Property

The bill increases various statutory penalties for violations of environmental laws. For certain violations, the bill specifies that each day during any portion of which the violation occurs constitutes a separate offense. The bill further specifies that each day the cause of an unauthorized discharge of domestic wastewater is not addressed constitutes a separate offense until the violation is resolved by order or judgment.

By July 1, 2022, the bill encourages each county and municipality to establish an evaluation and rehabilitation program for sanitary sewer laterals on residential and commercial properties within its jurisdiction to identify and reduce extraneous flow from leaking sanitary sewer laterals. The bill also requires a seller of real property, before executing a contract for sale, to disclose to a prospective purchaser any known defects in the property's sanitary sewer lateral.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 1276 - Department of Citrus

By: Appropriations; Albritton

Tied Bills: None

Companion Bills: CS/HB 1201

Committee(s) of Reference: Agriculture; Governmental Oversight and Accountability; Appropriations

Category: Agriculture; Government Operations

The bill establishes the Friends of Florida Citrus Program within the Department of Citrus. It provides for the powers and duties of the program and requires any funds received by the program to be deposited into the Florida Citrus Advertising Trust Fund within the department. It also creates the Friends of Florida Citrus Advisory Council to advise and provide recommendations to the Florida Citrus Commission regarding the use of any funds received for the Friends of Florida Citrus Program.

The bill authorizes the department to loan or share department employees with specified state and federal entities. The department may enter into agreements with such entities under terms and conditions that will benefit the state, subject to prior department approval. The bill deletes provisions setting out the required work schedule for the department.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/CS/SB 1414 - Fish and Wildlife Activities

By: Rules; Agriculture; Environment and Natural Resources; Mayfield

Tied Bills: None

Companion Bills: CS/HB 777; includes parts of CS/SB 906 and HB 1415

Committee(s) of Reference: Environment and Natural Resources; Agriculture; Rules

Category: Environmental Protection; Natural Resources

The bill broadens the prohibition on the harassment of hunters, trappers, and fishers to prohibit the harassment of such persons on any public lands, public waters, or publicly owned wildlife management and fish management areas.

The bill increases the number of free freshwater and saltwater fishing days the Fish and Wildlife Conservation Commission (FWC) may designate from four days per year to six days per year.

The bill adds the green iguana and the tegu lizard to the conditional nonnative snakes and lizards list. It prohibits a person or entity from keeping, possessing, importing, selling, bartering, trading, or breeding a species listed as a conditional nonnative snake or lizard except for educational, research, eradication, or control purposes. However, FWC may authorize certain persons or entities to continue to commercially exhibit, sell, or breed green iguanas and tegu lizards.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

HB 6027 - Citrus/Hernando Waterways Restoration Council, Citrus County

By: Massullo

Tied Bills: None

Companion Bills: SB 388, includes parts of CS/SB 1636 and CS/HB 7039

Committee(s) of Reference: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Category: Natural Resources; Repeals of Existing Laws

The bill repeals the Citrus/Hernando Waterways Restoration Council.

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

Local Administration Subcommittee

CS/SB 1466 - Government Accountability

By: Governmental Oversight and Accountability; Baxley and others

Tied Bills: None

Companion Bills: HB 855

Committee(s) of Reference: Community Affairs; Governmental Oversight and Accountability; Rules

Category: Ethics; Local Government

The bill reduces the information that a special district must post online. The bill also excludes certain acts or omissions by board members or employees of special districts, including community development districts, from being considered abuse of public position if such acts or omissions are authorized under specific provisions of the Florida Code of Ethics.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise provided.

Local, Federal & Veterans Affairs Subcommittee

CS/CS/HB 133 - Towing and Immobilizing Vehicles and Vessels

By: State Affairs Committee; Business & Professions Subcommittee; McClain

Tied Bills: None

Companion Bills: CS/CS/SB 1332

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Business & Professions Subcommittee; State Affairs Committee

Category: Business and Professional Regulation; Local Government

The bill requires counties and allows municipalities to establish maximum rates for the towing and immobilization of vessels; however, counties and municipalities are prohibited from enacting a rule or ordinance that imposes a fee or charge on authorized wrecker operators or towing businesses. This prohibition does not apply to the levying of a reasonable business tax or the imposition of an administrative fee on the registered owner or other legally authorized person in control of a vehicle or vessel to cover the cost of enforcement, which may be collected by an authorized wrecker operator or towing business and remitted to the county or municipality after the fee is collected.

The bill prohibits counties and municipalities from adopting or enforcing ordinances or rules that impose fees on the registered owner or lienholder of a vehicle or vessel removed and impounded by an authorized wrecker operator. The bill requires a wrecker operator who recovers, removes, or stores a vehicle or vessel to have a lien on the vehicle or vessel that includes the value of the reasonable administrative fee or charge imposed by a county or municipality.

The bill exempts charter counties meeting certain requirements as of January 1, 2020, from the prohibition on imposing a fee or charge on an authorized wrecker operator or a towing business.

The bill requires tow-away zone notices be placed within 10 feet from the road instead of 5 feet from the public right-of-way line.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/CS/HB 205 - Unlawful Use of Uniforms, Medals, or Insignia

By: Criminal Justice Subcommittee; Local, Federal & Veterans Affairs Subcommittee; Avila; Sabatini and others

Tied Bills: None

Companion Bills: CS/SB 352

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Criminal Justice Subcommittee; State Affairs Committee

Category: Criminal Justice; Military

The bill specifies that “material gain” for purposes of the prohibition against using a military uniform, medal, or insignia or misrepresenting oneself as a military member or veteran for the purpose of material gain, includes, but is not limited to, obtaining employment or political office resulting in receiving compensation.

Subject to the Governor’s veto powers, the effective date of this bill is October 1, 2020.

HJR 369 - Limitation on Homestead Assessments

By: Roth and others

Tied Bills: HB 371; HB 671

Companion Bills: SJR 146

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Category: Constitutional Amendments; Local Government; Real Property; Taxes

The joint resolution proposes an amendment to the Florida Constitution to extend the period to transfer the Save Our Homes assessment limitation from a prior homestead to a new homestead from two years to three years.

The amendment proposed in the joint resolution will take effect on January 1, 2021, if approved by 60 percent of the voters during the 2020 general election.

HB 371 - Limitations on Homestead Assessments

By: Roth and others

Tied Bills: HJR 369

Companion Bills: CS/SB 148

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Category: Constitutional Amendments; Local Government; Real Property; Taxes

The bill implements HJR 369 (2020), if the joint resolution is passed by the voters, by extending the period to transfer the Save Our Homes benefit from a prior homestead from two years to three years.

Subject to the Governor's veto powers, the effective date of this bill is on the effective date of the amendment to the State Constitution proposed by HJR 369 or a similar joint resolution having substantially the same specific intent and purpose.

CS/CS/SB 410 - Growth Management

By: Rules; Community Affairs; Perry

Tied Bills: None

Companion Bills: CS/CS/CS/HB 203; includes parts of CS/CS/CS/HB 395, CS/HB 519, CS/SB 1398, CS/SB 1766, CS/SB 7018, SB 7054, and HB 7099

Committee(s) of Reference: Community Affairs; Judiciary; Rules

Category: Local Government; Real Property; Utilities and Communications

The bill requires local governments to include a private property rights element in their comprehensive plans no later than July 1, 2023. Municipal comprehensive plans effective, instead of adopted, after July 1, 2019, must incorporate all existing development orders. The bill prohibits a county from adopting, after January 1, 2020, a comprehensive plan, land development regulation, or other restriction that limits a municipality's control of land use or zoning either within the municipal boundary or over lands annexed into the municipality. The bill provides an exemption for charter counties meeting certain requirements.

The bill allows developers and local governments to amend or cancel a development agreement without seeking consent from any other unaffected landowners. In addition, the bill specifies that development agreements for certain developments of regional impact may be amended using the process adopted by the local government for amending development orders.

The bill prohibits a municipality from annexing land within another municipality without the latter's consent.

The bill requires counties and municipalities to issue or deny permit applications for utilities in a public right-of-way in accordance with specified timeframes.

The bill requires the Department of Transportation to provide a right of first refusal to the prior owner of the land and provides a process for implementing this right of first refusal. The bill also requires the Department of Economic Opportunity to give preference to grant applications by certain counties and municipalities for assistance in making certain determinations pertaining to a proposed multiuse corridor interchange, including necessary changes or updates to a local government's comprehensive plan.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

SB 716 - County Boundaries

By: Mayfield

Tied Bills: None

Companion Bills: CS/HB 345

Committee(s) of Reference: Community Affairs; Governmental Oversight and Accountability; Rules

Category: Local Government

The bill revises the boundary between Indian River and St. Lucie Counties to place 5.56 acres of land currently within Indian River County into the St. Lucie County boundary and 0.65 acres currently within St. Lucie County into the Indian River County boundary.

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

HJR 877 - Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities

By: Killebrew and others

Tied Bills: HB 879, HB 881

Companion Bills: SJR 1076

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Category: Constitutional Amendments; Military; Taxes

The joint resolution proposes an amendment to the Florida Constitution to allow the same ad valorem tax discount on homestead property for combat-disabled veterans age 65 or older to carry over to the surviving spouse of a veteran receiving the discount if the surviving spouse holds legal or beneficial title to the homestead and permanently resides thereon. The discount would apply to the property until the surviving spouse remarries, sells, or otherwise disposes of the property. If the surviving spouse sells the property, the discount may be transferred to the surviving spouse's new residence, not to exceed the dollar amount granted from the most recent ad valorem tax roll, as long as the residence is used as the surviving spouse's permanent residence and he or she does not remarry.

The amendment proposed in the joint resolution will take effect on January 1, 2021, if approved by 60 percent of the voters during the 2020 general election.

HB 879 - Surviving Spouse Ad Valorem Tax Reduction

By: Killebrew and others

Tied Bills: HJR 877

Companion Bills: CS/SB 1074

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Category: Constitutional Amendments; Military; Taxes

The bill implements HJR 877 (2020), if the voters approve the amendment, by allowing the same ad valorem tax discount on homestead property for combat-disabled veterans age 65 or older to carry over to the surviving spouse of a veteran receiving the discount if the surviving spouse holds legal or beneficial title to the homestead and permanently resides thereon, provided certain requirements are met. A spouse who qualifies to receive the discount and who fails to file an application by March 1 may file the application for the discount and may file a petition with the value adjustment board requesting that the discount be granted.

The bill authorizes the Department of Revenue to adopt emergency rules and provides that such rules are effective for six months and may be renewed.

Subject to the Governor's veto powers, the effective date of this bill is on the effective date of the amendment to the State Constitution proposed by HJR 877, or a similar joint resolution having substantially the same specific intent and purpose.

HB 1009 - Special Neighborhood Improvement Districts

By: Newton

Tied Bills: None

Companion Bills: SB 1424

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Category: Local Government

The bill increases the number of members that can serve on the board of a special neighborhood improvement district (NID) to three, five, or seven, and provides that members serve four-year staggered terms. The number of board members must be specified in the ordinance creating the special NID. The bill requires members to be landowners, rather than residents, in the proposed NID area who are subject to ad valorem taxation.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/CS/SB 1066 - Impact Fees

By: Appropriations; Finance and Tax; Community Affairs; Gruters

Tied Bills: None

Companion Bills: CS/CS/CS/HB 637

Committee(s) of Reference: Community Affairs; Finance and Tax; Appropriations

Category: Fees; Local Government

The bill provides that new or increased impact fees do not apply to current or pending permit applications submitted before the effective date of the ordinance imposing the new or increased impact fee unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant. Local governments must credit against the collection of school impact fees any contribution or exaction related to public education facilities regardless of the requirements of any charter provision, comprehensive plan policy, or ordinance. The bill provides that impact fee credits may be assigned or transferred at any time once they are created and must be used within the same or adjacent impact fee zone or district within the same local government jurisdiction.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 1249 - Transfer of Tax Exemption for Veterans

By: State Affairs Committee; Local, Federal & Veterans Affairs Subcommittee; Sullivan

Tied Bills: None

Companion Bills: CS/SB 1662

Committee(s) of Reference: Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Category: Military; Taxes

The bill allows a veteran who was honorably discharged with a service-connected total and permanent disability to receive a property tax refund of the ad valorem taxes paid for a newly acquired property, prorated as of the date of the transfer, if the veteran

- receives the homestead property tax exemption on a property in a given year,
- acquires legal or beneficial title to another property between January 1 and November 1 of the same year, and
- applies for and receives an exemption for the newly acquired property in the next tax year.

The property appraiser must immediately update the tax roll to allow the prorated refund to be processed.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 1398 - Community Planning

By: Rules; Flores and others

Tied Bills: None

Companion Bills: HB 1097; includes parts of CS/CS/CS/HB 203 and CS/CS/SB 410

Committee(s) of Reference: Community Affairs; Governmental Oversight and Accountability; Rules

Category: Government in the Sunshine; Government Operations; Local Government; Transportation

The bill authorizes members of a regional planning council to appear by telephone, videoconferencing, or similar communications technology broadcast publicly at the physical meeting location provided that at least one third of the voting members of the RPC are physically present at the meeting location and the member provides notice to the RPC of his or her intent to appear electronically at least 24 hours prior to the meeting. Members appearing by such electronic means count towards the quorum requirement and may vote.

The bill requires the Department of Economic Opportunity, when selecting applications for Community Planning Technical Assistance Grants, to give preference to counties with populations of 200,000 or less, and the municipalities located within such counties, for assistance in determining whether an area around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and for aid in developing or amending local government comprehensive plans to provide for land uses, natural resource protections, and other benefits.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

Oversight, Transparency & Public Management Subcommittee

CS/CS/HB 279 - Local Government Public Construction Works

By: State Affairs Committee; Oversight, Transparency & Public Management Subcommittee; Smith, D. and others

Tied Bills: None

Companion Bills: CS/CS/SB 504

Committee(s) of Reference: Oversight, Transparency & Public Management Subcommittee; Business & Professions Subcommittee; State Affairs Committee

Category: Government Operations; Local Government

The bill specifies what costs must be included in the estimated cost of a public building construction project when a local government is deciding whether to perform the project using its own services, employees, and equipment. The same cost considerations must also be used when determining the estimated cost of certain road and bridge projects. The bill also requires a local government performing such projects to annually create and review a report summarizing completed projects and the associated costs of each project. The Auditor General must review the report as part of his or her audits of local governments.

The bill also requires local governments issuing bidding documents or other requests for proposals to include a listing of all other governmental entities that may have additional permits or fees generated by the project.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 441 - Public Procurement of Services

By: State Affairs Committee; Oversight, Transparency & Public Management Subcommittee; DiCeglie and others

Tied Bills: None

Companion Bills: CS/CS/SB 506

Committee(s) of Reference: Oversight, Transparency & Public Management Subcommittee; Government Operations & Technology Appropriations Subcommittee; State Affairs Committee

Category: Government Operations

The bill increases the maximum limit for continuing contracts covered by the Consultants' Competitive Negotiation Act from an estimated per-project construction cost of \$2 million to \$4 million. The bill also increases the maximum limit for procuring a study using a continuing contract from \$200,000 per study to \$500,000.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/SB 538 - Emergency Reporting

By: Community Affairs; Infrastructure and Security; Diaz and others

Tied Bills: None

Companion Bills: CS/CS/HB 865

Committee(s) of Reference: Infrastructure and Security; Community Affairs; Rules

Category: Emergency Management; Local Government

The bill requires the Division of Emergency Management (DEM) to create a list of reportable incidents and annually provide the list to each political subdivision. Political subdivisions must notify the State Watch Office within DEM that an incident specified on the list of reportable incidents has occurred within its jurisdiction. The bill authorizes DEM to establish guidelines specifying the method and format a political subdivision must use when reporting an incident.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 705 - Emergency Sheltering of Persons with Pets

By: Oversight, Transparency & Public Management Subcommittee; Killebrew; Toledo and others

Tied Bills: None

Companion Bills: CS/CS/SB 752

Committee(s) of Reference: Oversight, Transparency & Public Management Subcommittee; Health & Human Services Committee; State Affairs Committee

Category: Emergency Management; Local Government; Natural Disasters

The bill requires counties that maintain designated shelters to designate a shelter that can accommodate persons with pets and requires such shelters to meet certain requirements. The bill also requires the Department of Education to assist the Division of Emergency Management in determining strategies for the evacuation of persons with pets for the shelter component of the state comprehensive emergency management plan.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 821 - Pub. Rec. and Meetings/Information Technology Security Information

By: State Affairs Committee; Oversight, Transparency & Public Management Subcommittee;

Williamson and others

Tied Bills: None

Companion Bills: CS/SB 1170

Committee(s) of Reference: Oversight, Transparency & Public Management Subcommittee; State Affairs Committee

Category: Government in the Sunshine

The bill expands the public record exemption in the Information Technology Security Act to include network schematics, hardware and software configurations, or encryption. The bill also creates a public meeting exemption for those portions of a public meeting that would reveal certain confidential and exempt records. The bill provides for future review and repeal of the exemptions and provides 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.

SB 936 - Disability Retirement Benefits

By: Gainer

Tied Bills: None

Companion Bills: HB 593

Committee(s) of Reference: Governmental Oversight and Accountability; Military and Veterans Affairs and Space; Rules

Category: Military; Retirement

The bill allows a member of the Florida Retirement System who is receiving care at a federal Veterans' Health Administration facility to provide certification by two licensed physicians employed by such facility as proof of total and permanent disability, regardless of the state where the physicians are licensed.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 952 - Senior Management Service Class

By: Governmental Oversight and Accountability; Perry

Tied Bills: None

Companion Bills: CS/CS/HB 605

Committee(s) of Reference: Governmental Oversight and Accountability; Criminal Justice; Appropriations

Category: Public Employees; Retirement

The bill requires certain employees of the criminal conflict and civil regional counsel offices to participate in the Senior Management Service Class of the Florida Retirement System beginning July 1, 2020. The bill allows the employees to purchase retirement credit retroactive to October 1, 2007, and to upgrade such retirement credit.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/SB 966 - Public Records/Disaster Recovery Assistance

By: Governmental Oversight and Accountability; Gainer

Tied Bills: None

Companion Bills: CS/CS/HB 1035

Committee(s) of Reference: Infrastructure and Security; Governmental Oversight and Accountability; Rules

Category: Emergency Management; Government in the Sunshine; Local Government

The bill creates a public record exemption for property photographs and the personal identifying information of an applicant for or a participant in a federal, state, or local housing program held by the Department of Economic Opportunity, the Florida Housing Finance Corporation, a county, a municipality, or a local housing finance agency for the purpose of disaster recovery assistance for a presidentially declared disaster. The bill provides for future review and repeal of the exemption and provides a public necessity statement as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 1005 - Voting Systems

By: State Affairs Committee; Byrd and others

Tied Bills: None

Companion Bills: CS/SB 1312; includes parts of CS/CS/SB 1372

Committee(s) of Reference: Oversight, Transparency & Public Management Subcommittee; Public Integrity & Ethics Committee; State Affairs Committee

Category: Elections

The bill allows county canvassing boards and supervisors of elections to use automatic tabulating equipment that is not part of the voting system to conduct both machine and manual recounts, and requires the Department of State to adopt procedures relating to the certification and use of such equipment. The bill also requires testing for accuracy of voting systems to occur at least 25 days before the commencement of early voting.

Subject to the Governor's veto powers, the effective date of this bill is January 1, 2021, except as otherwise provided.

CS/SB 1050 - Disaster Volunteer Leave for State Employees

By: Governmental Oversight and Accountability; Diaz

Tied Bills: None

Companion Bills: CS/CS/HB 1181

Committee(s) of Reference: Governmental Oversight and Accountability; Infrastructure and Security; Rules

Category: Natural Disasters; Public Employees

The bill amends the Florida Disaster Volunteer Leave Act to expand the type of organization through which a state agency employee may provide volunteer service and to revise the employee and employer requirements for disaster volunteer service.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

HB 7001 - OGSR/E-mail Addresses/Department of Highway Safety and Motor Vehicles

By: Oversight, Transparency & Public Management Subcommittee; Plasencia

Tied Bills: None

Companion Bills: SB 7022

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; State Affairs Committee

Category: Government in the Sunshine; Highway Safety

The bill saves from repeal the public record exemption for e-mail addresses held by the Department of Highway Safety and Motor Vehicles for the purposes of providing title certificate notifications, motor vehicle registration renewal notices, and driver license renewal notices.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7003 - OGSR/Payment Instrument Transaction Information/Office of Financial Regulation

By: Oversight, Transparency & Public Management Subcommittee; Andrade

Tied Bills: None

Companion Bills: SB 7014

Committee(s) of Reference: Insurance & Banking Subcommittee; State Affairs Committee

Category: Financial Services; Government in the Sunshine

The bill saves from repeal the public record exemption for payment instrument transaction information held by the Office of Financial Regulation within the check cashing database that identifies a licensee, payor, payee, or conductor.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

SB 7004 - OGSR/Taxpayer E-mail Addresses Held by a Tax Collector

By: Finance and Tax

Tied Bills: None

Companion Bills: HB 7007

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

Category: Government in the Sunshine; Taxes

The bill saves from repeal the public record exemption for taxpayer e-mail addresses held by tax collectors for the purposes of obtaining the taxpayer's consent to send tax notices via e-mail and e-mailing certain tax notices.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7005 - OGSR/RICO Act Investigations

By: Oversight, Transparency & Public Management Subcommittee; Grall

Tied Bills: None

Companion Bills: SB 7038

Committee(s) of Reference: Criminal Justice Subcommittee; State Affairs Committee

Category: Criminal Justice; Government in the Sunshine

The bill saves from repeal the public record exemption for information held by the Department of Legal Affairs, the Office of Statewide Prosecution, or the office of a state attorney pursuant to an investigation of a violation of the Florida Racketeer Influenced and Corrupt Organization Act.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7013 - OGSR/Residential Facilities Serving Victims of Sexual Exploitation

By: Oversight, Transparency & Public Management Subcommittee; Daniels and others

Tied Bills: None

Companion Bills: SB 7034

Committee(s) of Reference: Children, Families & Seniors Subcommittee; State Affairs Committee

Category: Government in the Sunshine; Social Services

The bill saves from repeal the public record exemptions for information about the location of safe houses, safe foster homes, and other residential facilities serving child victims of human trafficking and residential facilities serving adult victims of human trafficking involving commercial sexual activity.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7015 - OGSR/Body Camera Recordings

By: Oversight, Transparency & Public Management Subcommittee; Shoaf

Tied Bills: None

Companion Bills: SB 7032

Committee(s) of Reference: Criminal Justice Subcommittee; State Affairs Committee

Category: Government in the Sunshine; Law Enforcement

The bill saves from repeal the public record exemption for a body camera recording, or a portion thereof, if the recording is taken within the interior of a private residence; within the interior of a facility that offers health care, mental health care, or social services; or in a place that a reasonable person would expect to be private.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7019 - OGSR/Human Trafficking Victims

By: Oversight, Transparency & Public Management Subcommittee; Shoaf and others

Tied Bills: None

Companion Bills: SB 7036

Committee(s) of Reference: Criminal Justice Subcommittee; State Affairs Committee

Category: Criminal Justice; Government in the Sunshine

The bill saves from repeal the public record exemption for certain criminal intelligence and criminal investigative information that reveals the identity of a victim of human trafficking, child abuse, or certain sexual offenses. The bill also saves from repeal the public record exemption for criminal intelligence and criminal investigative information that reveals or may reveal the identity of a victim of human trafficking whose criminal history has been expunged or ordered expunged.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7023 - OGSR/Child Abuse Death Review Committees

By: Oversight, Transparency & Public Management Subcommittee; Pigman

Tied Bills: None

Companion Bills: SB 7002

Committee(s) of Reference: Children, Families & Seniors Subcommittee; State Affairs Committee

Category: Government in the Sunshine

The bill saves from repeal the public record exemption for certain identifying information held by the State Child Abuse Death Review Committee or a local committee and saves from repeal the public meeting exemption for meetings wherein such information is discussed.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

HB 7075 - OGSR/Animal Medical Records

By: Oversight, Transparency & Public Management Subcommittee; Stevenson

Tied Bills: None

Companion Bills: SB 7008

Committee(s) of Reference: State Affairs Committee

Category: Government in the Sunshine

The bill saves from repeal the public record exemption for animal medical records held by a state college of veterinary medicine that is accredited by the American Veterinary Medical Association.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

Transportation & Infrastructure Subcommittee

CS/HB 37 - School Bus Safety

By: State Affairs Committee; Zika; Slosberg and others

Tied Bills: None

Companion Bills: CS/SB 290

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Highway Safety; Pre-K through 12 Education

The bill increases the minimum civil penalty for failure to stop for a school bus from \$100 to \$200. For a subsequent offense within five years, the Department of Highway Safety and Motor Vehicles (DHSMV) must suspend the driver license of the driver for not less than six months and not more than one year. The bill also increases the minimum civil penalty for passing a school bus on the side that children enter and exit from \$200 to \$400. For a subsequent offense within five years, DHSMV must suspend the driver license of the driver for not less than one year and not more than two years.

Subject to the Governor's veto powers, the effective date of this bill is January 1, 2021.

CS/CS/SB 78 - Transportation-related Facility Designations

By: Appropriations; Infrastructure and Security; Broxson and others

Tied Bills: None

Companion Bills: CS/CS/CS/HB 391. This bill contains elements of other bills that were listed as companion measures. Please see MyFloridaHouse.gov or [Leagis/Bill Navigator](#) for an additional listing.

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

Category: Transportation

The bill creates 28 honorary designations for transportation facilities across the state and directs the Department of Transportation (DOT) to erect suitable markers for each designation. The bill also makes changes to two previous designations. The bill requires DOT to examine the feasibility and impact of renaming portions of Dixie Highway in Miami-Dade County as Harriet Tubman Highway. Finally, the bill designates the Florida Highway Patrol station in Fort Pierce as the "Trooper Joseph Bullock Building" and directs the Department of Highway Safety and Motor Vehicles to erect suitable markers.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

CS/HB 387 - License Plate Fees

By: Transportation & Infrastructure Subcommittee; Hogan Johnson and others

Tied Bills: HB 385; HB 1135

Companion Bills: CS/CS/SB 414

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Fees; Highway Safety

The bill provides that unless the amount of an annual use fee is otherwise specified for a particular specialty license plate, the annual use fee for the specialty license plate will be \$25.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/CS/HB 787 - Driver Licenses and Identification Cards

By: State Affairs Committee; Transportation & Infrastructure Subcommittee; Tomkow and others

Tied Bills: CS/CS/HB 789

Companion Bills: CS/CS/SB 1692

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Health; Highway Safety

The bill authorizes an optional "D" designation on the driver license of a person who has been diagnosed with a developmental disability provided certain requirements are met. Additionally, a licensee, or his or her parent or legal guardian, may surrender his or her current driver license at any time to add or remove a "D" designation. If the applicant is not conducting any other transaction affecting the driver license, the standard \$25 replacement fee is waived.

The bill also requires the Department of Highway Safety and Motor Vehicles to include an option on the driver license or identification card application form to make a voluntary contribution of \$1 or more to Childhood Cancer Care to be distributed to the Live Like Bella Childhood Cancer Foundation.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/CS/HB 789 - Driver License Fees

By: State Affairs Committee; Transportation & Infrastructure Subcommittee; Tomkow

Tied Bills: CS/CS/HB 787

Companion Bills: CS/CS/SB 1694

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Fees; Health; Highway Safety

For a person seeking a “D” designation on his or her driver license, the bill requires the payment of an additional \$1 fee for a new or renewed driver license with a “D” designation or a payment of a \$2 fee upon the surrender and replacement of a current driver license to add or remove a “D” designation. The fees are deposited into the Highway Safety Operating Trust Fund.

Subject to the Governor’s veto powers, the effective date of this bill is on the same date that CS/CS/HB 787 or similar legislation takes effect.

CS/CS/HB 915 - Commercial Service Airports

By: State Affairs Committee; Transportation & Infrastructure Subcommittee; Avila and others

Tied Bills: None

Companion Bills: CS/CS/SB 1258

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Ethics; Government in the Sunshine; Government Operations; Local Government; Transportation

The bill requires the Auditor General, at least once every seven years, to conduct operational and financial audits of the state's large-hub commercial service airports (Orlando, Miami, Fort Lauderdale, and Tampa), and provides minimum requirements for each operational audit.

The bill requires the governing body of each commercial service airport to establish and maintain a website containing certain specified information. The bill reiterates that members of the governing body and employees of commercial service airports are subject to the Code of Ethics for Public Officers and Employees, and requires annual ethics training for members of the governing body. It requires commercial service airports to follow the procurement requirements for state agencies for the purchase of commodities or contractual services in excess of \$65,000, and requires the governing body of the commercial service airport to approve, award, or ratify, each contract exceeding \$325,000.

Finally, the bill requires the governing body of each commercial service airport to submit specified information to the Department of Transportation and prohibits the department from expending funds allocated to a commercial service airport until the airport demonstrates compliance with the transparency and accountability provisions of the bill.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020.

CS/CS/HB 971 - Electric Bicycles

By: State Affairs Committee; Transportation & Infrastructure Subcommittee; Grant, M. and others

Tied Bills: None

Companion Bills: CS/SB 1148

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Highway Safety; Local Government; Transportation

The bill defines the term “electric bicycles” (e-bikes) using a three-tiered classification system. The bill establishes regulations governing the operation of e-bikes and provides that e-bikes and e-bike operators must be afforded all the rights and privileges, and be subject to all of the duties, of bicycles and bicycle operators. The bill authorizes e-bikes to operate where bicycles are allowed. However, local governments may regulate the operation of e-bikes on streets, highways, sidewalks, and sidewalk areas, and local governments and state agencies with jurisdiction over bicycle paths, multiuse paths, and trail networks may restrict or prohibit the operation of e-bikes on such paths and networks.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 977 - Motor Vehicle Dealers

By: State Affairs Committee; Transportation & Infrastructure Subcommittee; Rommel and others

Tied Bills: None

Companion Bills: CS/SB 1738

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Judiciary Committee; State Affairs Committee

Category: Business and Professional Regulation; Civil Justice; Highway Safety; Transportation

The bill provides that a motor vehicle dealer, or the dealer’s leasing or rental affiliate, that provides a temporary replacement vehicle to a customer whose vehicle is being held for repair, service, or adjustment by the dealer is immune from vicarious liability in a civil proceeding. This immunity applies as long as there is no negligent or criminal wrongdoing by the dealer or affiliate. In addition, the bill requires the motor vehicle dealer, or the dealer’s leasing or rental affiliate, to execute a written rental or use agreement and obtain a copy of the vehicle operator’s driver license and insurance information to qualify for the immunity from vicarious liability.

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2020.

CS/CS/HB 1039 - Transportation Network Companies

By: State Affairs Committee; Transportation & Infrastructure Subcommittee; Rommel and others

Tied Bills: None

Companion Bills: CS/CS/SB 1352

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Insurance & Banking Subcommittee; State Affairs Committee

Category: Business and Professional Regulation; Insurance; Transportation

The bill allows certain motor vehicles compliant with the Americans with Disabilities Act, limousines, and luxury for-hire vehicles to operate as a transportation network company (TNC) vehicle and allows for-hire vehicle owners to operate as a TNC.

The bill requires luxury ground TNCs to comply with all of the requirements applicable to a TNC and requires such TNCs to maintain specific insurance coverage at all times. The bill provides that the regulation of luxury ground TNCs, luxury ground TNC drivers, and luxury ground TNC vehicles is preempted to the state.

The bill authorizes TNC drivers to contract for the installation of TNC digital advertising devices on TNC vehicles and provides requirements for the use and display of a TNC digital advertising device.

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

HB 1135 - License Plates

By: Grant, J. and others

Tied Bills: CS/HB 387

Companion Bills: CS/CS/HB 412. This bill contains elements of other bills that were listed as companion measures. Please see MyFloridaHouse.gov or [Leagis/Bill Navigator](#) for additional listings.

Committee(s) of Reference: Transportation & Infrastructure Subcommittee; Transportation & Tourism Appropriations Subcommittee; State Affairs Committee

Category: Highway Safety; Transportation

The bill authorizes the election of a permanent registration period for certain for-hire vehicles provided the appropriate license taxes and fees are paid annually. The bill makes several changes related to specialty and special license plates, including establishing a cap of 150 specialty license plates, providing a process for the discontinuation of low performing specialty license plates and the addition of new specialty license plates, and creating 32 new specialty license plates. The bill authorizes the Department of Highway Safety and Motor Vehicles to issue specialty license plates for fleet and motor vehicle dealer vehicles.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2020, but only if HB 387 or similar legislation takes effect in the same legislative session or an extension thereof.

CS/CS/SB 1508 - Police Vehicles

By: Infrastructure and Security; Criminal Justice; Taddeo

Tied Bills: None

Companion Bills: CS/HB 1281

Committee(s) of Reference: Criminal Justice; Infrastructure and Security; Rules

Category: Highway Safety; Law Enforcement

Before a person knowingly sells, exchanges, or transfers a police vehicle, the bill requires that person to remove any police markings from the vehicle and provide the purchaser, customer, or transferee with an official letter of notification from the law enforcement agency, seller, or auction house affirming that the vehicle has had all police markings removed. Sales, exchanges, or transfers of police vehicles to members of the general public for the purposes of collection or display are exempt from these requirements; however, the seller, exchanger, or transferor must provide written notice that use of the vehicle for impersonation of a public officer or employee is a third degree felony. Sales, exchanges, or transfers of police vehicles between law enforcement agencies also are exempt from these requirements.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020.

HOUSE OF REPRESENTATIVES
Ways & Means Committee
Representative Bryan Avila, Chair
Representative Michael Grant, Vice Chair

2020 SUMMARY OF PASSED LEGISLATION



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HB 7095 - Adoption of the Internal Revenue Code for Purposes of the Corporate Income Tax

By: Ways & Means Committee; Avila

Tied Bills: None

Companion Bills: SB 7058

Committee(s) of Reference: None

Category: Taxes

Florida levies a 5.5 percent tax on the taxable income of corporations and financial institutions doing business in Florida. To calculate the Florida corporate income tax owed, Florida uses the federal taxable income from the federal tax returns as a starting point. This linkage to the federal Internal Revenue Code (IRC) requires annual updates to Florida's tax code.

The bill updates Florida's corporate income tax code by adopting the IRC as in effect on January 1, 2020. Adopting the code ensures that the Florida tax code reflects any relevant changes to the IRC that were made during the prior year.

The Revenue Estimating Conference estimates that adopting the Internal Revenue Code as it existed on January 1 will have a state revenue impact that is indeterminate with respect to both magnitude and direction.

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

CS/HB 7097 - Taxation

By: Appropriations Committee; Ways & Means Committee; Avila

Tied Bills: None

Companion Bills: None

Committee(s) of Reference: Appropriations Committee

Category: Taxes

The bill provides for tax reductions and tax-related modifications that will impact both families and businesses.

For sales tax purposes, the bill includes a three-day "back-to-school" tax holiday in early August 2020 and a seven-day "disaster preparedness" tax holiday in May and June of 2020; a requirement that School Capital Outlay sales surtaxes approved in the future be proportionately shared with charter schools; and a requirement that any future levy of the Charter County and Regional Transportation System Sales Surtax in any eligible county be limited to 30 years in duration.

For corporate income tax, the bill amends the calculation of a taxpayer's "final tax liability" for purposes of calculating certain corporate income tax refunds.

The bill increases the population limit, under which a county is authorized to use its tourist development tax revenues for zoological parks, fishing piers, and nature centers, from 750,000 to 950,000.

Regarding property taxes, the bill amends the requirements for hospitals to qualify for a charitable tax exemption. Non-profit hospitals will be required to document the value of charitable services they provide, and their current charity tax exemption will be limited to the value of that charity care. The bill updates the qualifying operations for the deployed servicemember tax exemption; amends statutory provisions that address conflict of interest for special magistrates; and restricts information that may be mailed with the yearly TRIM notice. The bill also exempts from property tax vacant affordable housing units and units occupied by persons or families that met the qualifying income thresholds at the time they began their tenancy, but whose income grew through the income thresholds. The bill also exempts from property tax an affordable housing project owned by a limited liability company, which is also owned by a limited liability company, as long as the owner of the second limited liability company is a qualifying 501(c)(3) entity.

The bill lowers the tax rate on surplus lines insurance and provides that the new lower rate applies to all policies irrespective of where the insured risk is located.

The bill exempts new school construction projects funded solely through local impact fees from the total cost per student station limitation. It also prohibits an owner of a public building from soliciting any payment for providing the allocation letter needed to receive a federal income tax deduction for energy efficient construction.

The bill also includes provisions proposed by the Department of Revenue to enhance the administration of state taxes and oversight of property taxation.

The total state and local government revenue impact of the bill in Fiscal Year 2020-21 is estimated to be -\$47.4 million (all nonrecurring). The bill also provides nonrecurring appropriations totaling \$311,000 from the General Revenue Fund to implement the act.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2020, except as otherwise provided.

The Ways & Means Committee has no subcommittees under it.

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SB 292	SB 292	Commerce Committee
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HB 327	HB 327	State Affairs Committee
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HB 343	HB 343	Commerce Committee

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HB 359	SB 1606	Commerce Committee
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HB 387	HB 387	State Affairs Committee
SB 388	HB 6027	State Affairs Committee
SB 388	HB 7039	State Affairs Committee
HB 389	HB 389	Health & Human Services Committee
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HB 395	SB 7018	State Affairs Committee
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HB 401	SB 680	State Affairs Committee
SB 402	HB 767	Health & Human Services Committee
SB 404	SB 404	Health & Human Services Committee
HB 405	SB 712	State Affairs Committee
SB 406	SB 406	Health & Human Services Committee
SB 410	SB 1398	State Affairs Committee
SB 410	SB 410	State Affairs Committee
SB 410	SB 7018	State Affairs Committee
SB 412	HB 1135	State Affairs Committee
SB 414	HB 387	State Affairs Committee
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SB 422	HB 343	Commerce Committee
SB 426	SB 426	Commerce Committee
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SB 476	SB 476	Commerce Committee
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HB 487	SB 1092	Commerce Committee
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HB 505	HB 505	Judiciary Committee
SB 506	HB 441	State Affairs Committee
SB 510	HB 333	Judiciary Committee
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HB 529	HB 529	Commerce Committee
SB 538	SB 538	State Affairs Committee
SB 540	SB 540	Commerce Committee
HB 549	HB 549	State Affairs Committee
HB 559	HB 559	Health & Human Services Committee
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HB 573	HB 573	Judiciary Committee
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SB 598	SB 598	Rules Committee
HB 599	HB 599	Health & Human Services Committee
SB 600	SB 600	Rules Committee
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HB 709	SB 994	Health & Human Services Committee
SB 712	HB 1091	State Affairs Committee
SB 712	SB 712	State Affairs Committee
HB 713	HB 713	Health & Human Services Committee
SB 714	HB 389	Health & Human Services Committee
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HB 745	SB 1286	Judiciary Committee
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HB 787	HB 787	State Affairs Committee
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HB 945	HB 945	Health & Human Services Committee
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SB 966	SB 966	State Affairs Committee
HB 969	HB 969	Commerce Committee
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HB 977	HB 977	State Affairs Committee
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HB 1087	HB 1087	Health & Human Services Committee
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HB 1271	SB 426	Commerce Committee
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SB 1326	SB 1326	Health & Human Services Committee
SB 1332	HB 133	State Affairs Committee
HB 1339	HB 1339	Commerce Committee
HB 1343	HB 1091	State Affairs Committee
HB 1343	SB 712	State Affairs Committee
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SB 1564	HB 1189	Health & Human Services Committee
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SB 1636	HB 6027	State Affairs Committee
SB 1636	HB 7039	State Affairs Committee
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HB 7007	SB 7004	State Affairs Committee
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HB 7009	HB 7009	Public Integrity & Ethics Committee
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